

A Deeper Dive Into Maryland's HB 467 / SB 822

Overview of House Bill 467 / Senate Bill 822 - Improvements in Transparency and Equity

Overview

[House Bill 467](#) / [Senate Bill 822](#) make six changes to the parole process in Maryland, including making Parole Commission decision making, hearing outcomes, and reporting more transparent as well as ensuring parole-eligible people receive parole hearings.

A. Required Contents of the Annual Report

The Maryland Parole Commission is required to “make an annual report to the Governor of its work” (Md. Code, Corr. Servs. § 7-208), but there are no specifications in the law as to the report’s contents.

A majority of US states require annual reporting from their respective parole commissions (parole boards).

Maryland would become the fifth state (AR, CO, NV, VA) to specify that the report must include the total number of grants, denials, and reasoning for the Commission’s decisions.

B. Provision of Records

Today in Maryland, an incarcerated person is notified of their ability to review the records that will be considered to determine release, but they must formally request them.

HB 467 / SB 822 would require the documents to be provided automatically alongside the notice of their hearing, removing the administrative delay.

Six states (AK, IA, NJ, OR, UT, WA) automatically provide records to incarcerated people ahead of their hearing. Vermont provides *some* records automatically and requires others to be requested¹.

C. Commissioners' Decisions Require Justification, Are Public Record

The Parole Commission is required to provide incarcerated individuals with a “written report of its findings” following a parole denial. However, the law does not mandate that the report includes the reasoning behind the decision, leaving individuals without clarity about why their parole was denied.

HB 467 / SB 822 would require the Commission to include detailed reasoning for all parole decisions. These justifications would also be public record.

Twenty-seven states require justifications for decisions to be given to the incarcerated person – twelve of these states also make these justifications public².

D. Commission Decisions are Promptly Communicated

Incarcerated individuals often wait between 21 to 30 days to learn the outcome of their hearings.

HB 467 / SB 822 would require decisions to be communicated within fourteen days of the parole hearing. Oklahoma, one of the most conservative parole states, provides decisions within seven days.

E. Subsequent Hearings Are Automatically Scheduled

In most states, state law sets a timeline for subsequent parole hearings following a denial – not in Maryland. Instead, individuals must request a new hearing annually (or every two years for longer sentences), and these requests can be arbitrarily denied.

¹ Vermont law delegates to the Commissioner the authority to decide which records are automatically provided and which must be requested ([Vt. Stat. tit. 28 §107](#)).

² Justifications provided to the incarcerated person: AL, AK, AR, CA, HI, IL, IN, KS, KY, ME, MA, MI, MS, MT, NE, NV, NJ, NM, OH, OR, PA, TN, TX, UT, VA, WA, WV
Justifications are also public record: AL, AR, CA, KY, MA, MT, NV, PA, TN, UT, WA, VA

The Parole Commission has the power to deny parole *hearings* to anyone they choose, effectively denying parole eligibility to thousands of people who both the legislature and courts have determined to be eligible.

Only five states (DE, ID, MD, PA, UT) require parole-eligible people to request a parole hearing – all other states automatically schedule parole hearings.

HB 467 / SB 822 would require parole hearings to occur on a tiered schedule based on the person's length of sentence and incarcerating offense.

- Up to 10 year sentence: Parole hearings not later than every two years for individuals who are parole-eligible.
- Over 10 year sentence: Parole hearings not later than every three years for individuals who are parole-eligible.

Note: For people serving a sentence over twenty years for a crime against an individual, their second hearing will be not later than three years after a denial. All subsequent hearings will be not later than five years.

F. All Hearings Are Recorded and Public Record

Maryland law does not mandate specific recording or retention requirements. In its absence, state administrative regulations specify that parole hearing recordings be destroyed within 30 days if no appeal is filed, removing any evidence to reference at future hearings ([Md. Code Regs. 12.08.01.18](#)).

HB 467 / SB 822 would require hearing recordings to be retained for three years post-incarceration, supervision, and the exhaustion of all appeals. These recordings would also be made public record (with personally identifiable information redacted).

While many states make recordings of hearings, the timelines to make them public vary widely. For example, Arizona requires recordings to be publicly available within 3 days of the hearing, while California has a similar 30 day administrative period after which transcripts can be released.