

May 26, 2021

The Honorable Bill Ferguson
President of the Maryland Senate
H-107 State House
Annapolis, MD 21401

Dear Mr. President:

In accordance with Article II, Section 17 of the Maryland Constitution, I have vetoed Senate Bill 202 – *Correctional Services – Parole – Life Imprisonment*.

As governor, I have taken decisions regarding parole for individuals serving life sentences with the utmost seriousness. I recognize the gravity of these decisions, including the impact on the individual serving the sentence, as well as the victims. I was the first governor in over 20 years to grant parole to an individual serving a life sentence, as well as the first governor in 24 years to grant parole to a juvenile sentenced to life imprisonment, and have granted more paroles, medical paroles, and commutations than the previous three governors combined. Since taking office, I have granted 34 paroles, 11 medical paroles, and commuted 23 life sentences. My predecessors believed that “life means life,” but I have ended that close-minded policy, and have proven that I believe in providing second chances for those who have shown that they have engaged in meaningful rehabilitation, are remorseful for the pain they have caused others, and are ready to re-enter our communities as productive citizens. This bill, which removes the governor from the parole process, is nothing more than an unfounded and unnecessary power grab and another instance of the legislative branch seeking to diminish the authority of the governor.

As a firm believer in rehabilitative justice, I agree that all individuals serving life sentences with the possibility of parole deserve to be meaningfully considered for parole. I also recognize that each of the crimes that these individuals committed includes a victim and a family that had their lives forever altered by the actions of another. I have an obligation to ensure the safety of all Marylanders, and including the governor in the parole process provides an important check on the Maryland Parole Commission, especially since the individuals who are sent to me for consideration have committed truly horrendous crimes, including first degree murder, rape, and sexual assault.

Under this flawed bill, individuals receiving a life sentence after October 1, 2021, would be eligible for their first parole hearing after 20 years less diminution credits,

which could be equivalent to 17.5 years. This increase in time served is a step in the right direction; however, when provided the opportunity to require individuals to serve 20 straight years, the legislature balked. It is clear that the legislature would prefer to be generous to the criminal rather than provide truth-in-sentencing for crimes eligible for life imprisonment. The Maryland Parole Commission will continue to change under future administrations, and I cannot in good faith allow a bill to become law knowing that someone currently serving a life sentence could potentially be released in as little as 17.5 years without the approval of the governor.

Supporters of this misguided legislation claim that Maryland is one of several states that still include the governor in the parole process, but what is missing from this argument is that numerous states do not even offer parole for crimes that carry a life sentence. For example, in Michigan, Minnesota, and New York an individual given a life sentence for first degree murder is not eligible for parole. Further, a number of states require individuals to serve more than the 20 years prescribed in Senate Bill 202. In Oregon, for example, an individual is required to serve at least 30 years prior to becoming parole eligible.

My administration, including the Department of Public Safety and Correctional Services and the Maryland Parole Commission, has implemented a number of reforms to provide suitable parole candidates with opportunities for release. Executive Order 01.01.2018.06 provides that the Governor will consider all applicable statutory and regulatory factors in making parole decisions. The Parole Commission has streamlined the process for psychiatric evaluations and makes the assessments more convenient and timely scheduled for individuals recommended for parole. Lastly, the Division of Corrections is creating better opportunities for inmates with life sentences to achieve lower security classifications, which will provide them with more and better opportunities to demonstrate rehabilitation, making parole more likely.

For these reasons, I have vetoed Senate Bill 202.

Sincerely,

Lawrence J. Hogan, Jr.
Governor