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February 7, 2023

Testimony in Support

SB33 – Medical Parole – Life Imprisonment

State's Attorney Aisha N. Braveboy and the Office of the State's Attorney for Prince George's County support **SB33 – Medical Parole – Life Imprisonment**.

The Office of the State's Attorney is responsible for prosecuting violations of state or local law in Prince George's County and making sure that the laws are enforced in a just and fair manner and that there is due respect for the rights of everyone.

This bill corrects an oversight in legislation that removed the power of the Governor to veto general release decisions of the Maryland Parole Commission when a life sentence is involved. That legislation, however, did not address the ability of the Commission to release an individual on medical parole.

Section 7-309 of the Correctional Services Article gives the Parole Commission the power to release an inmate who is "so chronically debilitated or incapacitate by a medical or mental health condition, disease, or syndrome as to be physically incapable of presenting a danger to society."

The Parole Commission is directed to consider a variety of factors before making the discretionary decision to release an inmate on medical parole, including the specific medical circumstances involved, the nature of the underlying crimes, and the inmate's institutional history. The Commission retains the ability to direct that the individual return to prison should the medical circumstances change.

Given the rigorous review that the Parole Commission carries out in these cases, including a determination about the inmate's danger to society, there is no reason for these cases to be subject to what is essentially a political review by the Governor.

Beyond the impact on the individuals involved and their families, the reduction in costs associated with the rapidly growing number of elderly prisoners in our prisons, many with increasing medical needs, as well as the substantial body of evidence that elderly and medically incapacitated prisoners who are released are unlikely to commit future crimes, removal of this provision is clearly in the public interest.

For the foregoing reasons, **we urge a favorable report for SB33 – Medical Parole – Life Imprisonment**.

For more information, contact: Doyle Niemann, Assistant State's Attorney and Chief of the Conviction and Sentencing Integrity Unit, at dlniemann@co.pg.md.us or 240-244-7178.