



Maryland Crime Victims' Resource Center, Inc.

Continuing the Missions of the Stephanie Roper Committee and Foundation, Inc.

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LETTER IN OPPOSITION TO HOUSE BILL 16

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The Maryland Crime Victims' Resource Center (MCVRC) urges an unfavorable vote on HB16.

House Bill 16 would shift full appointment authority for the Maryland Parole Commission to the Governor and eliminate the use of parole hearing examiners in the parole process. Under current law, the Secretary of Public Safety and Correctional Services selects the parole commissioners, requiring the approval of the Governor and the consent of the Senate. HB 16 instead increases the Commission from 10 to at least 15 but not more than 20 commissioners, all appointed by the Governor. A newly formed 12-member panel will suggest candidates to the Governor.

Regarding eliminating the hearing examiners:

Parole hearing examiners have not been shown to perform poorly or unprofessionally. They bring extensive, long-term experience within the Maryland Parole Commission and understand how to most effectively use staff resources and evaluate cases. In the absence of documented concerns about their work, and without evidence that new political appointees would address any specific, identified problems, there is no justification for an expensive structural change that instead creates the appearance of "commissioner-packing" the Commission.

Regarding the number of Commissioners:

Beyond striking the Senate and Secretary from the appointment process and relying on a newly created, highly biased panel, adding five to ten new commissioners is an unmistakable effort to pack a governmental decision-making body with political appointees to influence the Commission's outcomes. This is unsound policy and a troubling precedent. The Parole Commission currently operates with ten members; House Bill 16 would allow the Governor to double its size, eliminate the use of hearing examiners, and install commissioners who serve initial six-year terms. Taken together, these changes show House Bill 16 is a blatant effort for the Governor to pack the Parole Commission with his own appointees.

The proposed 12-member nominating panel:

The proposed 12-member nominating panel is neither composed of experts in criminal behavior and recidivism nor balanced between differing philosophies of punishment and public safety. Currently, parole commissioners are selected by the Secretary of Public Safety and Correctional Services; under HB 16, the Commission would instead be effectively handpicked by the Governor. Of the twelve panel members, ten are directly

chosen by the Governor, either through HB 16 itself or by virtue of their gubernatorial appointments to state positions. Only the President of the National Association of Social Workers and the President of the Maryland State's Attorneys' Association are not gubernatorial selections. The proposed panel is heavily weighted toward social workers, treatment providers, and community organizers and lacks a focus on public safety. Most of these members are unlikely to have had substantial responsibility for enforcing criminal laws, managing violent offenders, or directly protecting the public. Because they are not required to have experience with violent offenders who must be separated from the community, they lack the background needed to nominate parole commissioners who can reliably safeguard crime victims and the public. As a result, the bill would likely politicize and destabilize the appointment process, inviting contentious advocacy and lobbying from individuals with limited experience in penology who favor across-the-board sentence reductions and who may seek to reshape or obstruct the Commission's proper functioning for ideological reasons.

The bill's specific panel composition underscores this concern. It includes representatives from the Office of the Public Defender and prisoners' rights organizations that have repeatedly opposed and sued the Parole Commission, pursued resentencing mechanisms to bypass the parole process, and promoted non-parole avenues to accelerate releases from state correctional institutions. These are stakeholders whose stated objectives are often directly at odds with the regular operation and even the continued existence of the Parole Commission. Entrusting opponents of an agency's mission with a central role in selecting its most impactful leaders—while excluding any representative of crime victims, who have borne the harms of violent crime—is unsound public policy. It also contravenes crime victims' constitutional right under Article 47(a) of the Maryland Declaration of Rights to be treated by all agents of the State with dignity, respect, and sensitivity at every stage of the criminal justice process. For these reasons, House Bill 16 is unconstitutional and should not be supported.

Finally, and perhaps most telling of the bias in the nominating panel is that it does not include one representative for crime victims to reflect the interests of those people who bear the greatest trauma from violent crime and parole decisions. If this were a serious effort to structure a Parole Commission dedicated to public safety and a fair justice system for all parties, at least half of the panel's membership would consist of victim representatives and the other half of professionals with expertise in criminal justice, parole and probation, public safety, and victimization. Packing the panel with social work and treatment-focused individuals, contravenes crime victims' constitutional right under Article 47(a) of the Maryland Declaration of Rights to be treated by all agents of the State with dignity, respect, and sensitivity at every stage of the criminal justice process. House Bill 16 does not recognize crime victims at all. For these reasons, the bill is unconstitutional and should not be supported. Crime victims are profoundly affected by the decisions of the Parole Commission. House Bill 16 gives crime victims' no role in the parole commission; it makes no effort to treat victims of crime with dignity, respect or sensitivity, and should not be supported.

Crime victims are profoundly affected by the decisions of the Parole Commission. In Maryland, victims as a class have a constitutional right under Article 47(a) of the Maryland Declaration of Rights to be treated with dignity, respect, and sensitivity during all phases of the criminal justice process. Paroling serious violent offenders is a very difficult and critically important task. If a nominating panel is to be created, it needs to be balanced with more law enforcement professionals and crime victim representatives. Ignoring victims' need for safety and involvement in the parole process is disrespectful and disregards the real dangers involved in such decisions.

The Parole Commission makes vital decisions about releasing individuals convicted of the most serious offenses—people serving lengthy sentences imposed by judges and upheld through layers of appellate review. Maryland cannot allow its Parole Commission to be stacked with political appointees lacking the decades of experience required to work effectively in this role. Ignoring the primary role of public safety

and the need for meaningful victim involvement in the parole process is disrespectful and recklessly disregards the real dangers involved in parole decisions.

For the above reasons, MCVRC urges an unfavorable vote on HB16.



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