

2013 MSCCSP Public Comments Hearing Written Testimony

The following testimony was submitted to the Maryland State Commission on Criminal Sentencing Policy (MSCCSP) in advance of its December 10, 2013 Public Comments Hearing. Unfortunately, the 2013 Public Comments Hearing was cancelled due to inclement weather. However, all of the submitted testimony was forwarded to each of the Commissioners, and it is compiled here for presentation on the MSCCSP's website at www.msccsp.org.

The views expressed in the Public Comments Hearing testimony are those of the author(s) and do not reflect the official policy, position, or opinions of the MSCCSP. The MSCCSP does not endorse the content of the testimony, nor does it guarantee the accuracy, reliability or completeness of the information contained in the testimony.

"Mitigating Circumstances"

*The arc of the moral universe is long, but it bends
Towards justice. -Martin Luther King, Jr.*

Testimony presented by Walter Lomax, Executive Director, Maryland Restorative Justice Initiative

Before the Maryland State Commission on Criminal Sentencing Policy

December 10, 2013

Thank you Chairperson and members of the committee. My name is Walter Lomax, I am the director of the Maryland Restorative Justice Initiative our mission is to seek sensible criminal justice policies in Maryland, and reduces society's overreliance on incarceration, and its devastation on communities.

I will open with this quote from Dr. Martin Luther King Jr; "We must come to see that human progress never rolls in on the wheels of inevitability, it comes through the tireless efforts and persistent work of people willing to make a change," - Faith without good deeds is no faith at all-- Hope without action is like luke-warm acceptance from those who claim to care, which is more bewildering then outright rejection from those who don't." The arc of the moral universe is long, but it bends towards justice.

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 therefore are seeking to allow this esteemed appointed committee(s) decisions be final.

In 2012, the Maryland Court of Appeals issued a decision involving Jury instructions in the Unger case, the people most affected by this decision, approximately 240, are serving parole eligible life sentences. The court ruled that those affected by the unconstitutional jury instructions are entitled to new trials, and since May 2013 over forty eight of those individuals have been released. These are the same individuals we have advocated for, and have said for many years they would not be a threat to public safety, and deserving of a meaningful opportunity for release. They are now making successful transitions in their reentry, and have already began to be assets to their families and the community. We have assembled an advisory committee at the UMD that meets once a month to assess their

transition, and connect them with resources and reentry programs.

In an earlier Supreme Court ruling, confirming children and teenagers are not just "Miniature adults." *In Miller v. Alabama*, Justice Elena Kagan, writing for the Court, reiterated that the decisions of the last decade had established, or restored, the principle that "children are different" when it comes to criminal punishments. The majority of the court held that mandatory life without parole for juvenile offenders violates the 8th Amendment's prohibition on cruel and unusual punishments because it results in disproportionate punishment. Recounting the court's earlier decisions, the majority opinion explained. "Our decisions rested not only on common sense — on what 'any parent knows' — but on science and social science as well." The Court emphasized the "hallmark features" of youth "— among them, immaturity, impetuosity, and failure to appreciate risks and consequences;" and that young people are still changing and therefore more likely to be rehabilitated. In addition, the Court also repeatedly pointed to other aspects of disproportionately - noting that a young person is usually powerless to extricate them from the environment that surrounds them, "no matter how brutal or dysfunctional" that environment, that the younger a child or teen is when sentenced to life, the longer he or she will spend in prison. Throughout the opinion, the majority emphasized again and again that a life sentence without parole is, in truth, a sentence to die in prison, as such, an extreme. In short, the Court's ruling reiterated that, because of what we know about the differences between young people and adults, the Constitution requires us to recognize that children and teens are different from adults for the purpose of criminal sentences.

