

SB 105_ Real Time for Violent Crime Act (Geri's L

Uploaded by: Trudy Tibbals

Position: FAV

SB 105: Real Time for Violent Crime Act (Geri's Law): Please vote **TO SUPPORT** this bill.

Dear Judicial Proceedings Committee Chair and Members of the Committee,

I respectfully write in **strong support of SB 0105 – Real Time for Violent Crime Act (Geri's Law)**.

This legislation is inspired by the tragic story of Geri, whose life was forever changed due to delays in accessing critical information about violent offenders. Her experience underscores the urgent need for law enforcement to have **real-time access to information that can prevent further harm** and save lives.

SB 0105 empowers police officers, prosecutors, and public safety agencies to act swiftly when violent crime threatens our communities. By improving the speed and accuracy of information sharing, this bill can help prevent repeat offenses, protect victims, and give families the reassurance that their safety matters.

Maryland needs to be tougher on crime. Criminals are finding more and creative ways to hurt the people of Maryland. And Maryland cannot afford to let the criminals get away with their actions. **Maryland needs to show criminals that if you “do the crime”, you will “do the time”**.

The law strikes a careful balance: it enhances **public safety** while maintaining **appropriate oversight and respect for civil liberties**. It is a thoughtful, practical approach to a serious problem—ensuring that no other family suffers the uncertainty and tragedy that Geri experienced.

This is more than policy; **it is a moral imperative**. Passing SB 0105 demonstrates Maryland's commitment to protecting its citizens, supporting law enforcement, and preventing violent crimes before they occur.

For these reasons, I respectfully urge the committee to **VOTE TO SUPPORT SB 0105**.

VOTING YES on this bill **to show Marylanders that our state will protect them by being tough on crime!!**

Thank you.

Respectfully,

Trudy Tibbals

A Very Concerned Mother of 3 and Maryland Resident

SB 105 - FWA.pdf

Uploaded by: Kirsten Brown

Position: FWA

Ivan Bates

President



Kirsten N. Brown

Coordinator

Maryland State's Attorneys' Association
3300 North Ridge Road, Suite 185
Ellicott City, Maryland 21043
kbrown@mdsaa.org ~ 301-748-1312

DATE: **January 27, 2026**

BILL NUMBER: **SB 105**

POSITION: **Favorable with Amendment**

The Maryland State's Attorneys' Association (MSAA) supports Senate Bill 105 with the inclusion of an amendment removing the language restricting courts from rendering individualized pretrial release decisions in certain circumstances.

SB 105 can be considered to have two distinct sections – the first ensures the sentence announced by a court for certain serious crimes more closely resembles the sentence actually served by the defendant. The changes made by this bill in this regard – restricting incarcerated individuals from earning diminution credits that exceed 10% of their sentence for crimes of violence, and removing the ability of individuals serving sentences for murder to earn diminution credits at all – have an additional benefit: by reducing the diminution credits awarded, the bill ensures that more early release decisions for serious cases are made by the Maryland Parole Commission.

These provisions build on the work in the 2024 Session when Senate Bill 1098 was passed in the wake of the murder of Pava LaPere by a man that was mandatorily released (after earning sufficient diminution credits) 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 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.

The second section of SB 105, specifically Subsection H, restricts the ability of judges to release individuals prior to their trial if they are accused of certain offenses in certain situations.

Although the Supreme Court has held that denial of bail based on considerations of dangerousness does not violate the excessive bail clause of the Eighth Amendment in *United States v. Salerno*, 481 U.S. 739 (1987), the complete removal of the ability of a judge to consider the unique particularities of a defendant and an accusation, even in the circumstances addressed by this bill, is unlikely to survive constitutional scrutiny, and presents serious separation-of-powers concerns. Removing these provisions from SB 105 will avoid costly, and likely unsuccessful, litigation, and return the ultimate decision-making authority to the institution our communities trust to make important decisions on a daily basis - the courts.

