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MAYOR

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HB1123

February 25, 2025

TO: Members of the House Judiciary Committee
FROM: Nina Themelis, Director of Mayor's Office of Government Relations
RE: House Bill 1123 – Correctional Services - Medical and Elder Parole

POSITION: Support

Chair Clippinger, Vice Chair Bartlett, and Members of the Committee, please be advised that the Baltimore City Administration (BCA) **supports** House Bill (HB) 1123 – Correctional Services - Medical and Elder Parole

HB 1123 repeals the provision within Article – Correctional Services, §7–309(i) that requires the Governor's approval of a decision by the Maryland Parole Commission (MPC) to grant medical parole to an incarcerated individual serving a term of life imprisonment. Under this bill, the Governor would no longer have the authority to disapprove the medical parole of an incarcerated serving a term of life imprisonment. In addition, HB 1123 requires the Department of Public Safety and Correctional Services to submit to the MPC the names of individuals who are at least 60 years of age, have been incarcerated for at least 20 continuous years, have had no major disciplinary action in the last 3 years, and are not serving a sentence of life without parole to be reviewed and granted a parole hearing.

Chapter 299 of 2008 established medical parole as a form of release from incarceration in a State or local correctional facility for incapacitated incarcerated individuals who, as a result of a medical or mental health condition, disease, or syndrome, pose no danger to public safety. In addition, Chapter 30 of 2021 eliminated the requirement that the Governor approve the parole of a person serving a parole-eligible life sentence. This action depoliticized the process of parole by no longer allowing the Governor to overturn decisions to a grant of parole by the MPC. However, due to a drafting error with this legislation, medical parole was excluded. This bill would correct this error and allow the MPC to efficiently respond to the urgent nature of medical parole needs. This is an important fix as individuals approved for medical parole are, in some cases, seriously ill or dying, but, in all cases, no longer a threat to public safety and therefore should not be incarcerated for longer than necessary due to inefficient and outdated procedure.

The review of elderly long-term incarcerated individuals for parole under HB 1123 would mark a momentous step toward rehabilitative justice and ameliorating systemic inequities for Black Marylanders found in the state's criminal justice system. Notably, as of fiscal year 2023, the percentage of Maryland's incarcerated population who were black was 72.4%, the highest of any state and over double that of the national average. This is despite Black Marylanders representing less than one-third the total state population. Additionally, nearly eight in ten people who have served ten years or more and were sentenced between the ages of 18-24 are Black. As a result,

Black Marylanders have been disproportionately burdened with excessive sentencing and punitive incarceration. HB 1123 would fix a technical error in Maryland law, help to relieve over-incarceration, and incentivize rehabilitation efforts among convicted individuals with overly long or life sentences.

For the above stated reasons, the BCA respectfully request a **favorable** committee report on HB 1123.