

December 11, 2012

Maryland State Commission on Criminal Sentencing Policy 2012 Public Comments Hearing

House Office Building Annapolis, MD 21041 December 11, 2012, 6:15 p.m.

Minutes

Commission Members in Attendance:

Honorable Diane O. Leasure, Chair

Delegate Curtis S. Anderson

James V. Anthenelli, Esquire

Colonel Marcus L. Brown

Honorable Joseph I. Cassilly

LaMonte E. Cooke

Honorable Arrie W. Davis

William Davis, Esquire, representing Public Defender Paul B. DeWolfe

Paul F. Enzinna, Esquire

Richard A. Finci, Esquire

Senator Lisa A. Gladden

Rhea Harris, representing Secretary Gary D. Maynard

Senator Delores G. Kelley

Megan Limarzi, Esquire, representing Attorney General Douglas F. Gansler

Honorable Laura L. Martin

Honorable John P. Morrissey

Honorable Alfred Nance

Delegate Joseph F. Vallario, Jr.

Charles F. Wellford, Ph.D.

Staff Members in Attendance:

Marlene Akas

Stacy Skroban Najaka, Ph.D.

David A. Soulé, Ph.D.

Christina D. Stewart

Speakers:

, Maryland C.U.R.E.

, Maryland C.U.R.E.

Lea Green, President, Maryland C.U.R.E.

James Johnston, Supervising Attorney, Youthful Defendant Unit, Maryland Office of the Public Defender

Walter Lomax, Project Director, Maryland Restorative Justice Initiative



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The Public Comments Hearing began at 6:25 p.m., when Judge Leasure called the hearing to order. Judge Leasure asked the Commissioners to introduce themselves and to note their affiliation. Following the Commissioner introductions, Judge Leasure welcomed the speakers to the podium in the order in which they signed in to the hearing. Six of the nine individuals who testified provided written comments in advance of the public comments hearing. Copies of the submitted written comments are attached as an appendix to these minutes.

Note: The views expressed in the Public Hearing testimony are those of the speaker(s) and do not reflect the official policy, position, or opinions of the Maryland State Commission on Criminal Sentencing Policy (MSCCSP). The MSCCSP does not endorse the content of the testimony, nor does it guarantee the accuracy, reliability or completeness of the information. Only testimony that was provided electronically to the MSCCSP is included.

Walter Lomax, Project Director, Maryland Restorative Justice Initiative.

Mr. Lomax explained that his reason for addressing the Commission was to discuss the "life means life" policy regarding parole for individuals serving life sentences. Mr. Lomax expressed his concern about politics being responsible for keeping many men and women in prison who have demonstrated that they are no longer a threat to public safety.

Mr. Lomax discussed two pieces of legislation that the Maryland Restorative Justice Initiative (MRJI) supported. The first, which was passed in 2011, imposed a deadline for the Governor to act on recommendations from the Parole Commission for individuals serving parole-eligible life sentences. Mr. Lomax noted that this has not solved the larger problem, however, as the Governor has honored only a few of the many cases that the Parole Commission recommended for parole. In 2012, the MRJI advocated for legislation that would require the Parole Commission to make final parole decisions for minors sentenced to parole-eligible life terms and those convicted under the felony murder statute, but this legislation failed in committee.

Mr. Lomax expressed his belief that Maryland's parole commissioners are well-qualified to make parole determinations that do not jeopardize public safety. He concluded his testimony by encouraging the Commission to support legislation that would change the current policy on parole for minors who are serving parole-eligible life sentences and those convicted under the felony murder statute.

