



THE SENATE OF MARYLAND
ANNAPOLIS, MARYLAND 21401

**Testimony of Senator Jill P. Carter
In Favor of Senate Bill 33
Correctional Services – Medical Parole – Life Imprisonment
Before the Senate Judicial Proceedings Committee
On February 8, 2023**

**Chairman Smith, Vice Chair Waldstreicher, and Members of the
Committee:**

SB-33 removes the Governor from the medical parole decision-making process, addressing an oversight in SB-202 from the 2021 session. The legislature intended to remove the Governor from the medical parole decision-making process, but SB-202 did not do so. This bill corrects that oversight.

In 2021, the legislature voted to reform the parole process, and Governor Hogan vetoed the bill. We later overrode Governor Hogan's veto. Until that time, Maryland was one of only three (3) states that involved the governor in the parole process. This reform left the ability to review and grant parole for life sentences solely to the Maryland Parole Commission (Commission), a nonpartisan board composed of law and social service professionals.

SB-33 only addresses medical parole. Based on the General Assembly's vote in the 2021 Special Session, we should also give the Commission the sole ability to review and grant medical parole. SB-33

will remove the Governor’s authority to approve, disapprove, or consider the Commission’s decision in medical parole cases.

Medical parole was established in 2008 because the General Assembly recognized that incapacitated inmates posed no threat to society. Having served a significant amount of their sentence, individuals with extreme mental or physical health conditions were deemed eligible for parole consideration. It was not until 2017 that we limited the Governor’s role in the process. Out of the 2,000 people serving life sentences in Maryland prisons, only thirty-four (34) individuals applied for medical parole in 2018.¹

SB-202 sought to remove partisanship when deciding an incarcerated individual’s fate. SB-33 seeks to further eliminate such partisanship. Some Maryland governors have adopted a “tough on crime” mentality, which disproportionately subjects Black and other people of color to stricter and more prolonged punishments.

In March 2021, former Governor Parris Glendening admitted the cruel nature of life sentences when he stated,

[P]eople whose sentences promised a chance at parole were denied it for decades, regardless of how thoroughly they worked to redeem themselves and make amends to those they harmed.²

¹ <https://www.washingtonpost.com/dc-md-va/2022/01/28/maryland-parole-life-criminal-justice-politics/>

² <https://www.washingtonpost.com/opinions/2021/03/01/i-made-serious-mistake-maryland-governor-we-need-parole-reform/>

I do not believe that the General Assembly intended to bifurcate the determination of medically eligible inmates between the Commission and the Governor when it enacted SB-202.

SB-33, and its respective cross-file, HB47, will correct what was overlooked in the 2022 Session.

I respectfully request that the Committee grant a favorable report on SB-33.

Sincerely,

A handwritten signature in blue ink that reads "Jill P. Carter". The signature is written in a cursive, flowing style.

Jill P. Carter, Esq.