

January 18, 2021 @ 1pm (House Hearing)
February 3, 2021 @ 1pm (Senate Hearing)

House Judiciary Committee
Maryland General Assembly
State House
100 State Circle
Annapolis, MD 21401

RE: HB 0003 – Inmates – Life Imprisonment – Parole Reform – SUPPORT

Please accept my written testimony in support of the House Bill 0003. I am testifying on behalf of my husband who is currently serving a parolable life sentence. He entered the Department of Corrections at the age of 16. His sentence is one that would lead you to believe that after serving a considerable/substantial amount of time and upon his ability to demonstrate change, rehabilitation and readiness to re-enter society that he might be considered and ultimately granted parole. However, under the current system that simply is not true. There currently is no difference between Life with Parole and Life Without Parole in Maryland– they are simply the same – they both represent and guarantee that if you have either of those sentences in Maryland, you surely will die in prison.

I give this testimony as a first-hand witness to the current parole process. I was once told by my Public Administration Professor that “A system will do what it is set up to do even if the result is dysfunction.” That couldn’t be truer than of Maryland’s parole process. The current result is dysfunction and is counterintuitive to its perceived goal. The average person thinks that there is a well thought out process of entry and exit. However, I stand before you to say that is an untruth. The process is a conundrum to which few find the answer. That is especially true for those serving parolable life sentences. Case management and parole are directly related but, case management and the parole process are mutually exclusive operationally. Case management relies heavily on the parole eligibility and recommendations when assessing an inmates security classification and for a person to be deemed parole eligible/suitable relies heavily on their matriculation through the Department of Corrections system. There is a circular reference that each parolable lifer faces. A lifer cannot demonstrate to the parole board the growth and readiness to re-enter society when most inmates are held at a maximum security level which allows little to no chance of forward progress that ultimately eliminates the possibility of parole.

Having a loved one that has made a mistake and is in the custody of the Department of Corrections takes a toll on everyone involved. The incarcerated are often forgotten and abandoned by their loved ones, not because their families don’t care but it just requires so much effort to emotionally and financially support those on the inside. It takes commitment and an unconditional love to withstand the immense gravity of confinement. As the wife of a parolable lifer, it is heart-wrenching to see my husband that wants nothing more than to be given a second chance. He wants nothing more than to demonstrate growth, maturation and change that have taken place in him over the last 28 years. Only to be told by the same system (case manager) that is supposed to support his efforts – there is nothing else for you to take here. He remains

stuck along with the hundreds of other parolable lifers warehoused across the state of Maryland - there is no exit for you! There is no genuine or meaningful second chance for you!

The opposition will have you to believe that there are several avenues that can be pursued to achieve a second chance. I am here to tell you there are no viable options. Sentence modifications, reconsiderations, post-conviction appeals, etc. are paths that one can take, however, if you are not independently wealthy and in a position to pay for a private attorney – How can you file such motions? The Office of the Public Defender is overwhelmed by their current work load. Individuals can file *pro se*, however, most Judges disregard those submissions with immediate denials. So again, you sit year after year with no sign of hope. When my husband was sentenced to a parolable life sentence at the age of 16, he along with his entire family and I was devastated. However, he believed that there was still a chance for him. My husband was sentenced in 1993 and even with having earned diminution credits through employment he will not be eligible for his first parole hearing until 2030 after having served 37 years. This system is so the exact opposite of equal as his co-defendant who was the principle in this offense was released on December 17, 2020. Where is the justice in that?

It is my desire that you consider the legislation before you as a remarkable step in the right direction of fixing a process that is riddled with flaws. It changes the trajectory of hundreds of lives and restores the hope that was initially intended for parolable lifers. This bill will redefine and make a distinction between Life with and without parole. They were never intended to be the same. You undo one of the contributing factors to the mass incarceration epidemic we face in this state and this nation. You address the racial disparity that has been so unjust to Black and Brown people. More importantly you demonstrate mercy and acknowledge that true redemption is possible which is the fundamental principle that parole was established upon. I hope that you will unequivocally support this bill and move it forward for a vote.

Respectfully,

Martina Hazelton

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