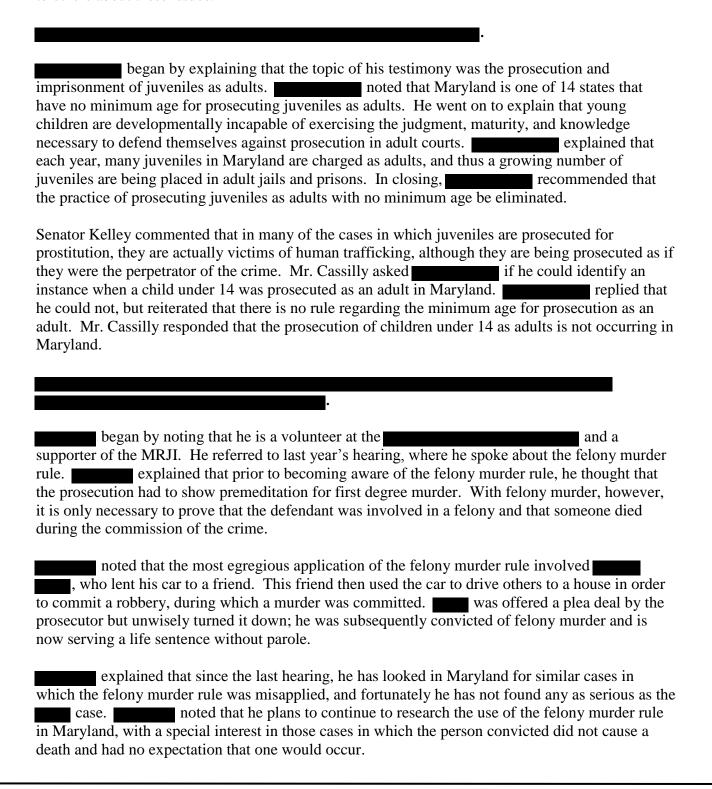
Senator Kelley commented that Mr. Lomax's testimony was very moving and pertinent for the Commission to hear. She also explained that the Commission as a body does not have the ability to affect the changes discussed by Mr. Lomax, and recommended that Mr. Lomax present his testimony to members of the General Assembly and the Governor. Senator Kelley suggested that prior to future hearings, the Commission clarify for the public the scope of its responsibilities. Judge Leasure responded that this will be discussed in more detail before the next hearing. Judge Morrissey commented that if he could locate it, he would pass along to Mr. Lomax the contact information for a Canadian judge he had met who attended a conference on restorative justice.

Concerning Senator Kelley's suggestion, Delegate Anderson stated that he did not want to limit the public in coming before the Commission. He explained that the public wants to have their stories



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heard, and that it is important for the Commissioners to hear the public's concerns. Senator Kelley clarified that she wanted the Commission to have greater transparency regarding its responsibilities, so that those who speak at the hearings are not under the impression that the Commission has the ability to directly address their concerns. Mr. Lomax replied that he understood Senator Kelley and felt that the hearings provide an opportunity to speak to individuals who are in the position to speak to others about these issues.





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concluded by stating that although use of the felony murder rule may be appropriate in certain cases, there is the potential for the rule to be misapplied. Specifically, he noted that it may be used to obtain a plea deal or secure a conviction in a difficult case where the defendant has little culpability for the crime.

Judge Leasure thanked for his comments.

James Johnston, Supervising Attorney, Youthful Defendant Unit, Maryland Office of the Public Defender.

Mr. Johnston began by stating that he was appearing before the Commission on behalf of the Office of the Public Defender to comment on the juvenile delinquency component of the Offender Score. He explained that the use of juvenile court involvement in calculating the Offender Score is problematic for several reasons. First, the nature and severity of the offense for which the child was found delinquent are not considered. In addition, a child may be committed to the Department of Juvenile Services (DJS) based on a number of factors, only one of which is the nature of the delinquent act. Mr. Johnston stated that a child's medical health, mental health, educational needs, and the unavailability of services in the community may also lead to commitment. Thus, commitment is not a reliable indicator of the severity of the child's delinquent conduct.

Mr. Johnston concluded by requesting that the Commission consider modification or elimination of juvenile court involvement from the determination of the Offender Score.

Senator Kelley remarked that this issue is within the Commission's jurisdiction, but that perhaps the most effective course of action would be to sponsor a bill by which the General Assembly would direct the Commission to reconsider the use of juvenile court commitments in the calculation of the Offender Score. Mr. Johnston noted that the Commission had made an effort in the past to modify how juvenile commitments were used in calculating the Offender Score, specifically by including commitments only if the delinquent act had a certain seriousness category. Mr. Cassilly agreed that the Commission needs to examine this issue, and asked Mr. Johnston if he had a specific proposal for how calculation of the Offender Score should be modified with respect to juvenile court involvement.

Judge Nance thanked Mr. Johnston for the quality of representation that he brings to the courtroom. Judge Nance also commented that because the Commission is responsible for reviewing fairness in sentencing, many of these issues are within its jurisdiction. Senator Kelley agreed that this is within the scope of the Commission's responsibilities and noted that she simply suggested the statutory route as the most efficient path to reform. Judge Leasure suggested that this issue be referred to the Guidelines Subcommittee for review. Judge Morrissey confirmed that the Guidelines Subcommittee would put this item on its agenda, and requested that Mr. Johnston submit any specific recommendations if he had them.