SB 0105.pdf

Uploaded by: BENOIT TSHIWALA

Position: UNF



NATASHA DARTIGUE
PUBLIC DEFENDER

KEITH LOTRIDGE
DEPUTY PUBLIC DEFENDER

MELISSA ROTHSTEIN
CHIEF OF EXTERNAL AFFAIRS

ELIZABETH HILLIARD
DIRECTOR OF GOVERNMENT RELATIONS

POSITION ON PROPOSED LEGISLATION

BILL: SB 0105 – Correction Services. – Real Time for Real Crime (Geri’s Law)

FROM: Maryland Office of the Public Defender

POSITION: Unfavorable

DATE: 1/22/26

My name is Benoit Tshiwala, paralegal with the Office of the Public Defender’s Appellate Division. The Office of the Public Defender urges an unfavorable report on Senate Bill 105 to prohibit the earning of diminution credits for reducing the term of confinement of persons serving a sentence for first- and second-degree murder, or other crimes of violence in a State and local correctional facility. As a formerly incarcerated person myself who served 21 years (and one of several who have benefited from the deterrent effect of diminution credits), this bill eviscerates any hope for positive re-entry into society, endangers individuals in institutions including correctional staff and undermines public safety.

Under long-standing Maryland law, incarcerated persons generally have been able to earn diminution credits that serve to reduce the length of incarceration. Such credits may be earned through good behavior, work, and educational program assignments. Good conduct credits encourage positive institutional behavior, while also mitigating overcrowding. Senate Bill 105 undermines every policy interest underlying the awarding of diminution credits. However, I would like to address two specific policy interests from the vantage point of my experiences as a formerly incarcerated person: deterrence and correctional staff safety.

First, this bill greatly disincentivizes positive institutional behavior by incarcerated persons. At the beginning of my incarceration in 1998, I was quite disruptive, getting infractions (“tickets”) for fights and disrespecting officers. I served most of my sentence at what was widely considered to be one of the most dangerous prisons in America, the now-defunct Maryland House of Corrections (infamously known as “The Cut”). To put it mildly, it was a predator or prey environment, and protecting yourself from bodily harm was fundamental to survival. A few men didn’t make it out alive. As a result of my behavior, I was finally placed on administrative segregation in 2001 and transferred to the Annex (a second-tier maximum security prison) for nearly 3 years.

The prospect of losing my “good time” and being unable to work for diminution credits compelled me to change my behavior and focus on my rehabilitation and education. Although at the time, it was likely I could spend a significant part of my life in prison, retaining and earning diminution credits refocused me. In fact, I would not incur a single infraction for the next 18 years. During that period, I earned an associate’s degree in Sociology from Ohio University as well as a Paralegal Certificate from Howard County Community College. This, in turn, opened up professional avenues for me upon my release that would have been closed off to me had I not changed behavior, such as working at the Office of the Public Defender. I also witnessed the behavior of many fellow incarcerated men greatly improve large part for fear of losing diminution credits. I serve the people of this State today in part because of the incentives provided by diminution credits and urge this Committee not to take the same opportunity away from other individuals.

Secondly, the prospect of earning diminution credits literally saves lives, as well as protecting the well-being of correctional staff. I've personally witnessed improved interactions between inmates and correctional staff when inmates are incentivized positively. This bill, on the other hand, will only exacerbate an already violent work environment for correctional staff and the general population at state correctional facilities.

Finally, this Bill appears to further a recent trend towards the rollback of all diminution credits for persons convicted of violent crimes generally. This could be more dangerous to the public in the long run. Rather than revoking diminution credits, there should be more focus on rehabilitation and educational resources for incarcerated persons. Bottom-line, I (along with several of my formerly incarcerated brothers) am living proof that diminution credits have a substantial deterrent effect on violence and bad behavior in prison. We are out here making a difference and giving back to society. We also serve as the embodiment of what is possible when you positively change your behavior. Our success encourages those we left behind to do likewise.

While the deep trauma and pain experienced by crime victims must not be diminished in anyway, the reality is that the vast majority of incarcerated people are or will be released into society. We should not abandon 'carrots' in favor of only 'sticks' when incentives that diminution credits provide have a direct positive impact on the behavior of people behind bars.

For these reasons, the Maryland Office of the Public Defender urges this Committee to issue an unfavorable report on SB 105.

Submitted by: Maryland Office of the Public Defender, Government Relations Division.

