

HB1147 Parole Hearing Schedule

Up to 10 year sentence

A person has their next parole hearing not more than two years after a parole denial.

Greater than 10 year sentence

A person has their next parole hearing not more than three years after a parole denial.

Greater than 20 year sentence if crime has a victim

A person has their next parole hearing not more than three years after their first parole denial and not more than five years after all subsequent parole denials.

KEY

- Various sentence lengths are listed in the far left column for both violent and non-violent offenses.
- Possible hearings are listed at the top of each column
- The number of years people must serve for each respective hearing complete the table.

Incarcerated Individuals Convicted Of Violent Crimes

MD. CODE, CORR. SERVS. § 7-301

Sentence Length	Hearing 1	Hearing 2	Hearing 3	Hearing 4	Hearing 5	Hearing 6	Hearing 7	Hearing 8	Hearing 9
8	4 years	6 years	RELEASE						
10	5 years	7 years	9 years	RELEASE					
12	6 years	9 years	RELEASE						
16	8 years	11 years	14 years	RELEASE					
20	10 years	13 years	16 years	19 years	RELEASE				
22	11 years	14 years	19 years	RELEASE					
30	15 years	18 years	23 years	28 years	RELEASE				
40	20 years	23 years	28 years	33 years	38 years	RELEASE			
50	25 years	28 years	33 years	38 years	43 years	48 years	RELEASE		
60	30 years	33 years	38 years	43 years	48 years	53 years	58 years	RELEASE	
70	35 years	38 years	43 years	48 years	53 years	58 years	63 years	68 years	RELEASE

Incarcerated Individuals Convicted Of Non-Violent Crimes

MD. CODE, CORR. SERVS. § 7-301

Sentence Length	Hearing 1	Hearing 2	Hearing 3	Hearing 4	Hearing 5	Hearing 6	Hearing 7	Hearing 8	Hearing 9
8	2 years	4 years	6 years	RELEASE					
12	3 years	6 years	9 years	RELEASE					
16	4 years	7 years	10 years	13 years	RELEASE				
20	5 years	8 years	11 years	14 years	17 years	RELEASE			
24 with victim	6 years	9 years	14 years	19 years	RELEASE				

KEY TAKEAWAYS

Establishing an automatic schedule for parole hearings benefits all parties.

- A** People with parole-eligible sentences will know upon incarceration how many parole hearings they will have. For example, someone serving an 8 year sentence for a violent offense will know they will have two chances at parole release while in prison and can effectively plan ahead for their hearings.
- B** The Parole Commission will be able to plan ahead and effectively schedule parole hearings for all incarcerated people. The current unpredictability—how many eligible people will be refused a hearing—benefits no one.

HB1147 Automatic Scheduling

HB1147's primary change to Maryland law is establishing an automatic scheduling cadence for parole hearings based on the person's sentence length 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 after a denial.

PAROLE HEARING REFUSALS

Currently, parole-eligible people must apply for a subsequent parole hearing following a denial. Maryland is one of only four states (DE, ID, UT) that requires a person to apply for subsequent parole hearings. The Parole Commission refuses over a thousand hearing requests each year to eligible people.

- FY2023: 1,126
- FY2024: 1,154

There's no limit on how many times the Commission can deny any person a hearing and it's possible that people will be given a de facto "without parole" sentence and forced to serve out their time. There is no explicit authority in state law granting the Commission this authority and these hearing refusals effectively overrule the intent and decisions of both the legislature and the courts who decide sentencing parameters.

Parole eligibility is established by the legislature and sentenced by the courts. The executive branch should not be able to overrule either authority.

HB1147 Language

7-307.1.

(A) The commission does not have the authority to permanently deny parole.

(B) An incarcerated individual is entitled to a subsequent parole hearing:

1. For an incarcerated individual sentenced to a period of incarceration of 10 years or less, not later than 2 years after each parole hearing that results in a denial of parole;
2. Except as provided in item 3 of this subsection, for an incarcerated individual sentenced to a period of incarceration exceeding 10 years, not later than 3 years after each parole hearing that results in a denial of parole; and
3. For an incarcerated individual sentenced to a period of incarceration exceeding 20 years for a crime against an individual, not later than 3 years after the first parole hearing that results in a denial of parole and not later than 5 years thereafter.