These reasons are well-known to us at the Maryland Restorative Justice Initiative, and they are why, in 2012, (SB's 584 minors & 492 felony murder law) we advocated for legislation to ensure that individuals sentenced to life as juveniles in Maryland have a meaningful opportunity at parole - not a guarantee, or even likelihood, of release, but just a fair shot. All we sought was for the state to allow grants of parole to be decided by parole commissioners, rather than our current practice of requiring the sitting Governor to sign off. In 2011 we were marginally successful in having legislation passed that imposed a deadline for the Governor to act; the bill the legislation passed did not go far enough. Among the dozens of cases recommended for parole and commutation by the Parole Commission, the Governor honored only three by commutations, none by parole. Ironically the three cases involved the two issues our advocacy focuses on; two were minors when sentenced, and the other a conviction under the felony murder law,

Because of our current system, parole decisions are inappropriately politicized.

This is why, for all practical purposes in Maryland, sentences of life *with* the possibility of parole have become synonymous with death in prison, contrary to legislative intent, and sentencing judges' expectations. There are over 269 individuals in Maryland serving parole-eligible life sentences who were sentenced as juveniles, many of whom have now served 30, and in some cases 40 years or more in prison. There is no real opportunity for parole with our current system; the Supreme Court's decision helps illustrate just how cruel such a policy is.

The MRJI does not advocate for the blanket release; rather, we ask only that the State of Maryland honor the trust it has placed in the parole commissioners to determine whether an individual has proven he or she deserves to be released during his or her lifetime, rather than dying in prison.

In California, which has a policy similar to Maryland's, Governor Jerry Brown has accepted the parole board's action in 85-% of the cases sent to his office. By contrast, in Maryland Governor O'Malley has accepted the parole board's action in just 2.5% of the 72 cases sent to him, denying all others. A spokesperson for Governor Brown emphasized: "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 equally qualified when making their decisions. Their recommendations should be honored by the Governor, and their findings should not be subjected to political ends, especially not at such great financial and human cost to the state.

Maryland is among the worst of the worst states - third in the nation — when it comes to the rate of young people serving life sentences: More than one of every ten people serving a life sentence in Maryland was sent to prison as a teenager. And Maryland is tied with Alabama in leading the nation in the percentage of our juvenile lifer population that is African-American: 84% of our juvenile lifer population is black, even though census data shows that our state is only about 30% black. Those statistics alone should be enough to make us stand up and ask whether our policies are fair and sensible. But statistics are not enough, the MJRI is glad for the wisdom of the Supreme Court in its ruling in *Miller v. Alabama*, which provides additional legal support for the sensible criminal justice policies we have sought for years to ensure that parole decisions are based on facts and evidence, not politics.

We are seeking to change the paradigm in Maryland when thinking about the criminal justice system, by giving persons sentenced while minors (juveniles) and those convicted under the felony murder law a realistic chance of regaining their

freedom. If only half of these former juvenile's were to be released to supervision, (14,000 per individual per year on supervision) it could save the State of Maryland; $134 \times 35.000 = 4,707,50$, four millions, seven hundred, seven thousand, and fifty dollars a year. We do not have the number of people convicted under the felony murder law; not the primary in committing the crimes, but our research indicates there are many, and their release would also generate a substantial savings of our tax dollars. This is a social issue that we all should be concerned about.

I will close with a quote from; Frederick Douglass: "Power concedes nothing without a demand. It never did and it never will."

Walter Lomax, Executive Director, Maryland Restorative Justice Initiative

[REDACTED]

To: The Maryland State Commission on Criminal Sentencing Policy

From: [REDACTED]

Date: December 10, 2013

RE: Sentencing of Juveniles in Maryland to Life or Life Without Parole

To All Members:

In light of the Supreme Court ruling in June, 2012, declaring mandatory sentences of life without parole unconstitutional, I am convinced that such a form of punishment for any juvenile offender is too severe. Although Maryland does not allow the death penalty for juveniles, we all know that a life sentence, or one of life without parole, amounts to the same thing, albeit in slow motion.

The Supreme Court decision quotes excerpts from studies done by Drs. Laurence Steinberg of Temple University and Elizabeth Scott of the University of Virginia School of Law (Less Guilty by Reason of Adolescence – December 1, 2003) supporting their decision. This article, a copy of which is included for your consideration, forms the basis of my opinion.