Authored by: Benoit Tshiwala (Paralegal). benoit.tshiwala@maryland.gov

2026 18 2 SB0105 (Dim Creds) - MOPD Unfav (1).pdf

Uploaded by: Edward Kenney

Position: UNF



NATASHA DARTIGUE
PUBLIC DEFENDER

KEITH LOTRIDGE
DEPUTY PUBLIC DEFENDER

MELISSA ROTHSTEIN
CHIEF OF EXTERNAL AFFAIRS

ELIZABETH HILLIARD
DIRECTOR OF GOVERNMENT RELATIONS

POSITION ON PROPOSED LEGISLATION

BILL: SB0105 — Corr. Servs.— Real Time for Real Crime (Geri’s Law)

FROM: Maryland Office of the Public Defender

POSITION: Unfavorable

DATE: January 22, 2026

The Maryland Office of the Public Defender urges an unfavorable report on Senate Bill 0105.

This bill would mandate that a person convicted of murder in the first or second degree is not entitled to diminution credits. The bill also limits diminution credits for any individual serving a crime of violence to no more than 10% of their sentence. Finally, the bill denies pre-trial release for any defendant who has pending charges for a violent crime or who has been convicted of a crime of violence in the last ten years. As shall be explained below, this bill will seriously undermine public safety by discouraging rehabilitation. It will punish those who strive to turn their life around, while rewarding those who do not.

What are diminution credits and how do they operate?

Today, incarcerated individuals serving a term of years sentence can be mandatorily released prior to completing their full executed sentence by earning diminution credits or “dime.” Each dime credit counts as one day towards release. There are four types of credit, Good Conduct Credits, Industrial Credits, Education Credits and Special Project Credits.

Good conduct credit or ‘good time’ credits are calculated and automatically advanced to a person upon intake: these credits are the incarcerated persons to lose. If an incarcerated individual is serving a crime of violence, good conduct credits are awarded at a rate of 5 days per month, or 60 days per year. Good conduct credits are awarded up front, and therefore serve as an important deterrent for incarcerated individuals from committing infractions. Worth noting that an individual serving a crime of violence gets over 10% of his sentence reduced upfront, meaning that under the proposed bill, a person serving a COV would have no incentive, going forward, to engage in *any prison programming*, as they will have already maxed out their dime.

Diminution credits associated with programming, education, or work are earned as a person participates in the program, education, or work. For violent crimes, these credits are awarded at a rate of 5 diminution credits per month, unless the Division of Corrections has designated the work job or educational program a special project, in which case an incarcerated individual can earn 5 additional

credits prospectively (10 total). Because programs are limited, a model incarcerated individual serving a crime of violence, who has actively engaged in programming serving a crime of violence can typically expect to be released after serving approximately two thirds of their sentence. Incarcerated individuals who do not have a model prison record can expect to serve considerably longer—and a number of incarcerated individuals, due to repeated infractions, serve close to their full sentence day for day. Mandatory release does not factor into incarcerated individuals serving either a straight life sentence, or life without parole for first degree murder, so it has limited effect on those incarcerated individuals. A person serving a life sentence can receive an earlier parole hearing based on the diminution credits earned, but is in no way guaranteed release—and indeed, such individuals are seldom if ever released on their first parole hearing.

Why is this bill damaging to public safety?

This bill will likely have several unintended consequences to public safety. While not exhaustive, here are a few unfortunate consequences if this bill passes.

1. Model incarcerated individuals, who have demonstrated rehabilitation and no longer pose a risk to public safety, will serve longer sentences. The public defender represents incarcerated individuals, including those serving a sentence for murder, who have taken significant steps to rehabilitate. We also represent some incarcerated individuals who have demonstrated through their actions that they are not rehabilitated. We represent the incarcerated individual, serving a 30-year sentence, who has earned his GED, has not received any infractions, has the support of the warden and other key staff, has completed the Alternative to Violence and Thinking for Change Program and worked for several years as an observation aid, ensuring that fellow incarcerated individuals who are going through acute mental health crises receive the care they need. We also represent the incarcerated individual, serving a 30-year sentence, who has not taken advantage of the programs and services that the Division of Correction offers—the person who has multiple infractions for shanks, drugs and assaults. **This bill says that both those individuals should be released at the same time.**
2. This bill undermines public safety within the Division of Correction. The Public Defender represents both the incarcerated individual who is assaulted in the Division of Correction as well as the person who does the assaulting. The vast majority of the time, the consequence for committing an assault or manufacturing a weapon is the loss of diminution credits. But if there are no diminution credits, then there is likely no accountability for the vast majority of crimes and infractions that occur in the Division of Correction. At a time when the lack of public safety in the Division of Corrections has garnered significant attention, including 13 incarcerated individuals murdered in 2025, the highest number in over a decade, now is not the time to pass a bill which would remove the primary accountability mechanism for rule-breaking in the DOC. Passing a bill that reduces incentives for prisoners to engage in programming and while simultaneously ending the primary punishment or accountability for DOC infractions seems terribly wrongheaded.

