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Senate Judicial Proceedings Committee
SB 132 – Correctional Services – Medical Parole – Life Imprisonment
Thursday, February 7, 2024 at 2:00 PM
Position: Support

Disability Rights Maryland (DRM) is Maryland’s state-designated Protection and Advocacy organization, empowered under state and federal law to protect individuals with disabilities from abuse, neglect and civil rights violations. Over the past decade, DRM has advocated for improved conditions for individuals with serious mental illness and other disabilities in state correctional facilities, particularly those housed on segregation (restrictive housing) units. We have visited and toured many of the state’s facilities, reviewed thousands of pages of records, engaged with administrators and representatives of the Department of Public Safety and Correctional Services (DPSCS), and communicated with incarcerated individuals with disabilities throughout the State. Our testimony is informed by what we have learned through this work and from those who are directly impacted.

In 2021, we filed *DRM v. Green*, Case No. 1:21-cv-02959-MJM, in federal district court to secure the rights of individuals with serious mental illness to be free from the harm caused by segregation and to ensure that such individuals are provided with appropriate mental health programming and treatment. That case is still pending.

The modest change proposed by SB 132 would make it easier and quicker for seriously and permanently incapacitated individuals serving a life sentence, including many with significant and longstanding disabilities, to be granted medical parole. All of the existing safeguards and community protections remain in the statute. In our experience, the granting of medical parole in Maryland is reserved for individuals with the most severe medical conditions and disabilities. Many of the individuals released on medical parole move to a hospital, nursing facility, or assisted living, where they can obtain treatment and supportive services that are largely unavailable in Maryland prisons. The proposed change is good public policy: when an individual has been recommended for Medical Parole by the Commission, it should not be necessary for the individual to wait for gubernatorial approval or an additional 180-day waiting period (if the governor chooses not to affirmatively respond to the request), before being approved for medical parole. DRM urges this committee to address these issues and provide a favorable recommendation for Senate Bill 132.

Should you have any questions or need additional information, please contact Luciene Parsley, Litigation Director at Disability Rights Maryland, at LucieneP@DisabilityRightsMD.org or 443-692-2494.