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To: Members of The House Judiciary Committee

From: Doyle Niemann, Chair, Legislative Committee, Criminal Law and Practice Section

Date: February 11, 2022

Subject: **HB600 – Correctional Services – Geriatric and Medical Parole**

Position: **Support**

The Legislative Committee of the Criminal Law & Practice Section of the Maryland State Bar Association (MSBA) **Supports HB600 – Correctional Services – Geriatric and Medical Parole.**

This bill addresses the problem of a growing number of inmates in the state penal system who are elderly or in need of a high degree of medical care. It clarifies policy and spells out a more complete framework to guide the Maryland Parole Commission in making decisions.

The bill appropriately directs the Commission to consider the totality of circumstances related to the inmate, including his or her age, as it evaluates whether they would be a danger to the public or likely to recidivate. In evaluating a case for medical release, it directs the Commission to consider whether the inmate needs specialized medical care or management in a setting outside of prison and sets out a procedure to review cases.

For inmates over 60 who are eligible for parole, the bill directs the Commission to develop and use a dynamic risk assessment tool to evaluate whether release of the inmate would create a public safety risk.

The bill does not order the release of any inmate; it only sets out procedures and policies for the Commission as it considers parole for reasons of age or medical condition – for both of which there is evidence of lower risk of re-offense because of the passage of time or medical condition.

We believe that statutes should be clear and well-defined. The current statute does not satisfy this test.

For the reasons stated, we **Support HB600 – Correctional Services – Geriatric and Medical Parole.**

If you have questions about the position of the Criminal Law and Practice Section’s Legislative Committee, please feel free to address them to me at 240-606-1298 or at doyleniemann@verizon.net.