3. This bill will undermine the plea-bargaining process. Proponents of this bill characterize the mandatory release process as some sort of mysterious process that is separate and apart from judicial proceeding which resulted in the conviction. This is incorrect. The dimis process is well understood by defense attorneys and prosecutors alike, and defendants routinely discuss the prospects of mandatory release during the plea-bargaining stage of a criminal case. The Defendant who accepts a plea of 24 years, for instance, believing that he could be released after serving around 16 years, is much more likely turn down that offer if he is barred from receiving diminution credits. More jury trials mean more resources that the Office of the Public Defender, the State and the Courts must expend. It also means more victims being dragged through the trauma of the jury trial process. To be sure, the State, in an effort to resolve cases for which the evidence may be weak or uncertain, may offer more favorable plea offers . As a result, incarcerated individuals who are the least interested rehabilitation may actually see their sentences reduced.
4. Eliminating diminution credits will result in more post-conviction claims. When attorneys misadvise clients regarding a change in the law concerning diminution credits, which happens routinely even regarding changes in law that occurred over a decade ago, clients who acted in reliance on that bad advice are entitled to a new trial. If this law passes, a certain subset of the defense bar will inevitably not get the memo, and misadvise their clients regarding the amount of time they will serve. The result will be more new trials for individuals who pled guilty.
5. This bill will seriously undermine rehabilitative efforts in the Division of Corrections. The prospect of earning diminution credits encourages incarcerated individuals to take steps towards rehabilitation. Consider this person, a 17 year old serving a 30-year sentence for murder, who, as a result of this bill, chooses not to get his GED, because, absent the incentive of diminution credits, he is too short sighted and inexperienced to see the value in what he is learning. For similar reasons, he doesn't work or learn tradecraft through the MCE shops. He also doesn't take programs like Alternatives to Violence, which teach incarcerated individuals better ways to resolve interpersonal conflict. At age 47, this individual, who, as a result of this bill, has not engaged in any rehabilitation is going to be released back into the community.
6. Under this bill, even an individual who takes full advantage of the rehabilitative services available, and demonstrates that he or she is ready to return to the community will not serve any less time. Continuing to incarcerate someone who is rehabilitated has real costs. From a purely economic standpoint, this policy will cost the State tens of thousands of dollars per year to house individuals who have demonstrated rehabilitation, but more than the pure economic cost, communities, neighborhoods, and ultimately Maryland families suffer. This bill punishes those who are demonstrating they are rehabilitated at great cost to our taxpayers and the community, while rewarding those individuals who have no interest in rehabilitation.
7. Finally, the limitations on bail undermine judicial discretion by mandating that an individual remain incarcerated pre-trial, regardless of the situation. For instance, a judge would have no discretion for someone accused a robbery, who is cooperating with police, to release that

individual pre-trial—irrespective of the personal risk keeping that defendant locked up pre-trial would entail. Nor would a court have any ability to release an individual pre-trial, to receive necessary drug or mental health treatment, even if the judge believed based on the evidence that treatment would be in both the individual’s and community’s interest. Such a provision would likely hurt public safety.

Bottom line, this bill punishes those who want to rehabilitate by making them serve longer in prison and rewards those who have no interest in changing their bad life choices. It also undermines judicial discretion by eliminating any pre-trial release for individuals facing charges for a crime of violence, regardless of the circumstances. This is not a well thought out bill.

