



**Testimony for the House Judiciary Committee  
March 31, 2026**

**SB 822 – Correctional Services - Maryland Parole Commission -  
Improvements in Transparency and Equity**

**FAVORABLE**

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The ACLU of Maryland and the Center for Criminal Justice Reform at the University of Baltimore School of Law support SB 822, which incorporates sponsor amendments needed to strengthen important transparency and procedural measures that will significantly benefit the fairness and efficiency of the parole process.

These changes work to further advance necessary progress achieved by this bill, beginning with its original provision ending the practice of permanently denying parole consideration. Such parole refusals have failed the goal of rehabilitation by often serving to mark a person as unredeemable despite demonstrated progress they could contribute to our communities if given a real chance.

The fair consideration this achieves is strengthened with amendments that reduce external political pressure on parole decisions by limiting public disclosure of the reasoning and justifications for a parole decision to those shared by the entire panel (rather than each commissioner's individual reasons). This change considers equities similar to those underlying an additional amendment confronting harm to exonerees caused by untenably legal aggressive tactics, which have been increasingly employed by county lawyers in cases seeking relief under the Lomax Act following recent statutory changes. Whether it's in parole or in seeking relief owed following wrongful incarceration, undue external pressure weighs deeply against fundamental fairness and trust in the process.

In addition to these improvements, we are grateful this bill includes the following changes we elevated as especially necessary for those serving life sentences and others subject to parole consideration by the full commission:

- Proposed Amendment No. 1: Secure the access of a parole candidate’s representative to important parole information.
  - The amended bill language now improves information access for those who represent parole candidates, which has often posed a major barrier to effective representation. Such barriers include the lack of any notice given to representatives of the actual date of an upcoming parole hearing – along with limitations on client communication throughout the state prison system, this can make it very hard to offer timely hearing support.
- Proposed Amendment No. 2: Ensure parole candidates can access risk assessment reports (subject to appropriate privacy and safety limitations).
  - In line with this bill’s provisions strengthening access to important parole documentation, we elevated the need for additional clarity to ensure parole candidates are provided full—but appropriately managed—access to victim statements and risk assessment reports. As amended, this bill now implements this change for risk assessments but not victim statements, despite both being commonly and needlessly withheld from parole candidates. While we appreciate the important progress this change still achieves, more is needed to ensure parole candidates are not blocked from a fair opportunity to account for all the considerations impacting their liberty interests during the parole process. While reasonable guardrails like appropriate redactions and informed disclosure can and should be imposed to protect the safety and privacy of everyone impacted, parole candidates must still be provided a chance to consider and respond to all information that can significantly weigh against or in favor of their release.
- Proposed Amendment No. 3: Provide a clear timeframe for completing the parole consideration process.
  - Importantly, SB 822 now imposes a 12-month deadline to help resolve extensive delays in parole consideration. Such delays result not only from the wait for a risk assessment, but also from long administrative lags. This has been a growing issue as more people with life sentences seek parole and encounter long delays before a parole hearing date is set (as the months-long victim

notification period now occurs before an official date is scheduled); after the parole hearing occurs (where there are routine years-long delays with receiving any required risk assessment, as well as during the follow up pre-parole investigation by the Department of Parole and Probation, and while awaiting a final decision by the full *en banc* panel of commissioners required to vote in serious cases); and once release is granted (as the actual release date is largely up to the discretion of DPSCS).

- These lengthy delays can be devastating, especially for older parole candidates with little time left to spare. For example, it recently took more than five months for an ACLU client to be granted immediate release by an *en banc* panel after the pre-parole investigation, during which time his mother passed away. Thankfully, this bill now imposes a fixed period for the completion of any follow up after a parole hearing, which is feasible amid the Commission's growing capacity and helps make sure both parole candidates and victims impacted by drawn-out proceedings are afforded a genuine expectation of timely decision making.

- Proposed Amendment No. 4: Provide an extra layer protection against undue public access to sensitive parole hearing recordings.
  - Lastly, SB 822 supports necessary privacy protections for recordings of parole hearings, which are currently treated as confidential and only shared with parole candidates and certain select individuals given access. Maintaining this protection by providing specific guardrails around disclosure helps safeguard the extremely sensitive information discussed during hearings.

Accordingly, the ACLU of Maryland, the Center for Criminal Justice Reform at the University of Baltimore School of Law and the Office of the Public Defender strongly urge a favorable report on SB 822.