

# Remove the Governor from Medical Parole Decisions

**BILLS SB 33 & HB 47**

## BACKGROUND

In 2021, the General Assembly voted to remove the Governor from parole for people serving life sentences. We are grateful to all who worked to ensure the passage of this important legislation, which helps to both depoliticize parole and ensure an expeditious process for those who have earned release.

It was clear that the legislature's intent was to establish that the Maryland Parole Commission would be the final decision-maker for all parole decisions for Marylanders sentenced to life imprisonment.

## WHAT'S THE PROBLEM?

The section of the code pertaining to medical parole was mistakenly omitted from the bill draft, resulting in a situation where *only* medical parole decisions require gubernatorial action.

As a result of this error, medical parole decisions made by the Maryland Parole Commission remain subject to a waiting period of six months. That is dangerous and unfair for Marylanders who need medical parole.

## WHAT'S THE SOLUTION?

SB 33/HB 47 would simply correct the medical parole omission. The need for the Parole Commission to be able to act expeditiously is arguably most critical in those cases where the parole candidate is seriously ill or dying. The 180-day waiting period alone may be the difference between a peaceful death surrounded by family or a lonely death inside prison walls. Indeed, in 2021, five people recommended for medical parole died waiting for the Governor to act.



Medical parole is awarded under extremely strict criteria. Under the Code of Maryland Regulations (COMAR), only individuals who are so chronically debilitated or incapacitated by a medical or mental health condition, disease, or syndrome, as to be physically incapable of presenting a danger to society, may be released on medical parole.

**Swift consideration of these vulnerable people is not only the humane option, it would save taxpayer dollars that would be spent on the exorbitant cost of round the clock medical care within correctional facilities.**

Among other materials, to make the appropriate decision, the Commission considers doctors' reports, medical records, mental health evaluations, and past legal history.

The Commission goes through a rigorous process to determine who can be released, and every member of the Parole Commission votes in every case.

**Gubernatorial approval is a relic of Maryland's earlier failed system and risks opening these decisions up to politicization and bureaucratic confusion.**

**SB 33/HB 47**  
is a simple bill  
that would create  
parity across all  
parole processes.

The bill would  
ensure that a  
terminal illness  
does not bar  
someone from fair  
and expeditious  
consideration of  
their request for  
release.

**THE TIME TO FIX  
THIS IS NOW.**