The Office of the Public Defender urges an unfavorable report on Senate Bill 0105

Submitted by: Maryland Office of the Public Defender, Government Relations Division

**Authored by: Edward Kenney, Assistant Public Defender III, Post Conviction Defenders Division,
edward.kenney@maryland.gov**

SB 105 Geris Law CCJR ACLU OPD UNFAV.pdf

Uploaded by: Heather Warnken

Position: UNF



**UNIVERSITY OF
BALTIMORE**

Center for Criminal
Justice Reform



**MARYLAND OFFICE OF THE
PUBLIC DEFENDER**

ACLU
Maryland

TESTIMONY IN OPPOSITION TO SENATE BILL 105

Real Time for Violent Crime Act (Geri's Law)

TO: Members of the Senate Judicial Proceedings Committee

FROM: Center for Criminal Justice Reform, University of Baltimore School of Law; Maryland Office of the Public Defender; ACLU of Maryland

DATE: January 23, 2026

The University of Baltimore School of Law's Center for Criminal Justice Reform, Maryland Office of the Public Defender, and ACLU of Maryland jointly submit this written testimony in opposition to Senate Bill 105.

Senate Bill 105 would eliminate all diminution credit for people serving sentences for first-and second-degree murder and would prevent those convicted of a "crime of violence," the significant majority of Maryland's incarcerated population, from earning diminution credit for more than 10% of their aggregate sentence. The bill would also intrude on judicial discretion by depriving judges of the ability to authorize the pretrial release of certain defendants based on the unique facts and circumstances of each individual case.

Senate Bill 105 is overly broad and inadvertently undermines public safety by disincentivizing participation in rehabilitative programming, exacerbating the risk of violence to correctional staff and incarcerated people, and undermining reentry success for those returning to their communities after lengthy periods of incarceration. As the fiscal note makes clear, this legislation would drive potentially significant increased costs to Maryland for lengthier prison terms at the same time that states across the country are recognizing the research-backed reasons to reduce unnecessarily long prison terms, and that our state is facing a severe budget crisis.¹ It inadvertently extinguishes a key rehabilitative factor as discussed below: hope.

¹ Fiscal and Policy Note, SB 105 Maryland General Assembly, 2026 Session, https://mgaleg.maryland.gov/2026RS/fnotes/bil_0005/sb0105.pdf

I. Senate Bill 105 is overly broad and does not effectively address those who pose the highest public safety risk.

Senate Bill 105 is not narrowly tailored to address the small minority of Maryland’s incarcerated population who pose the very highest public safety risk.

First, nearly a third of Maryland’s prison population is serving a sentence for first or second degree murder.² This population includes people serving sentences for murder convictions under the “felony murder” rule, also known as “guilt by association,” which holds people strictly liable for all deaths during the commission of a qualifying felony. Senate Bill 105 would eliminate all diminution credits for people serving felony murder convictions—people who did not have the intent to kill anyone and who did not kill anyone.

Second, Senate Bill 105 would cap the earning of diminution credits at 10% of an aggregate sentence for an individual serving time for a “crime of violence.” Under Maryland law, crimes of violence encompass a very broad spectrum of conduct. For example, someone who tried to break into an unoccupied home to steal a laptop has committed “a crime of violence” and would have their diminution credits capped at 10% of their sentence under Senate Bill 105.³ As a result, Senate Bill 105 would reduce the application of diminution credit for a very large percentage of Maryland’s incarcerated population.

II. Senate Bill 105 disincentivizes rehabilitation by eliminating or reducing the use of what DPSCS calls a “key rehabilitative component.”⁴

Diminution credits incentivize participation in programming and supportive services, and provide incarcerated people and their loved ones hope. Eliminating or mitigating the application of diminution credits will reduce participation in programs and opportunities to develop skills needed for successful rehabilitation and reentry. A broad base of research demonstrates that participation in rehabilitation programs in prison can meaningfully reduce recidivism.⁵

In fact, Maryland Correctional Enterprises reports a 60% reduction in recidivism for incarcerated people who complete its programs.⁶ Unfortunately, in spite of those encouraging results, Maryland only offers the opportunity to participate in job training programs to 10% of

² Racial Equity Impact Note, SB 652, Maryland General Assembly 2023 Session, <https://mgaleg.maryland.gov/Pubs/BudgetFiscal/2023RS-SB0652-REIN.pdf>, 3.

³ See e.g., CR, §6-202

⁴ The Department of Public Safety and Correctional Services (“DPSCS” or “the Department”) recognizes diminution credits as “a key rehabilitative component” for incarcerated people. Racial Equity Impact Note, 1.