As a conscientious and practical person, I believe that young people convicted of serious crimes should be held accountable for the harm they have caused. However, I also firmly believe the punishments we impose upon our youth should reflect their capacity for change and our ability to create new solutions for age-old problems.

Continuing to sentence juveniles to life or life without parole here in Maryland achieves neither of these goals, and the financial toll incurred from a lifetime of imprisonment burdens this state and its taxpayers all the more.

Other states, including California (SB9), Connecticut (HB6581), Delaware (SB9), and Wyoming (HB23) have already passed or advanced legislation that agrees with this sentiment and additional states (Nebraska, South Dakota, Pennsylvania, Louisiana, Arkansas, Utah, and North Carolina) have taken the first important steps to create similar revisions in their existing legislation as well.

The first charge of this Commission states that "Sentencing should be fair and proportional and that sentencing policies should reduce unwarranted disparity, etc.". I ask that the members of this Commission do everything in their power to encourage legislative reform in Maryland that would do away with sentences of life or life without parole for juvenile offenders.

Respectfully yours,
[REDACTED]
[REDACTED]

Less Guilty by Reason of Adolescence
By Laurence Steinberg and Elizabeth Scott

[A copy of this article was forwarded to each of the Commissioners.]

MARYLAND CURE (Citizens United for Rehabilitation of Errants)
Ms. Lea Green, President



Maryland State Commission on Criminal Sentencing Policy
House Office Building
Judiciary Committee Hearing Room 100
6 Bladen Street, Annapolis, Maryland 21401

Re: Dismember the Governor from the MD Parole Board Approval Process for Lifers

Good evening Mr. Chairman and all other distinguish members. MD CURE would like to thank you all for granting us an opportunity to address you this evening. Your support is greatly appreciated.

Maryland CURE (Citizens United for the Rehabilitation of Errants) is presented before you this year as an advocate and supporter of dismembering the Governor of Maryland from the Parole Board approval process for individuals with life sentences.

The facts are as follow:

MD Governors, according to his/her political agenda, can and has exercised a verbal Executive Order declaring "LIFE MEANS LIFE" which is in contrast to the judicial laws; Suspended Life; Life; and Life without Parole.

Maryland, in addition to California and Oklahoma, prohibits the Parole Board Commission, who is appointed by the Governor, from performing their duties in reference to parole eligible lifers.

The MD Parole Board Commission is comprised of at least seven (7) Commissioners who actively participate in the recommendations of parole eligible lifers. Victim Impact, Psychological Profile, Need Assessments, Institutional Behavior and other methods are reviewed and applied prior to recommendation.

Statically it has been establish that former lifers do not return to prison.

Continued incarceration at the cost of \$33K each year financially drains our economic system.

Parole eligible lifers usually are incarcerated for twenty (20) or more years prior to consideration which results in them returning as elderly individuals.

Prolonged incarceration medically cost State millions of dollars in health care.

SENATE BILL 172, passed two years ago, requiring MD Governor to approve or disapprove an eligible lifer within 180 days after parole recommendation from the Maryland Parole Board Commission. All have been disapproved.

President Bush, highest level of government, signed into law the SECOND CHANCE ACT on April 9, 2008. This law needs to be honored and recognized that a person can change and deserves a SECOND CHANCE!

Maryland CURE will present to you among the speakers and supporters former lifers who are returning citizens that will affirm people do change and can make a difference.

In conclusion, as taxpayers, voters, supporters, and citizens of this great state, we urge the Legislation to end this long dark chapter of injustice and let the system operate accordingly to judiciary laws. Let us pass the bill to dismember the Governor from the MD Parole Board Commission for eligible lifers.

Peace, strength, and love

Maryland Cure
Lea Green, President

TO: Mr. David A. Soulé, Executive Director
MD State Commission on Criminal Sentencing Policy
University of Maryland
4511 Knox Road - Suite # 309
College Park, MD.
20742.