Mr. Finci asked Mr. Johnston if juvenile commitment is being used as a diversionary treatment in Baltimore City, and also inquired about the extent to which the Division of Parole & Probation (DPP) uses juvenile history as a predictor in its model. Judge Nance pointed out that juvenile commitment is being used for rehabilitative purposes, but then is taken to be an indicator of offender dangerousness. Ms. Martin recommended that the seriousness of the delinquent acts,

, Maryland C.U.R.E.

introduced himself as the brother of



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noted that he

rather than the number of juvenile commitments, be considered in determining the Offender Score. Mr. Johnston responded to Mr. Finci's question by explaining that in adult court, contact with the juvenile system is used to determine eligibility for probation. He also noted that Baltimore City uses community commitments, in which a child is committed to DJS but is not physically transferred to a treatment facility. Mr. Davis underscored that DPP uses juvenile contact, even if the individual was not found delinquent, to determine eligibility for Violence Prevention Initiative (VPI) supervision. Senator Kelley explained that Maryland prosecutors had informed the Study Commission that limited opportunities, such as poor parental involvement and unavailability of services in the community, were considered aggravating factors in the juvenile setting and juveniles with these aggravating factors were more likely to be committed. She noted that this makes it even more unfair that juvenile contact is considered in the Offender Score.

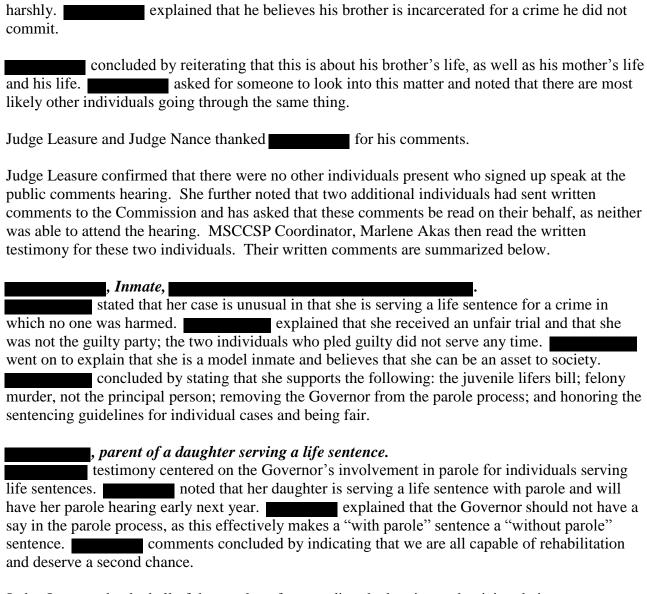
, Maryland C.U.R.E. began by introducing herself as the mother of the serving a life asked for help in securing her son's freedom, as she believes sentence plus 15 years. that he is imprisoned for a crime he did not commit. explained that her son had never been in trouble before. She also explained that another man who is now deceased, , had committed the crime for which her son was convicted. noted that the State's witness against her son later admitted to her that he had testified because his first cousin concluded by asking for someone to look into her son's was case. Mr. Enzinna commented that he is on the board of the Mid-Atlantic Innocence Project, and requested that contact him so that the Innocence Project can examine her son's case. Lea Green, President, Maryland C.U.R.E. Ms. Green began by noting that she is the mother of a lifer and the president of Maryland C.U.R.E. Ms. Green mentioned former President George W. Bush, who signed the Second Chance Act on April 9, 2008, as well as former Maryland Governor Parris Glendening, who recanted his "life means life" statement. Ms. Greene also noted that former Governor Robert L. Ehrlich, Jr. is now supporting clemency for lifers. Ms. Greene concluded by saying that she hopes the Commission can look into how to solve the problem of over-incarceration. Senator Kelley commented that there may be more cases than believed in which juveniles have been sentenced to life without parole. She explained that the U.S. Supreme Court has now decided that juveniles cannot be sentenced to life in prison without parole, but this has not applied retroactively, as there are still many individuals who were sentenced before this ruling.

was twelve years old when his brother was sentenced. He went on to explain that is serving life plus 15 years without the possibility of parole. wanted to ask whether this was about guilt or shame, or if it was about somebody's life. He stated that received this sentence

without a jury trial, and that others who were convicted of murder have been sentenced less



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Judge Leasure thanked all of the speakers for attending the hearing and voicing their concerns.

