



## Maryland State's Attorneys' Association

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**DATE:**                   **January 31, 2025**

**BILL NUMBER:**   **HB 374**

**POSITION:**           **Favorable**

The Maryland State's Attorneys' Association (MSAA) supports House Bill 374 and urges this Committee to issue a favorable report.

Generally speaking, incarcerated persons in Maryland can earn credit towards their sentence based on their conduct while incarcerated – from “good time” credit to credit for participation in rehabilitative programs or institutional employment, incarcerated persons may be eligible to earn up to thirty days of credit towards their sentence each month. Once an incarcerated person has accrued an amount of these credits that, when added to the amount of time they have actually served, equals their total sentence, they will be released as a mandatory matter, independent of the scrutiny of the Maryland Parole Commission, as a function of Md. Code Ann., Corr. Servs. § 7-501 *et seq.*

HB 374 removes the opportunity to earn these credits for an incarcerated individual serving a sentence for murder in the first degree. This bill builds on the work last session when Senate Bill 1098 was passed in the wake of the murder of Pava LaPere by a man that was mandatorily released from a sentence for rape in the first degree. The involvement of the Maryland Parole Commission prior to the release of individuals serving sentences for serious and violent offenses, like murder in the first degree or rape in the first degree, is critically important, as the parole process provides for an adequate examination of an incarcerated individual's rehabilitative progress and likelihood of recidivism prior to release, as opposed to release on mandatory supervision based on diminution credit accrual, which occurs automatically. As a result, MSAA urges this committee to issue a favorable report on HB 374, and ensure that all individuals serving a sentence for murder in the first degree are subject to the appropriate level of scrutiny prior to their early release.