RE: Hearing for Public Comments / December 10, 2013.

Dear Mr. Soulé,

I am writing in reference to the annual Public Comments Hearing of the Maryland State Commission on Criminal Sentencing Policy scheduled for December 10, 2013, in Annapolis, MD. Although I am unable to attend, I am requesting that this correspondence be considered and entered into the record.

My name is [REDACTED], and in [REDACTED] I was sentenced to a parole eligible life sentence with a judge's recommendation for parole made on the record. Despite no prior arrests, and an exemplary institutional adjustment record, numerous rehabilitative accomplishments in both education and vocational training, assuming leadership roles in various self help and service groups, I remain in a parole prohibitive catch 22 situation based on politics. Former Governor Parrish Glendening admitted an abuse of discretion for a bump in approval ratings when he stated life means life, to which he later claimed he regreted making. The same can be said for the current Governor, Mr. O'Malley as he establishes his ambition for higher office. In doing so he has instructed the MD Parole Commission to cease any additional recommendations to his office. The abuse of discretion and related actions create an enhanced sentence.

Mr. Soulé, my question to the Commission concerns the injustices of the current sentencing policy for those with a parole eligible life sentence. What type of remedy is available, or, preferably, what considerations can the Commission initiate in response to a situation that effects nearly 10 % of the current state prison population?

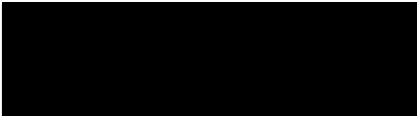
Thank you for giving this correspondence your time and consideration. Please inform me of any response or inquiry regarding this matter of concern.

Sincerely,

[REDACTED]

[REDACTED]

Nov. 29th 2013.
DATE




David A Soule, Executive Director
MD State Commission on Criminal Sentencing Policy
University of Maryland
4511 Knox Road Suite #309
College Park, Maryland 20742

December 1, 2013

Dear Mr Soule,

Enclosed you will find a letter I sent to some members of the Senate Judicial Proceeding Committee.

I am respectfully requesting that this letter be received and entered into Record on December 10, 2013, annual Public Comments Hearing of the Maryland State Commission on Criminal Sentencing Policy.

Unfortunately, I will not be able to attend this Hearing due to prior commitment. Please confirm the receipt of this letter by e-mailing me at  or contacting me at the above address. Thank you for your assistance and please inform me of any other upcoming hearings or events regarding this forum.

Sincerely yours,

The Honorable
Lisa A. Gladden
Senate Judicial Proc.

November 1, 2013

Dear Senators/Delegates,

As a concerned citizen with a aging relative/friend serving a life sentence. I am also a registered voter. I am requesting your support to Reform/Remove the Governor's authority to grant Clemency, parole for lifers, in the Maryland prison system.

Over the past twenty years Maryland Governor's have refused to grant parole for lifers, men and women. A review of the past 20 some years shows that the granting of parole, for lifers, is subject to the politics of the day.

Commissioner, David R. Blumberg, chairman of the Maryland Parole Commission, says before the incident in 1993 (work-release inmate killed his girlfriend and himself), lifers were paroled on a regular basis, worked daily, paid taxes and received home visits. The Parole Commission reported that lifers were paroled before 1993, after serving over twenty years and substantial time in work-release. Then came the politics of parole, "I'm your next Governor", I am tough on crime posture.

The Secretary of Public Safety and Correctional Service with the approval of the Governor appoints commissioners to the Maryland Parole Commission. The Parole Commission is responsible for conducting face to face interviews with offenders and accumulating an offenders history before making a decision to parole or not to parole. The Governor's blanket policy usurp the Parole Commission's authority after the Commission has determine that an offender is both eligible and suitable candidate for parole. Lifers can not receive a fair recommendation because the Governor continue this blanket policy.

