



Department of Public Safety and Correctional Services

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BILL: HOUSE BILL 1147

POSITION: LETTER OF CONCERN

EXPLANATION: This bill aims to increase transparency and equity with the Maryland Parole Commission.

COMMENTS:

- The Maryland Parole Commission (Commission) is charged with determining on a case-by-case basis whether incarcerated individuals serving sentences of six months or more in State or local correctional facilities are suitable for release into the community under certain conditions or supervision by the Division of Parole and Probation.
- Parole Commissioners and hearing examiners hold hearings via videoconferences and in correctional facilities throughout the State. The Commission also holds open parole hearings and has a strong commitment to victim rights.
- HB 1147 significantly shortens the timeframe for a hearing examiners to submit a written report on parole findings and recommendations, reducing the period from 21 days to just 7 days. Additionally, it requires the Commission to provide a written report of its findings to the incarcerated individual within 7 days, reduced from the previous 30 day timeframe.
- Meeting these shortened deadlines for written reports will place an overwhelming strain on the Commission, requiring the hiring of additional staff to manage the increased workload.
- In addition, HB 1147 removes the authority of the Commission to permanently deny parole, and requires a parole hearing every 2 years after each hearing that resulted in a denial of parole.
- The MPC does not permanently deny parole. Parole may be denied, but it is never permanent. An incarcerated individual may submit a written request for reconsideration within one or two years after

parole is denied. Furthermore, each denial by a Commissioner must include the rationale for the decision, along with specific benchmarks or goals the individual should work toward before the next parole hearing.

- Scheduling a hearing every two years would place a significant strain on the Commission, overwhelming its resources and capacity.
- Regarding the requirement that all parole hearings be recorded, in accordance with MPC policy, every parole hearing is recorded. A copy of the audio recording may be requested by the incarcerated individual or legal representative. The incarcerated individual is informed of this at the hearing. Audio recordings are currently retained by the Commission for 5-7 years.
- In 2024, a total of 6,700 parole hearings were conducted averaging more than 400 hearings each month. Requiring a transcription of every hearing would impose a significant burden and necessitate additional staffing resources.
- Maintaining confidentiality in the parole process to protect sensitive information is crucial and must be taken into consideration when making a hearing transcript available to the public. The perspectives of both the incarcerated individual and the victim must be carefully considered when deciding whether to make a hearing transcript available to the public.
- To successfully implement the provisions of HB 1147, additional hearing examiners, as well as administrative and support staff will be necessary and will incur significant costs.

CONCLUSION: For these reasons, the Department of Public Safety and Correctional Services respectfully requests this Committee consider this information as it deliberates on House Bill 1147.