Senator Kelley made a motion to include the written testimony from the hearing in an appendix to the annual report. Judge Leasure suggested that this be discussed further prior to the submission of the annual report. Dr. Soulé noted that inclusion of the written testimony in last year's annual report had resulted in confusion as to whether the testimony reflected the views of the Commission. Senator Kelley suggested adding a foreword that would clarify this fact. Dr. Soulé replied that last year's annual report contained such a foreword, but the staff still received comments indicating that some individuals had mistaken the public testimony for comments representing the opinion of the Commission. Judge Leasure recommended that the issue be resolved over e-mail, as the business meeting of the Commission had concluded. Judge Nance seconded the motion, however, there was some question as to whether a motion could be entertained during the Public Comments Hearing. Senator Kelley withdrew the motion. A motion was made to adjourn the hearing and the motion passed. The hearing was adjourned at 7:29 p.m.



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Appendix

Written Testimony Submitted in Advance at the 2012 MSCCSP Public Comments Hearing

The views expressed in the Public Hearing testimony are those of the speaker(s) and do not reflect the official policy, position, or opinions of the Maryland State Commission on Criminal Sentencing Policy (MSCCSP). The MSCCSP does not endorse the content of the testimony, nor does it guarantee the accuracy, reliability or completeness of the information. Only testimony that was provided electronically to the MSCCSP is included.



Walter Lomax, Project Director Maryland Restorative Justice Initiative



December 11, 2012

Maryland State Commission on Criminal Policy Judicial Committee Hearing Room 6:15 Pm 4511 Knox Rd, suite 309 College Park, MD 20742

Before coming down here today I was reading the prepared statement I submitted to the commission, and realized that the men and women we are advocating on behalf of deserve a much more compassionate appeal to their plight. Originally I thought about using Michelle Alexander's compelling book, "The New Jim Crow," but decided that some of you may have read it, or at least know most of what is in it; Mass incarceration, the overwhelming disproportionate representation of people of color in the criminal justice system, and the new cast system, or rather the New Underclass system.

The decision to use these similar parallel cases did not come easy, the Jevon Belcher tragic murder suicide, and how it relates to persons serving parole eligible life sentences. In 1993 Rodney Stokes committed murder suicide while in the work release and family leave programs in Maryland. One could argue that Rodney was serving a life sentence, and Jevon was a respected member of his community; however the argument would miss the underlining fact that both acts were committed doing a highly emotional state of mind. No one could have predicted the outcomes; not the police officers who talked with Javon that morning, nor Rodney's supervisors who allowed him to leave for work that tragic day. Two similar acts, that no one could have predicted, in Jevons case, we mourn the loss of those two lives, and in Rodney's case, well over 2600 men and women suffers because of his tragedy, because on that day in 1993, 134 people serving parole eligible life sentences were removed from those programs, and remain so even today.

What I want to talk to you about tonight is the 'Audacity of Hope,' something our President, Barack Obama, talks about in his book of the same title. Hope and the longing for reward lay at the heart of every human endeavor, without it there is no reason for anyone to do anything good. The honorable Judge Moots said those words in the Knox decision. However wise and sagacious his statement was, it did not take into account the Audacity of Hope some of these men and women have. They have defied this sage wisdom, and continue to do well, in spite of their circumstances. It has been almost twenty years since the 'Life means Life' edict, and as can be indicated by the volume of recommendation the parole commission continues to give that they continue to qualify for release.

It is unconscionable that politics rather than sensible criminal justice policies continue to hold these men and women, who have demonstrated time and time again that they are no longer a threat to public safety. They have been punished far exceeding original legislative intent, and sentencing judge's expectation. Examples of how these men and women would be successfully if released back into the communities are people like;

Walter Lomax, Project Director Maryland Restorative Justice Initiative



and _____, all of whom served over thirty years incarcerated, have returned to society and are now living successful lives. There are many others who were paroled before the 'Life means Life policy, now living successful lives; working, raising families, paying taxes, and are assets to their communities.