In 2011, Maryland Legislature passed Senate Bill 172, partial reform, requiring the Governor to make his decision on all recommendations submitted to him in 180 days. The problem that lifers are currently face with is the Parole Commission refuse to submit any recommendations to the Governor because his standard for approval is beyond real expectation and inherently bias.

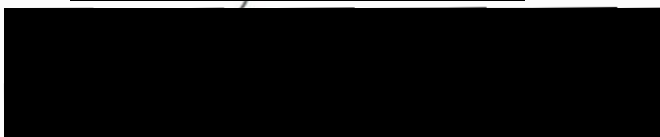
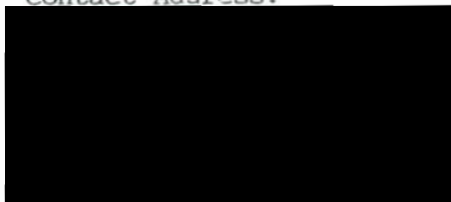
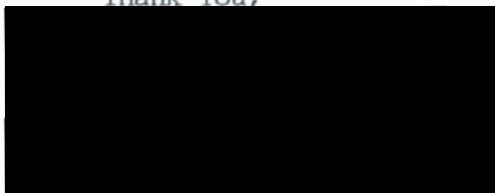
The DPSCS and Parole Commission reports conclusively shows that lifers have the best record of rehabilitation and the lowest rate of recidivism. With such overwhelmingly proven statistics compiled by the state's own professional penologist, and mounting cost to house elderly inmates, how in good conscience can the Governor continue to refuse parole

for men and women who have served 30, 40, and some 50 years incarcerated.

I sincerely hope that you and other legislators join in an support positive legislation for the parole release of those eligible lifers.

Thank You,

Contact Address:



**Maryland State Commission on Criminal Sentencing Policy
2013 Annual Public Comments Hearing, December 10, 2013**

Testimony by [REDACTED]

Note: [REDACTED] indicated that she would be unable to attend the public hearing and requested that the following testimony be presented in her absence. This testimony was submitted via an e-mail sent to Dr. Soulé.

Mr. David A. Soule,

Please, I request this letter be entered in the record since I live in [REDACTED] and cannot be there.

My son [REDACTED] is at [REDACTED] since age 17yrs. he has been in the [REDACTED].

He was sentenced to a parole eligible life sentence, which have been denied consideration for parole due to the current and past sentencing policies with prohibitive parole consideration for lifers. Eligible Lifers are being denied participation in pre-release, work-release, and meaningful parole review and consideration.

More prisoners today are serving life terms than ever before, under tough mandatory sentencing laws and declining use of parole for eligible convicts, according to the Sentencing Project.

What happened to compassion and Christianity, this still a religious country, under God. Amnesty International released a report, 'This is Where I'm Going to be When I Die'. Human Rights Organization states there is a legal and moral consensus that life imprisonment without possibility of release should never be used against minors and are calling the U.S. to stop.

'With God all things are possible' Matthew 19:26

Myself and family in [REDACTED], have written numerous letters on his behalf. He was not sentenced to LWP, maybe his judge saw hope for a 17yr old who made a life -changing choice. As teenagers, wrong choices are made, as Beth Huebner, associate professor of criminology at University of Missouri-St.Louis said, 'We know that juveniles don't think out consequences clearly.' They are not equipped mentally, emotionally, intellectually to make correct smart choices.

[REDACTED] was a young teen when he went to live in [REDACTED] with his father, he always longed for. We divorced when he was age 3.

The only family he has up there is his father, [REDACTED] who worked for [REDACTED]. [REDACTED] but he has made a new life with new family and does not include [REDACTED] now, either by visit, mail, call, or moral support and has not for a number of years, going on 10 maybe. How does this educated person shut out if first born, the usual pride of a Hispanic father? But he would leave him alone after school for hours, unsupervised.

My mother traveled with me til she died in [REDACTED] my dad could travel up there with me before, as he is up in years now, 89yrs, he bought a printer so he could send Peter articles on [REDACTED], where he lives, articles, legislation in our part of country on progress for Lifers. What is person without Hope?

