



TESTIMONY IN SUPPORT OF HOUSE BILL 311

MEDICAL PAROLE – LIFE IMPRISONMENT

TO: Members of the House Judiciary Committee

FROM: Center for Criminal Justice Reform, University of Baltimore School of Law

DATE: February 21, 2025

The University of Baltimore School of Law’s Center for Criminal Justice Reform (“Center”) is dedicated to supporting community-driven efforts to improve public safety and address the harm and inequities caused by the criminal legal system. The Center strongly supports House Bill 311.

House Bill 311 will repeal provisions related to the Governor’s approval of a decision of the Maryland Parole Commission (MPC) to grant medical parole to an incarcerated individual serving a sentence of life in prison. Instead, House Bill 311 will appropriately establish the MPC as the final decision-maker for all parole decisions in Maryland. Specifically, House Bill 311 eliminates (1) the requirement for MPC to transmit to the Governor a decision to grant medical parole; (2) the authority of the Governor to disapprove the decision; and (3) the requirement that the decision becomes effective if the Governor does not disapprove the decision.

This bill is a technical fix to address 2021 legislation that removed the Governor from parole decisions for people serving life sentences. In passing that legislation, the Maryland General Assembly aimed to depoliticize the parole system and facilitate a timely and efficient process for those who have earned release. Despite the great efforts of advocates and legislators in 2021, there was an error that omitted medical parole decisions from that legislation. House Bill 311 will correct that oversight and create a unified parole process. This is one of multiple efforts needed to streamline and improve Maryland’s critical decarceration tools, and address urgent prison healthcare quality and capacity, correctional workforce challenges, and more.

It is particularly important that individuals who are seeking medical parole have their request reviewed and processed in a timely manner because of their dire medical conditions. In determining whether to grant an individual medical parole, the MPC weighs a number of important considerations and types of evidence. If the MPC grants medical parole, it is because they have acknowledged that incarcerated individual requesting parole is so “chronically debilitated or incapacitated by a medical or mental health condition, disease, or syndrome as to be physically incapable of presenting a danger to society.” These individuals are suffering from terminal conditions, nearing the ends of their lives, and in need of intensive medical treatment beyond that which is available in correctional facilities. Requiring these individuals to potentially wait six months longer than other parolees while the Governor decides whether to disapprove of the MPC’s decision is cruel, costly, and in conflict with the underlying purpose of medical parole. Indeed, in 2021, five people who the MPC recommended for medical parole died waiting for the Governor to act.

For the foregoing reasons, we urge a favorable report.