

Bill Number: HB 426
Scott D. Shellenberger, State's Attorney for Baltimore County
Opposed

WRITTEN TESTIMONY OF SCOTT SHELLENBERGER,
STATE'S ATTORNEY FOR BALTIMORE COUNTY
IN OPPOSITION OF HOUSE BILL 426
CORRECTIONAL SERVICES
ELDER PAROLE

I write in opposition of House Bill 426 which would change the parole system for those 60 and over.

There already exists a well thought out parole system found in Correctional Services Article §7-301. In addition, this body has clarified the medical parole system found in Correctional Services Article §7-309 which could apply to those over the age of 60.

Finally, the Governor has greatly expanded those given parole for even a life sentence. Governor Hogan has paroled 26 people serving life sentences whether by approving parole or allowing it to go into effect. Because of the Court of Appeals decision in the Unger case, approximately 250 lifers, whose sentences dated back to the 1970's and early 1980's, got new trials and the majority were released. In addition, because of the Supreme Court rulings, the Maryland Parole Commission is providing 270 lifers, who committed their crimes when they were juveniles, a parole hearing. At that hearing factors the Supreme Court established will be applied.

While I candidly admit this Bill has been tightened up over the years by excluding those who committed sex offenses and requiring under Correctional Services Article §7-301 those convicted of crimes of violence to serve more of their sentence, the Bill still subjects victims and victims' families to yet another parole hearing now once per year (§7-310(B)(2)). So not only do victims have to deal with the 13 court hearings permitted after convictions as outlined in my other testimony, now under House Bill 426 there would be yearly parole hearings for those inmates over 60 years of age.

House Bill 426 is a solution in search of a problem. I urge an unfavorable report.