In 2011 we advocated successfully in having legislation passed that imposed a deadline for the governor to act on recommendation from the parole commission for persons serving parole eligible life sentences, but it has not addressed the larger issue. Among the dozens of cases recommended for parole by the Parole Commission, the governor honored only a few, and none by parole.

In 2012, we advocated for legislation to ensure that individuals sentenced to life as juveniles, and those convicted under the felony murder law; not the primary in committing the crime in Maryland have a meaningful opportunity for parole — not a guarantee of release, but a fair shot. The legislation would have required parole commissioners to make final decisions on parole, replacing the current system in which that responsibility belongs to the governor. The legislation failed in committee.

The parole board is an independent decision-making body, and its decisions are made by thoughtful and experienced commissioners that are well qualified to make parole determinations that do not jeopardize public safety. We believe that Maryland's parole commissioners are more than qualified to make sound, just, and fair decisions.

We encourage you to sponsor, cosponsor, and support legislation on these two issues: Minors who were sentenced to parole eligible life sentences; and those convicted under the felony murder statute, where mitigating circumstances establish they were not the primary in committing the crime. By doing so you will give these men and women a meaningful chance of regaining their freedom, some of whom have served 20, 30, and in some cases 40 years or more incarcerated. This will not only save the tax payers of Maryland millions of dollars from warehousing these individuals, but could add to its tax base by having them gainfully employed. When some of them were in the work release program they paid taxes and room and board. It cost the state of Maryland approximately 33,000 a year to house most prisoners, as oppose to \$1,422 per person on parole.

Thank you for your time and consideration to this matter,

Sincerely Yours,

Walter Lomax

Walter Lomax, Project Director Maryland Restorative Justice Initiative

PUBLIC COMMENTS PRESENTED TO: THE MARYLAND STATE COMMISSION ON CRIMINAL SENTENCING POLICY ON DECEMBER 11, 2012

PROSECUTING & IMPRISONING OF CHILDREN AS ADULTS IN MARYLAND

MARYLAND IS ONE OF 14 STATES IN THE UNITED STATESHAS NO MINIMUM AGE FOR TRYING CHILDREN AS ADULTS(THE OTHERS ARE AK, HI, PA, TN, DE, ID, MI, RI, WV, FL, ME, NE & SC).

IN MARYLAND, CHILDREN UNDER THE AGE OF 14 ARE PROTECTED IN VERTUALLY EVERY AREA OF THE LAW, EXCEPT WHEN IT COMES TO THE CRIMINAL JUSTICE SYSTEM. IN MARYLAND 14 YEAR OLDS CANNOT DRIVE, BUY CIGARETTS, ALCOHOL, GAMBLE AT CASINOS, DROP OUT OF SCHOOL, ETC.

YOUNG CHILDREN ARE DEVELOPMENTALLY INCAPABLE OF EXCERCISING THE JUDGEMENT, MATURITY, AND KNOWLEDGE NECESSARY TO COMPETENTLY DEFEND THEMSELVES AGAINST CRIMINAL PROSECUTION IN ADULT COURTS. MARYLAND HAS CLEAR GUILDELINES FOR INSURING THT ADULTS ARE COMPETENT BEFORE THEY ARE SUBJECTED TO CRIMINAL PROSECUTION, BUT HAS MARYLAND COURTS DEVELOPED RULES THAT ADDRESS THE UNIQUE

CHARACTERISTICS OF CHILDREN, LEAVING CHILD DEFENDANTS VULNERABLE AND AT RISK IN ADULTL COURTS.

THE PRUDENT APPROACH WOULD BE FOR MARYLAND TO KEEP CHILDREN OUT OF ADULT JAILS AND CHANNEL THEM THROUGH THE JUVENILE JUSTICE SYSTEM WHERE THEY COULD GET THE COUNSELING AND MENTAL HEALTH SERVICES THAT SO MANY OF THEM CLEARLY NEED. BUT, AS IT NOW STANDS IN MARYLAND, MANY YOUTHS EACH YEAR ARE CHARGED AS ADULTS, EVEN FOR NONVIOLENT OFFENCES AND PROPERTY CRIMES THAT DO NOT WARRANT ADULT TIME. THUS, MANY CHILDREN HAVE BEEN TRANSFERRED TO ADULT COURTS FOR CRIMINAL PROSECUTION, A GROWING NUMBER OF THEM HAVE BEEN AUTOMATICALLY PLACE IN ADULT JAILS AND PRISONS.

