

IN OPPOSITION TO HB 715 – VIOLENT CRIME – PAROLE

Judiciary Committee – February 23, 2023

My name is Margaret Martin Barry. I am a resident of Maryland, District 16, and an attorney and emeritus professor of law. I ask the Committee to reject HB 715 for the reasons discussed below.

In Maryland, most of the people in prison for violent crime are serving very long sentences. Their incentive to follow prison rules and rehabilitate is the hope of one day achieving release, through parole or court order. HB 715 would take that incentive away. The question is – to what end?

For all of our efforts to reduce the prison population in Maryland, people serving long sentences for violent crimes keep our prisons full. Research has shown recidivism after serving long sentences is very low. People change with age and are less likely to engage in criminal activity as they get older. Thus, we cannot claim a public safety benefit in keeping people in prison longer than we already do.

It also costs taxpayers a lot of money to keep people in prison well into old age. As people in prison get older, their medical costs increase considerably. Medical parole in this state is almost non-existent as is compassionate release. I know of one person who would have left prison to go directly into hospice care who was denied release.

The idea that lengthy sentences deter crime has been disproven over time. Sentences - especially as charges are stacked to yield many decades in prison - are not considered by many in the course of committing crimes. The likelihood of arrest and conviction at all is far more impactful than unfathomable lengths of time locked up that might follow.

Another consideration that underlies this proposal is punishment. Our sentences are already among the harshest in the world. We punish. By seeking to make sentences longer, we exacerbate the stresses they cause for prison management, public safety, deterrence, and cost.

Mass incarceration and all that term suggests regarding the warehousing of black members of our community is still a problem in Maryland. The problem centers on sentences that go well beyond any rational end. The people who commit violent crimes must pay and we make them pay. At some point as a community we must also turn to rehabilitation and reintegration. To do less is as inhumane as it is unwise.¹

HB 715 takes us in the wrong direction on criminal justice reform. I therefore ask for an **unfavorable report** of the bill.

¹ For statistics, research references and analysis supporting assertions in this testimony, *see* Marc Mauer, Long-Term Sentences: Time to Reconsider the Scale of Punishment (November 5, 2018), <https://www.sentencingproject.org/reports/long-term-sentences-time-to-reconsider-the-scale-of-punishment/>