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POSITION ON PROPOSED LEGISLATION

BILL: HB 47 -- Correctional Services Medical Parole - Life Imprisonment

FROM: Maryland Office of the Public Defender

POSITION: Favorable

DATE: 1/20/23

The Maryland Office of the Public Defender respectfully requests that this Committee issue a favorable report on House Bill 47.

Two years ago, the General Assembly voted to remove the Governor from parole for people serving life sentences (SB 202). The Governor vetoed this bill, but that veto was overridden during the 2021 Special Session. This was a critical step towards improving Maryland's broken parole system.

We are incredibly grateful to all who worked to ensure the passage of this important legislation, which helps depoliticize parole.

The bill's intent was to remove the Governor from all lifer cases. However, the section of the code pertaining to medical parole was inadvertently omitted from the bill draft. Unfortunately, this left an unintentional loophole resulting in the situation where only medical parole cases now require gubernatorial action. The only thing House Bill 47 does is correct this error by striking the line of text requiring the Governor to approve medical parole for people serving life sentences. It does not make any other change. This

fix is particularly important due to the need for medical parole applications to be evaluated expeditiously. Medical parole is often sought by persons experiencing rapidly deteriorating, fatal medical conditions. Thus, the need for the Parole Commission to be able to act with immediacy is arguably most critical in these circumstances.

For these reasons, we urge this Committee to issue a favorable report for House Bill 47.

Submitted by: Maryland Office of the Public Defender, Government Relations Division.