MARYLAND, IS PART OF THE UNITED STATES, WHICH IS THE ONLY COUNTRY IN THE WORLD THAT SENTENCES JUVENILES TO LIFE IN PRISON WITHOUT PAROLE.

CONSISTENT WITH WHAT ADOLESCENT DEVELOPMENT EXPERTS HAVE TAUHGT US AND WHAT TEACHERS, PARENTS, AND CHILD ADVOCATES APPRECIATE, YOUNG CHILDREN CANNOT BE PROSECUTED FAIRLY AS ADULTS. THE PRACTICE IN MARYLAND OF PROSECUTING CHILDREN WITH NO MINIMUM AGE AS ADULT SHOULD BE ELIMINATED.



Life Member of CURE(CITIZEN UNITED FOR REHABILITATION OF ERRANTS www.curenational.org)

Maryland State Commission on Criminal Sentencing Policy 2012 Annual Public Comments Hearing, December 11, 2012 Testimony by

Last year I spoke to you about my alarm concerning the felony murder rule in American courts. Three years ago I saw a PBS Frontline program, *When Kids Get Life*, which had a large impact on me. It tells the stories of five juveniles serving life without parole in Colorado; three of whom were convicted of **felony murder**. Prior to this I had not heard of this charge. I knew that first degree murder could lead to a sentence of life or life without parole. But I thought that first degree murder meant premeditated murder and that the prosecution had to show intent. Not so. With felony murder, it is not necessary to prove intent nor even that the accused killed anyone; only that the accused was involved in a felony and that someone died at the scene.

Since I spoke to you last year I have looked for similar miscarriages of justice in Maryland. The good news is that I have found no case so blatantly absurd as the case. I have found cases where a robbery took an unexpected turn and a crime victim was killed. In the case of felony murder, all perpetrators are considered equally guilty of first degree murder whether they cause a death or not. In some cases it is a perpetrator's death which leads to the conviction of a second perpetrator.

The charge felony murder grew out of English common law but has since been repealed as outmoded by Great Britain, Canada, and several states in the United States (not including Maryland). The Frontline documentary stated that an estimated 26% of the 2,574 juveniles serving life sentences without parole in this country were convicted under the felony murder rule. According to the 2009 Frontline program, 13 juveniles are

serving life without parole in Maryland. Many more juveniles in Maryland have been sentenced to life with the possibility of parole. However, life with parole sentences in Maryland have morphed into life without parole due to the reluctance of recent governors to approve parole for lifers recommended for parole by the Maryland Parole Commission.

I support the Maryland Restorative Justice Initiative which seeks to take politics out of the process of granting parole for lifers through legislation to remove the governor from the process. In only four states does a governor have the final say in the parole process for lifers. This year the Maryland Restorative Justice Initiative seeks legislation to empower the Maryland Parole Commission to make the final decision in parole for two groups of lifers who are eligible for parole: those convicted as juveniles and those convicted of felony murder who were not a principal in the case.

I plan to continue to research the felony murder rule in Maryland. I am especially interested in finding cases where the person serving a life sentence did not cause a death and had no reasonable expectation that one would occur.

However much the felony murder rule may be appropriate in some cases, it's easy to see how this rule can be misapplied and distorted. A life sentence without possibility of parole, originally intended to protect society from the "worst of the worst," can become a handy short cut charge to obtain a plea deal or make a conviction in a difficult case with little relation as to actual culpability for a crime. Let us reserve our most severe punishment to those actually guilty of the crime.



STATE OF MARYLAND



OFFICE OF THE PUBLIC DEFENDER DISTRICT 01 – BALTIMORE CITY YOUTHFUL DEFENDANT UNIT



PAUL B. DEWOLFE PUBLIC DEFENDER

CHARLES H. DORSEY, III
DEPUTY PUBLIC DEFENDER

ELIZABETH L. JULIAN

NATALIE FINEGAR ACTING DEPUTY DISTRICT PUBLIC DEFENDER

JAMES A. JOHNSTON

December 6, 2012

Dr. David A. Soulé
Executive Director
Maryland State Commission on Criminal Sentencing Policy
University of Maryland
4511 Knox Road, Suite 309
College Park, Maryland 20742-8660

Re: Annual Public Comments Hearing

Dear Dr. Soulé:

The Maryland Office of the Public Defender respectfully submits the following comments for consideration by the Maryland State Commission on Criminal Sentencing Policy at the public comments hearing scheduled for December 11, 2012. Please allow this to serve as confirmation that I will attend the hearing and speak on the issues discussed in this letter.