⁵ See Duwe, G. (2017, June). The Use and Impact of Correctional Programming for Inmates on Pre- and Post-Release Outcomes. United States Department of Justice, Office of Justice Programs. <https://www.ojp.gov/pdffiles1/nij/250476.pdf>; Davis, L. M. (2013). Evaluating the Effectiveness of Correctional Education. RAND Corporation. https://bjaojp.gov/sites/g/files/xyckuh186/files/Publications/RAND_Correctional-Education-Meta-Analysis.pdf.

⁶ Prisoners employment and rehabilitation resources. Maryland Alliance for Justice Reform. (2023, December 19). <https://www.ma4jr.org/prisoners-employment-and-rehabilitation-act/>

people in state prisons.⁷ Given the public safety benefits of rehabilitative programming in prisons, Maryland should expand the availability of evidence-based programs and encourage—not disincentivize—participation in those programs.

There is strong empirical support linking hope and positive outcomes, which supports the DPSCS association of use of diminution credits as a “key rehabilitative program.” For example, a study of the removal of parole in Georgia resulted in individuals accruing “a greater number of disciplinary infractions, complet[ing] fewer prison rehabilitative programs, and recidivat[ing] at higher rates than inmates unaffected by the reform.”⁸ Second, a study of truth-in-sentencing in Arizona found an increase in rule infractions, a decrease in program participation, and an increase in recidivism upon release.⁹

As reinforced and reported in the final recommendations of the Charles Colson Task Force on Federal Corrections, “Hope was a prominent thread throughout this Task Force’s fact finding as a key factor in successful treatment and rehabilitation.”¹⁰ In spoken testimony, written submissions, roundtable sessions, and one-on-one meetings, many stakeholders agreed that hope sustains individuals throughout incarceration and encourages them to pursue opportunities to prepare for release. Both currently and formerly incarcerated individuals reported that the hope of reuniting with the family they left behind drove them to seek treatment in prison and prepare for the challenges of returning home.”

III. Senate Bill 105 exacerbates the risk of violence to staff and incarcerated people in correctional settings, further undermining public safety for everyone who lives in the communities to which incarcerated people return.

It is to the public safety benefit of every Marylander that those returning to our communities from incarceration are set up for success. The vast majority of people who are incarcerated, even those serving sentences for the most serious offenses, will eventually be released. Nationally, approximately 95% of people incarcerated in state facilities will be released from prison at some point.¹¹ Maryland prisons release over 7,000 people annually.¹² Research demonstrates that Senate Bill 105 will exacerbate risks of violence to correctional staff, incarcerated people, and communities writ large because policies that make prisons less safe make our communities less safe.

These concerns are all the more pressing in light of the Department of Public Safety and Correctional Services Fiscal 2026 Budget Overview which reported that violent assaults in

⁷ *Id.*

⁸ Ilyana Kuziemko, *How Should Inmates be Released from Prison? An Assessment of Parole Versus Fixed-Sentence Regimes*, *The Quarterly Journal of Economics*, Volume 128, Issue 1, February 2013, Pages 371-424, <https://doi.org/10.1093/qje/qjs052q>

⁹ Macdonald, David, *Truth in Sentencing, Incentives and Recidivism* (April 24, 2024). Available at SSRN: <https://ssrn.com/abstract=4806765> or <http://dx.doi.org/10.2139/ssrn.4806765>

¹⁰ Charles Colson Task Force of Federal Corrections, *Transforming Prisons, Restoring Lives, Final Recommendations of the Charles Colson Task Force on Federal Corrections*, (January 2016) <https://www.urban.org/sites/default/files/publication/77101/2000589-Transforming-Prisons-Restoring-Lives.pdf>

¹¹ *Why punishing people in jail and prison isn't working*. Vera Institute of Justice. (2023, October 24). <https://www.vera.org/news/why-punishing-people-in-jail-and-prison-isnt-working>.

¹² *Maryland profile*. Prison Policy Initiative. <https://www.prisonpolicy.org/profiles/MD.html>.

Maryland facilities jumped by more than 50% last fiscal year compared to the prior year.¹³ The report also describes a dramatic increase in the rate of attacks on correctional staff, more than triple the Department's "acceptable rate."¹⁴ The chair of the Maryland Parole Commission has also acknowledged that incentivizing good conduct "lowers the threat of violence on our prison staff."¹⁵ The trauma and criminogenic effects of incarceration may be amplified by higher levels of misconduct, abuse, and violence in correctional settings.

