

TAKE THE POLITICS OUT OF PAROLE

ACLU
Maryland

BILLS
HB 3 & SB 202



IT'S TIME TO FIX MARYLAND'S BROKEN PAROLE SYSTEM

2,000+

Marylanders are serving sentences of life with the possibility of parole, including nearly...

300

whose offenses were committed as children, aged 17 or younger, and more than...

400

people aged 60 or older.

An additional 300 people are serving sentences of life without parole.

TAKE ACTION

Ask your legislators to support taking politics out of parole during the 2021 legislative session:

bit.ly/politicsoutofparole

LET THE PAROLE COMMISSION DECIDE WHO COMES HOME

Maryland law is supposed to treat life and life without parole sentences differently. But for the last two decades Maryland has wrongly turned life with parole sentences into life without parole.

Maryland is one of only three states in the country to give sole authority to release anyone serving a life with parole (LWP) sentence to the Governor. This wrongly politicizes whether people can earn their freedom. Only a tiny fraction of those with LWP sentences have been granted parole in Maryland in nearly a quarter of a century during the tenure of four different Governors – no matter how thoroughly people have been rehabilitated and earned parole.

We seek to ensure that people given sentences of life with the possibility for parole – who have thoroughly demonstrated their rehabilitation – have a real chance to earn parole, by changing the law to leave the decision to the Parole Commission. This is more important than ever, as the COVID pandemic risks turning life with parole sentences into death-in-prison sentences. Worse still, the extreme racial disparities in who is serving life sentences means that this failure disproportionately affects Black families and communities deprived of the leadership of the people who remain imprisoned – at great cost to us all.

Join us in urging Maryland legislators to take the politics out of parole.

It is time to shift the final decision to the Maryland Parole Commission (MPC), rather than the current practice of requiring the Governor to approve the MPC's decision. The people who earn the approval of the MPC by demonstrating their rehabilitation – based on years of vetting and a rigorous review process that includes a risk assessment and consideration by every member of the Parole Commission – should actually be able to earn their release instead of being blocked by the Governor for political reasons. Only a small number of those serving life with parole sentences earn the Commission's approval, yet even they are denied release under Maryland's current politicized process.



Nearly every other state in the country leaves parole decisions to the Parole Commission.

15 – 20

Currently, before someone may even be considered for parole by the Parole Commission, they must serve at least 15-20 years, depending on the sentence. After becoming eligible, Marylanders serving life with parole sentences are subject to a rigorous review process, including reviews of all their records, in-person interviews, risk assessment, and majority vote for the whole Board.

The chair of the Maryland Parole Commission has explained why parole is important:

“ [Parole] is a reward for good behavior and lowers the threat of violence on our prison staff. If you were a lifer and knew you could never get out, you could do what you wanted to. Parole is the primary reason inmates adjust to prison. ”

77% / 30%

Maryland has some of the worst race disparities among those serving life with parole sentences in the nation – even worse than states like Alabama and Mississippi. About 77% of Marylanders serving life with parole sentences are Black. Only about 30% of Maryland's population is Black.

Because the “release valve” of parole for people serving parole-eligible life sentences is basically nonexistent, the number of people impacted by Maryland's politicized process has steadily increased, even while the overall prison population has declined.

The Parole Commission is appointed by the Governor. The Governor should trust the officials they appoint, who are in a better position to review each person's readiness for release.



Victims are notified in advance of every parole hearing and have the opportunity to speak; nothing in this bill changes that. The Parole Commission gives great weight to victim statements.

250

The successful return to society of more than 250 Marylanders who served life sentences through the *Unger* case demonstrates that they can safely return to their communities. This is consistent with research showing that those serving life with parole sentences who are released have extremely low recidivism rates.

Now, Marylanders serving life with parole sentences make up more than 10% of the state's prison population and cost more than **\$70 million per year**. This figure does not account for the significant medical costs associated with Maryland's aging population of people serving life sentences.

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