██████ was diagnosed with Crohn's disease about in ██████, he has had a Colectomy to better deal with the complications of the disease. He still has issues with some food & irritating diarrhea. I have also sent his father updates on his health issues, with no follow-up on his part.

Please we have prayed for years for a change to the current system for Lifers. Yes he took another life, a fatal mistake, His father handled his legal defense, maybe wrongly. We have many family members that would welcome him home.

'Let not the sun go down on your wrath' Ephesians 4:26

Mother-████████████████████ & still working, so I can visit

████████████████████

██

3 Dec 2013

TO: DAVID A. SOULE, EXEC. DIR
MD STATE COMMISSION ON CRIMINAL SENTENCING
POLICY

SIR, I AM WRITING TO YOUR OFFICE DESK,
BECAUSE OF AND UP COMING PUBLIC
HEARING YOUR COMMITTEE IS HOLD ON
DECEMBER 10, 2013

I AM REQUESTING THAT MY LETTER AND
(2) TWO INFORMATION PACKETS BE SUBMITTED
INTO THE RECORD FOR THE HEARING ON DEC
10, 2013

BUT, MOST OF ALL I PRAY YOU AND YOUR
COMMITTEE READ THE BIO'S AND THE
INFORMATION PACKET.

SIR, I AM SERVING A ~~PAROLE~~ ELIGIBLE LIFE
SENTENCE AND BECAUSE OF THE POLITICS
IN MARYLAND THE GOVERNOR (ALL FROM P. GLENDENING
TO THE CURRENT) HAS STATED THEY WILL NOT
GRANT PAROLE TO ANYBODY SERVING A PAROLE
ELIGIBLE LIFE SENTENCE. AND INSTRUCTED THE
PAROLE BOARD NOT TO SEND ANY RECOMMENDATION
TO THEIR OFFICE DESK. FOR THEM TO BE SIGNED

AS I WRITE THIS LETTER THERE ARE
OVER 2,700 PEOPLE SERVING PAROLEABLE

life sentences OVER 300 WERE JUVENILES
When given life . I Am One of them
I Have enclosed A small Packet of
Bio's of MEN who are SERVING life for
Crimes Committed when they were minors

I Ask That you Read the Forward and
the First FIVE(5) Bio's . To get A Picture
of those JUVENILES SERVING life And Because
of Maryland Governor's Policy May spend
the Rest of "OUR" lives in Prison . All WE
As For is to Address the Current Policies
for lifers in Maryland. 2nd) Why are lifers
BEING DENIED Participation in Pre-Release, Work
-Release Programs And Meaningful Parole Review

I Pray your Commission will Address
these Policies .

Let's Remember That Before ^{From Gov} (P. Glendening)
Made his life MEANS life state . or coming to office
lifers WERE Allowed ~~to~~ Participate in Work
Release and Pre-Release Programs in
Maryland Before BEING Granted Parole.
WE NEED to return to this Policies .

I Pray your office Take this
Information into Deep consideration
For those SERVING life



The Lifer's Conference
[REDACTED] *Lifer Informational Packet*
Compiled by [REDACTED]

[A copy of this document was forwarded to each of the Commissioners.]

The Lifer's Conference
Bios of Juveniles Serving Life
Compiled by [REDACTED]

[A copy of this document was forwarded to each of the Commissioners.]

Wednesday, December 4, 2013

Dear Mr. Soule,

I currently reside at the [REDACTED] I am serving a life sentence with the eligibility of parole for a homicide that I was involved in back in [REDACTED] When I came in the system I was a juvenile. I had just recently graduated from high school with a scholarship to attend college. During the time I have been incarcerated I was able to attend [REDACTED] in pursuit of my Bachelor Degree in Criminal Justice. As of now I need 18 credits to obtain that degree. I've also been involved in many positive programs, etc. This is just a little about me. The reason I'm writing you is because the group I'm involved in here at the prison (Lifers Group) was privy to your press release about the Criminal Sentencing Policy that is being held December 10, 2013 in the House Office Building.


