



BRANDON M. SCOTT
MAYOR

*Office of Government Relations
88 State Circle
Annapolis, Maryland 21401*

HB0301

February 6, 2024

TO: Members of the House Judiciary Committee

FROM: Brandon M. Scott, Mayor, City of Baltimore

RE: House Bill 301– Correctional Services – Diminution of a Term of Confinement – First-Degree Rape and First-Degree Sexual Offense (Pava Marie LaPere Act)

POSITION: Support

Chair Clippinger, Vice Chair Bartlett, and Members of the Committee, please be advised that on behalf of the Baltimore City Administration (BCA), I **support** House Bill (HB) 301.

HB 301 prohibits incarcerated individuals serving a sentence for first degree rape or first degree sexual offense from receiving diminution credits, as is currently allowable under the State of Maryland’s Correctional Services Article 3-702. While the Justice Reinvestment Act of 2016 made needed improvements to requirements and permissions under Maryland law, there are still certain crimes – first degree rape and sexual assault – that should not allow for diminution credits.

Research has found a 30% recidivism rate at year 10 after sexual offenders are released from prison, and an increase to 52% re-offending by year 25 (NJCRS, Office of Justice Programs njcrs.gov). Pava Marie LaPere was killed by a convicted sex offender who had been charged with first degree sexual offense in 2015 and had a host of other prior assault charges. He was sentenced to 30 years, but only served 7 and was released on mandatory supervision in 2022 just short of one year before his assault on LaPere. Serving only 23% of the time sentenced does not seem to be in the full spirit of the initial intent of the Justice Reinvestment Act of 2016. La Pere’s murderer has also been charged with four additional crimes committed in the days leading up to her untimely death, including arson, rape, gun theft, and a failure to register as a sex offender.

Reform to eligibility for diminution credits is one of the my Administration’s top priorities for the 2024 General Assembly Session. The need to provide meaningful resources and opportunities for both incarcerated and returning citizens must be balanced with the need to ensure that those who commit, and are found guilty of the most heinous acts, are held fully accountable.

Given the nature of the crime and concerns about recidivism, this legislation rightly prevents diminution credits from being applied to the sentences of those convicted on first degree rape or first-degree sexual assault charges.

For these reasons, the BCA respectfully requests a **favorable** report on HB 301.

*Annapolis – phone: 410.269.0207 • fax: 410.269.6785
Baltimore – phone: 410.396.3497 • fax: 410.396.5136
<https://mogr.baltimorecity.gov/>*