



Continuing the Missions of the Stephanie Roper Committee and Foundation, Inc.

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March 25, 2025

Re: Unfavorable to HB 1147

Dear Chair Smith and Members of the Committee,

I write to express my strong opposition to House Bill 1147, which proposes significant modifications to the Maryland Parole Commission's procedures, including denying victims access to parole hearing recordings and severely restricting the Commission's authority to deny parole. This bill, as currently written, presents significant risks to continued traumatization for victims of crime and their families, which undermines their rights and safety.

Having worked in the criminal justice system across multiple states, I can say that no other state exhibits the same level of confusion and disregard for crime victims as Maryland. I have been an attorney for over 17 years, serving as a prosecutor in Washington State, California, and Maryland. Additionally, I spent four and a half years as in-house counsel at the California Department of State Hospitals, which provides psychiatric care for individuals in the criminal justice system, including those deemed incompetent to stand trial and those identified as sexually violent predators.

For the past three years, I have served as a victim rights attorney at the Maryland Crime Victims Resource Center (MCVRC) and recently became the Deputy Director. This role has been the most rewarding of my career, allowing me to support crime victims during their most challenging times.

HB 1147 prevents victims from accessing parole hearing recordings while only allowing convicted defendants access to these records. This exclusion creates an imbalance that disproportionately favors offenders over victims. Parole hearings often serve as the only platform where victims can voice their concerns regarding an offender's release; limiting their ability to review and respond to these proceedings denies them meaningful participation in the justice system. Victims deserve equal access to information that

pertains to their own safety and well-being, and any law that restricts their ability to monitor and challenge the parole process creates an unjust disadvantage.

Moreover, this bill strips the Maryland Parole Commission of its authority to permanently deny parole, ensuring that every incarcerated individual remains eligible for repeated hearings. Re-hearings are set at only two years apart for sentences under ten years, every three years for sentences over ten years, and every three years initially for sentences exceeding twenty years, followed by subsequent hearings every five years. This guarantees that no victim or their family can ever feel reassured that they may rest easy until the defendant reaches their mandatory release date. The emotional toll of repeatedly reliving the trauma of a crime, compounded by the uncertainty of whether an offender may be released, is an unjust burden placed on victims and their families.

Many victims experience severe emotional distress each time they must prepare for a parole hearing, knowing they will have to recount the crime and the suffering it has caused. The process can feel like reopening a deep wound over and over again. For many, testifying at a parole hearing is not just emotionally exhausting but can also trigger post-traumatic stress, anxiety, and depression. The mental and emotional burden of this process cannot be overstated, and this bill only intensifies that burden by ensuring that victims will have to repeatedly endure these proceedings without respite.

Further, the bill fails to recognize the impact that repeated parole hearings have on public safety. When parole is granted prematurely or under conditions that do not account for the full scope of an offender's actions, communities may face heightened risks. Victims and their families should not have to live in constant fear that the person who harmed them may be released before serving an appropriate sentence. The parole process should be structured in a way that provides victims with confidence that justice is being served and that their rights are valued as much as the rights of the incarcerated.

