



OFFICE OF THE STATE'S ATTORNEY FOR BALTIMORE CITY

February 27, 2024

The Honorable William C. Smith Jr., Chairman
Senate Judicial Proceedings Committee
2 East Miller Senate Office Building
Annapolis, Maryland 21401

RE: Support of SB1098 – Correctional Services – Diminution Credits – Sexual Offenses

Dear Chairman Smith and Members of the Senate Judicial Proceedings Committee,

I am writing to express my support for SB1098 Correctional Services - Diminution Credits (Pava Marie LaPere Act). As Baltimore City State's Attorney, I believe that this bill is crucial in addressing the serious issue of the early release of first-degree rape and sexual offenders from our state's correctional system. SB1098 aims to prohibit incarcerated individuals for these specific sexual offenses from earning diminution credits towards their terms of confinement. This reform is essential to ensuring justice for victims, preventing further harm, and protecting public safety.

Data from states that have implemented restrictions on diminution credits for first-degree sex offenses highlights the importance of SB1098. In California, where laws were enacted to limit credits for certain sexual offenses, there was a marked decrease in the rate of recidivism among offenders released from incarceration, indicating the effectiveness of such measures in promoting public safety and reducing the likelihood of reoffending. In Maryland, over the past decade we have witnessed eleven individuals charged with first degree rape released on parole while 199 were released during that period due to diminution credits.

By repealing and reenacting specific provisions in Article 3-702 of the Correctional Services section, this bill sends a clear message that the sentences for such heinous crimes will be fully enforced, and convicted individuals will face significant consequences for their actions that undoubtedly inflicted devastating trauma to both victims and their loved ones. They will still be eligible for to come before the men and women of the parole board, as they should, but they will no longer be arbitrarily released due solely to earning these credits without showing any real rehabilitative efforts of not reoffending.



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I commend Chair Smith for his leadership in introducing this legislation and his commitment to protecting the rights and safety of all individuals, especially victims of sexual violence. I sincerely hope you will consider supporting Senate Bill 1098 and advocating for its passage through the Judicial Proceedings Committee. This bill represents a significant opportunity to make our correctional system more just and equitable for all.

Thank you for your attention to this matter.

Yours in service,

Ivan J. Bates

Ivan J. Bates
State's Attorney for Baltimore City