

Maryland Alliance for Justice Reform

Working together for a criminal justice system that better serves our communities



Senate Bill 822 Favorable (with HB 467 amendments) Judicial Proceedings Committee Submitted by Olinda Moyd

Chair and Members of the Committee:

On behalf of The Maryland Alliance for Justice Reform (MAJR), an all-volunteer, non-partisan organization with 2,000 members statewide, we urge your favorable report on Senate Bill 822. The bill seeks to promote transparency and equity in the Maryland Parole Commission.

The Maryland Parole Commission plays a critical role in the criminal legal system by making decisions that directly impact the lives of incarcerated individuals, victims, and the entire community. Greater transparency in the parole process is essential to ensure fairness, accountability, and public trust while also reducing the perception of bias or arbitrariness. Transparency also allows for meaningful oversight by the legislature. This bill aims to make transparent the decisions of the Commission so that stakeholders – including families, advocates, incarcerated individuals, and the public – are informed and empowered to participate in discussions about rehabilitation and public safety. Increased openness helps build confidence in a system grounded in justice and evidence rather than secrecy and inconsistency.

We co-sign and support the amendments proposed by the ACLU of Maryland and highlight three key components of the bill:

1. Providing copies of documents that the commission will use in decision-making to the incarcerated individual. Page 3 – line 6

The current parole practice and procedures require that an incarcerated individual be permitted to review their parole file 30 days prior to the date of their parole hearing. However, the parole file does not include many of the documents that the Commission will factor into its decision-making. Walking into a parole hearing unaware of the information being considered by the decision-maker is unfair and puts the incarcerated individual at a grave disadvantage. An individual cannot adequately prepare for their parole hearing without access to the written and documentary evidence and information being considered.

We support the proposed amendments to HB 467, which specifically require the Maryland Parole Commission to provide copies of the case plan, the pre-parole summary, and the case manager's recommendation. We also support the proposed amendments submitted by the ACLU (see attached), requiring that the incarcerated individual be provided with a copy of any risk assessment and properly redacted statements from the SAO and the victims associated with the offense. This process promotes fairness by preventing surprises during the hearing. Ultimately, sharing these documents helps protect the incarcerated individual and upholds the integrity of the parole consideration process.

2. Cannot deny parole indefinitely Page 5 – line 13

The current parole regulations allow the Maryland Parole Commission to deny parole as an outright refusal. If a person is refused parole, they must wait 10 years before they are seen by the parole commission again. In many cases, the result is continued refusals. In other words, the Commission is authorized to alter a sentence ordered by the court. If the incarcerated individual is not serving a life without the possibility of parole sentence, they should be granted parole at some point during their incarceration, because only a judge can sentence a person to a life sentence without the possibility of parole.

We support the provisions of the bill that requires the commission to identify a next hearing date if parole is denied. Receiving repeated refusals of parole is akin to serving a LWOP sentence issued by an administrative body instead of the judiciary. Leaving a hearing knowing your next parole date fosters hope in an otherwise bleak existence.

3. Inform the incarcerated individual of the decision within a specified time period. Page 6 – line 3.

We support the proposed amendment requiring that the commission issue a final decision as soon as possible, but no later than 12 months from the date of the parole hearing. (See attached ACLU proposed amendments.) Otherwise, incarcerated individuals languish in perpetuity without any certainty regarding their future. Receiving parole decisions in a timely manner directly impacts the lives and future planning of incarcerated individuals. Prompt decisions help reduce uncertainty and anxiety for both the individual seeking parole and their families. Additionally, timely parole decisions support efficient case management within the justice system and ensure that resources are allocated effectively, contributing to overall fairness and transparency in the process.

With these amendments, we urge a favorable report on SB 822.

Olinda Moyd
301-704-7784
moydlaw@yahoo.com