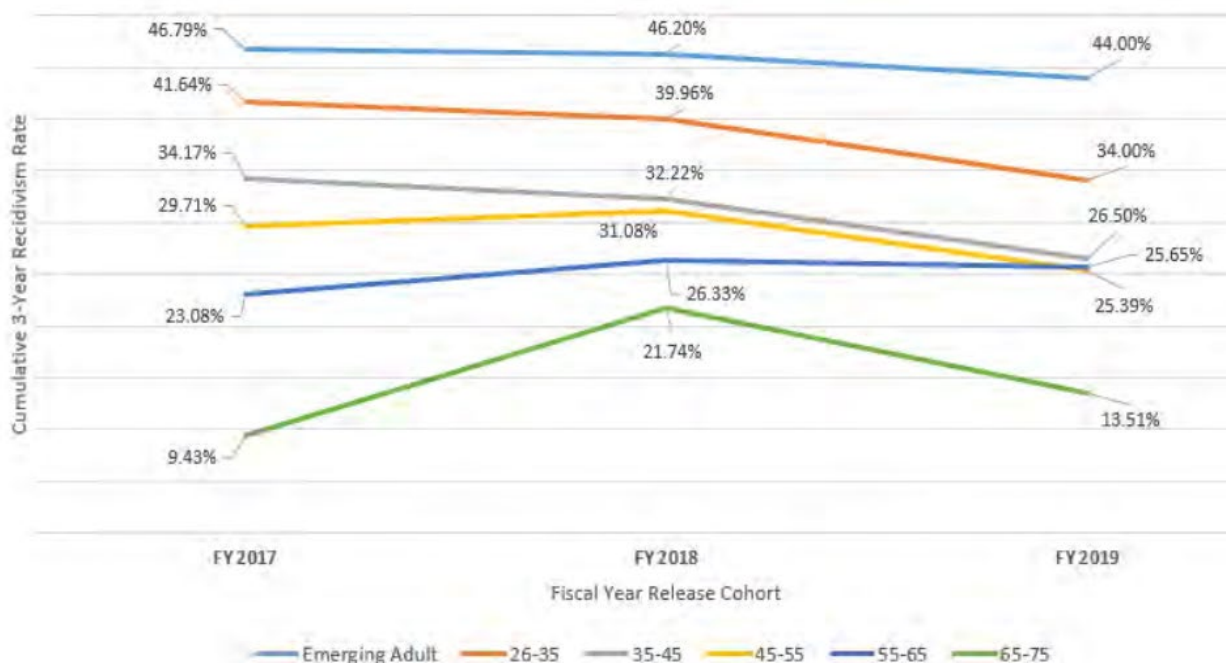
The release of convicted murderers from prison poses significant dangers to society. While it is true that older offenders often exhibit lower recidivism rates, it is misleading to assume this equates to a negligible risk. According to the Department of Public Safety and Correctional Services (DPSCS), the chance of re-offending for those released between 2017 and 2019 is alarmingly between 9-21%. And, DPSCS statistics only account for the first three years of a defendant's release from incarceration, which is an incredibly low amount of time to be considered. This statistic represents a substantial risk, particularly when considering the severity of the crimes committed.

Society must prioritize the safety of its citizens above all else. The implications of allowing individuals who have taken lives to reintegrate into the community, even with the potential for decreased risk, are profound. And, a 9-21% chance of recidivism is a high chance of further behavior placing the public at risk.

Each release could mean the threat of future violence, trauma for victims' families, and the erosion of public trust in our justice system. Rather than embracing a potentially dangerous approach to rehabilitation that could endanger lives, we should seek to implement comprehensive rehabilitation programs while keeping those who pose a significant risk to society incarcerated. The potential for re-offense, even at the lower end of the spectrum, is simply too great to ignore. It is crucial that we continually assess and prioritize the safety of our communities over opportunities for leniency in the justice system.

Please consider the graph below prepared by DPSCS showing recidivism rates for Maryland parolees:

Figure 7: 3-Year Recidivism Rates by Age at Release



In conclusion, I urge you to reconsider the implications of HB 853. The safety and well-being of victims must take precedence over the interests of those who have committed violent offenses. Our justice system should strive to protect those who have been wronged and provide them with the peace of mind they need to heal. Rather than facilitating the early release of violent offenders, we should focus on supporting victims and ensuring that justice is served in a way that respects their experiences and needs.

The justice system should prioritize victim protection, not prolong their suffering. The proposed changes under HB 1147 do not account for the real-life consequences victims will face if they are continuously called upon to relive their trauma at regular intervals. Instead of providing relief or justice, the bill ensures an unending cycle of distress and fear for those who have already endured enough.

I urge the Committee to reject HB 1147 in order to fully protect victims' rights. Instead, lawmakers should consider reforms that place the needs of victims at the forefront, ensuring that they are not subjected to unnecessary emotional and psychological hardship.

Victims of crime deserve to feel safe and secure throughout the parole process. House Bill 1147 places them at undue risk and re-traumatizes them for the duration of the convicted defendant's incarceration. I strongly urge you to reconsider this legislation and look to strengthen victim protection rather than prolong or enhance their victimization.

Thank you for your time and consideration.

I urge an unfavorable finding on HB 853.

Sincerely,

Joanna D. Mupanduki