IV. Senate Bill 105 restricts a judges' ability to consider individual circumstances and make informed decisions about pretrial release.

Additionally, this bill prohibits judges from authorizing the pretrial release of a defendant who is charged with a crime of violence if the defendant (1) has a pending charge for a crime of violence in Maryland (or a crime in another jurisdiction that would be a crime of violence if committed in Maryland), or (2) within the previous 10 years, was convicted in Maryland of a crime of violence (or in any other jurisdiction of a crime that would be a crime of violence if committed in Maryland). By automatically denying pretrial release based on pending charges or prior convictions, it assumes guilt before a defendant has had a fair trial. A defendant should not have their pretrial rights in Maryland impeded by the proceedings for a mere charge, not a conviction, in another jurisdiction. The state should not be restricting a judges' ability to consider individual circumstances and make informed decisions about pretrial release based on previous unproven charges or legal proceedings in another jurisdiction.

Reducing violence, facilitating programmatic participation and engagement, and otherwise supporting hope and human dignity behind the walls serve to improve safety both inside institutions and in the communities to which formerly incarcerated people return.

For these reasons, we urge an unfavorable report on Senate Bill 105.

¹³ See Department of Legislative Services Office of Policy Analysis, *Department of Public Safety and Correctional Services Fiscal 2026 Budget Overview*, Annapolis, Maryland January 2025

¹⁴ *Id.*

¹⁵ Still Blocking the Exit. ACLU of Maryland. (2015, January 20). <https://www.aclu-md.org/en/publications/still-blocking-exit>.

SB105 Testimony.pdf

Uploaded by: John Sexton

Position: UNF

Senate Bill 105 (Real Time for Violent Crime Act)

Senate Judicial Proceedings Committee

Position: **UNFAVORABLE**

January 23rd, 2026

Submitted by: **John Sexton**

To the Honorable members of the Senate Judicial Proceedings Committee,

I would urge each of you to vote unfavorably on SB 105.

This Bill would further strain an already decimated State budget; be counterproductive to our Correctional system; and would be detrimental to the decrease in crime we have had over the past several years.

Please **vote unfavorably on SB 105**.

Shalom!

John Sexton

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Uploaded by: Will Vormelker

Position: UNF

HON. STACY A. MAYER
CIRCUIT COURT
JUDGE
BALTIMORE COUNTY
CHAIR

HON. RICHARD SANDY
CIRCUIT COURT
JUDGE
FREDERICK COUNTY
VICE-CHAIR



KELLEY O'CONNOR
ASSISTANT STATE COURT
ADMINISTRATOR
GOVERNMENT RELATIONS
AND PUBLIC AFFAIRS
P: (410) 260-1560

SUZANNE PELZ, ESQ.
SNR. GOVT. RELATIONS AND
PUBLIC AFFAIRS OFFICER
P: (410)260-1523

MARYLAND JUDICIAL COUNCIL LEGISLATIVE COMMITTEE

MEMORANDUM

TO: Senate Judicial Proceedings Committee
FROM: Legislative Committee
Suzanne D. Pelz, Esq.
410-260-1523
RE: Senate Bill 105
Real Time for Violent Crime Act (Geri's Law)
DATE: January 14, 2026
(1/27)
POSITION: Oppose, as drafted

The Maryland Judiciary opposes Senate Bill 105, as drafted.

The Judiciary has no position on the policy aims of this legislation but is concerned with the language which limits the discretion of a judicial officer. This provision does not just restrict commissioners from releasing a defendant charged with a crime of violence but also restricts "a judicial officer" (which includes a judge), from doing the same. Currently, Maryland law gives judges' discretion to authorize pretrial release for defendants in cases that would be subject to the bill. The bill would remove that discretion. The Judiciary traditionally opposes legislation that includes mandatory provisions. The Judiciary believes it is important for judges and judicial officers to weigh the facts and circumstances for each individual case.

Moreover, by creating a blanket rule prohibiting pretrial release for certain defendants, this bill conflicts with Maryland Rule 4-216.1(b) which requires that decisions whether to grant pretrial release be based on "consideration of specific facts and circumstances applicable to the particular defendant, including the ability of the defendant to meet a

special condition of release with financial terms or comply with a special condition and the facts and circumstances constituting probable cause for the charges.”

cc. Hon. William Folden
Judicial Council
Legislative Committee
Kelley O'Connor