The Maryland Office of the Public Defender urges the Commission to examine the role of offenses adjudicated in the juvenile court system in the calculation of the Offender Score. The use of juvenile court involvement as part of the Offender Score poses several problems. First, the nature and severity of the offense for which the child was found delinquent are not considered. Similarly, the reason a child is committed to DJS does not factor into the assignment of points toward the Offender Score. As a result, a child's offender score may exceed that of an adult with a similar offense history.

Further, the commitment of a child to DJS is often based only in part on the nature of the delinquent act. A child's medical, mental health, and educational needs may weigh in favor of commitment. The unavailability of appropriate services in the community or the inability of a child to access them may also lead to commitment. Further, certain jurisdictions such as Baltimore City routinely use a "community commitment", in which a child is committed to the Department of Juvenile Services and allowed to remain in the family home. In summary, a commitment to the DJS is not a reliable tool for determining the severity of a child's delinquent conduct.

We ask that the Commission strongly consider the modification or elimination of juvenile court involvement from the process used to calculate the Offender Score. This would continue to allow sentencing Courts to consider adjudications of delinquency and commitments as part of the sentencing process with an individualized determination of the weight such history should be given.

I would like to thank you and the members of the Commission in advance for the opportunity to address this topic.

Respectfully submitted,

James A. Minston
Supervising Attorney
Youthful Defendant Unit

Maryland Office of the Public Defender



DAVID A. SOULE, PH. D., EXECUTIVE DIRECTOR

Sir,

I am responding to the upcoming meeting on December 11, 2012 concerning The Maryland State Commission on Criminal Sentencing Policy.

I have an unusual case where I am serving a Life Sentence. There is NO DEAD BODY, NO ONE HURT, NO ONE TOUCHED, OR HARMED AT ALL. I had no priors of any kind, not even a parking ticket when I came to prison at almost 52 years of age. I have been locked up for 18 years and I received a very unfair trial. The sentencing guidelines called for 4-9 years and I wasn't the guilty party. The two people who pled guilty received no time.

How does one receive a Life Sentence and no one died? In fact, how does a person like I receive 5 Life Sentences, all concurrent and is expected to die in prison? I am a Model Inmate and I am sure I can return to society and be an asset again as I once was. I hope to get that opportunity. I have been on the governor's desk to be paroled since got a psychological evaluation from and I've been told I received the best evaluation in the history of

I have taken advantage of everything available to me while here and I am a much stronger person than I was 18 years ago. I know I could return to society and never be in trouble of any kind. I have never smoked, drank, or done drugs. I don't have anger issues and I know who I am. Today, a strong woman who would never allow anyone to abuse me in any way ever again.

When you have your 2012 Annual Public Comments Hearing December 11, I would like to have a voice by presenting this letter to you in support of:

- 1. The Juvenile Lifers bill.
- 2. Felony Murder, not the principal person.
- 3. Remove the Governor from the parole process.
- 4. Honor the sentencing guidelines for individual cases and be fair.

My sentence violates my eight amendment rights and it is cruel and unusual, especially when the guilty parties receive no time and I get 4 concurrent Life sentences and the fifth is Nolle Prossed which allowed the State to take my defense and "HOOD-WINK" my case. Thank you for your time in this very important and significant matter.

Sincerely,

Maryland State Commission on Criminal Sentencing Policy 2012 Annual Public Comments Hearing, December 11, 2012 Testimony by

Note: is unable to attend the public hearing and have requested that the following
testimony be read at the hearing. This testimony was submitted via an e-mail sent to Dr. Soulé.
Dear Dr. Soulé:
I have been informed by Marylandcure about the 2012 Annual Public Comments Hearing on December 11 and wish to comment on the negative effects of the Governor's involvement in Lifer Parole. My daughter was given a life sentence with parole. She has now been at for 14 years and will have a parole hearing early next year. I
believe the Governor should have no say in the parole process as this unfairly makes a 'with parole sentence' a 'without parole sentence'.
We can all redeem and rehabilitate ourselves and deserve a second chance. Former President Bush signed this into law in 2008.
Please discuss this with the commissioners.
Thank you,
Sincerely,