



**Testimony to the House Judiciary Committee
HB0920 Correctional Services – Medical Parole- Life Imprisonment
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My name is Marc Schindler. I serve as the Executive Director of the Justice Policy Institute (JPI), a national research and policy organization with expertise on criminal and juvenile justice issues. Over the last decade, JPI has released over a dozen policy and research reports on the Maryland justice system. Please accept this statement in support of HB0920 Correctional Services —Medical Parole– Life Imprisonment.

By way of background, I have had the opportunity in my career to view the justice system from several different angles. I come to this issue today with perspective drawn from experiences both inside and outside the criminal justice system. After graduating from the University of Maryland School of Law, I began my legal career over 20 years ago with the Maryland Office of the Public Defender. I spent eight years as a staff attorney with the Youth Law Center, a national civil rights law firm. Then, I held several leadership roles within the Washington, DC Department of Youth Rehabilitation Services, Washington, DC’s juvenile corrections agency, including serving as General Counsel, Chief of Staff, and Interim Director between 2005 and 2010. Prior to joining JPI, I was a partner with Venture Philanthropy Partners (VPP), a Washington-based philanthropic organization.

Last year, this legislative body took the important and necessary step of removing the governor from the parole decision-making process for people serving a life sentence; thereby removing politics from parole in Maryland. That was a historic step that means Maryland governors can no longer undermine the Maryland Parole Commission who he or she appoints. The long-term impact of that policy change will be less tax dollars spent for excessively long stays of incarceration with no demonstrable public safety benefit, less funds diverted away from important services like education and healthcare and will help to mitigate the huge racial disparities in the Maryland justice system.

While Maryland has medical parole, approval is fleeting. Data are limited but provide a glimpse into its restricted use. Between 2015 and 2020, the Maryland Parole Commission approved 86 medical parole applications and denied 253. Further, the Governor granted nine medical parole requests from individuals serving life sentences and rejected 14 requests. Most notably, the lowest yearly approval rating occurred during the height of the pandemic in 2020 at seven percent.

During debate on the bill to remove the governor from the parole process we heard how the parole commission is much better situated to evaluate someone for release due to their history of involvement with the incarcerated population. The governor was making decisions based off no interaction with the population whose fate he was deciding. The idea of making uninformed decision on medical parole recommendations is unfathomable. We have seen what happens when the governor makes uninformed decisions in the case of Donald Brown whose initial attempt for medical parole was denied by the current governor. In the following month, Mr. Brown’s health got worse and sparked a second attempt of medical

parole. He was granted medical parole and was released from prison but passed away in a nursing home four days later. That was not medical parole. That was the state avoiding funeral cost.

Unfortunately, due to a technical error, the bill to remove the governor from parole did not remove the governor from the medical parole decision making process. The same logic and considerations that went into passage of last year's bill should be applied to removing the governor from medical parole. There is no legitimate policy goal, least of all protecting public safety, that supports keeping the governor in the medical parole process so we ask for favorable consideration of HB0920.