

**Testimony to the House Judiciary Committee**  
**HB1219 Correctional Services – Parole— Life Imprisonment**  
**March 3, 2020**  
**Lifers for Change Maryland Correctional Institute - Jessup**  
**MCI-J PO Box 549 Jessup, MD 20794**

Please accept this statement in support of HB1219 Correctional Services –Parole – Life Imprisonment. Lifers for Change is a group of currently incarcerated individuals serving life sentences at the Maryland Correctional Institution - Jessup. We are writing to add our voices to the parole reform policy discussion. Our views are based on our collective experience of being directly impacted by Maryland's justice system, particularly Maryland's parole policies.

According to the Maryland Restorative Justice Initiative, a 2012 Maryland Court of appeals decision in *Unger v. State* mandated that 232 individuals convicted under unlawful jury instructions before 1980 were entitled to new trials. As of today, 193 individuals have been released with very low (about 3%) recidivism. In fact, not only have many of those released under the Unger decision successfully reintegrated into society, they have also added value back into their community.

Lifers for Change is concerned that the politicized parole process has greatly compromised any realistic opportunities to make parole. For example, there are at least two individuals who were recommended for parole over two years ago; however, their parole recommendations have stalled after their risk assessment. Aside from that, lifers who have served well over 25 years of their sentences have been –what we believe—unfairly denied opportunities to progress through the prison system; e.g., receive lower security classifications.

Those released under the Unger decision followed the same trajectory. Many were previously recommended for parole, but Maryland governors would not approve the parole board's decision; and up until a 2011 law change, some governors would not even consider the parole board's decisions. The governor's current power to control the fate of a person's future, through approval or rejection of a parole recommendation made by the Maryland Parole Commission, completely undermines the role of the parole commission at a high cost to Maryland taxpayers.

We are in many ways very similar to the Ungers, including being elderly in years and having served very long sentences. The only difference is the legal issues related to the jury instructions in the Ungers' cases, which allowed them an opportunity to be released; something we have not been afforded despite judges intent in sentencing that many of us would have a meaningful opportunity for parole. Many of us have satisfied the conditions of our confinement, but thus far the state is not honoring the conditions that we were told we needed to adhere to. We believe it is fundamentally unfair that, having met the conditions of release, the rules have changed.

The Unger ruling provided Maryland a unique look at a forgotten population that has in many ways become political prisoners at a high cost to Maryland taxpayers. We have been left behind due to the politicization of the parole process.