I often hear people say that those of us who were sentenced to Parole eligible Life sentences do roughly 20 to 25 years and then we go home. Well I'm an example that is not the case. I have had to date 6 (six) parole hearings only to be giving a set off each time. All of the hearings as of late have been favorable, but we all face a political uphill battle. I say that because guys serving life are used as political pawns. There are currently only 3 states left that in order for a person serving a life sentence to be released the governor has to sign off on his/her release and Maryland happens to be one of those states. The other two are Oklahoma and California. When Parris Glendening was the governor of Maryland he made this bold announcement that life meant life and he was not signing anyone papers serving a life sentence. However after his term as Governor ended he went on an MPT Television show and said he only took that stance to be re-elected. So his stance was entirely political which he admitted. It was during this time that parole commissioners just stopped sending parole recommendations to the Governor's office. Now Governor Martin O'Malley has taken that same stance on guys serving life sentences with parole.

By no means am I minimizing what any of us have been incarcerated for. We have been punished for it by the courts, but it just seems to continue. Why is the governor even involved in the parole process? Why are Lifers being denied meaningful parole reviews? Why are Lifers being denied participation in pre-release and work release programs? At some point in time we may return to society. For the most part we have been incarcerated 30 years or better and pose no threat to society. This is an area that should and needs to be addressed. Guys are only growing old and have many health related issues that cost the state a lot of money. I think you have an idea as to what I'm saying. If at all possible can you enter this letter/concern in to the records even though I cannot attend the hearing?

I really appreciate you taking the time to read this letter. I do hope that you are able to get this into the records.

Respectfully,

[REDACTED]


11-3-13

Mr. David A. Soule, Executive Director
MD State Commission on Criminal Sentencing Policy
University of Maryland
4511 Knox Rd. - Suite #309
College Park, Maryland 20742

Dear Executive Director Soule,

I would like for the Commission to address the issue of injustices the policy of prohibition that effects those serving, parole eligible Life sentences. The current policy of the State of Maryland by the Governor realistically changes the Judges' sentence of Life with the possibility of parole to a sentence of Life without parole which is a different sentence for penalty purpose according to the severity of the crime.

Now I will Thank you in advance for your time in reading and considering my concern.

Respectfully,


[REDACTED]

December 5, 2013

Mr. David W. Soule, Executive Director
MD State Commission on Criminal Sentencing Policy
University of Maryland
4511 Knox Road; Suite 309
College Park, Maryland 20742

Dear Mr. Soule:

I was sentenced to Life plus Fifteen (15) years in [REDACTED], sentence commencing from [REDACTED]. My sentence is parole eligible.

In [REDACTED] the Maryland Parole Commission recommended my sentence be commuted to Fifty (50) years, which was to no avail because then Governor Parris Glendinning informed the Commission not to send any recommendations to his desk.

In [REDACTED] the Maryland Parole Commission recommended parole, but the current Governor denied the recommendation along with fifty-five (55) others in [REDACTED].

The current sentencing policies and prohibitive parole model for lifers with parole eligible life sentences needs to be addressed because even though we were not sentenced to life without parole, the amount of time being served is reflective of sentences with no parole. I would also request the policies on lifers being denied participation in pre-release and work release be addressed because at one time this was a reintegration tool utilized by the Maryland Parole Commission. I would finally submit that Work Release was an incentive and provided lifers an opportunity to save money which could be utilized upon release.

In conclusion I would respectfully request the Commission address the issues submitted herein.

Thank you for your consideration and understanding in this matter.

Sincerely yours,

[REDACTED]

Mr. David A. Soule, Executive Director
MD. State Commission on Criminal Sentencing Policy
University of Maryland
4511 Knox Road-Suite #309
College Park, Maryland 20742

Dear Mr. Soule,

I request that my letter be received and entered into the Record at the hearing that is scheduled to be held December 10, 2013, in Annapolis.

To whom it may concern:

There are three things the human being cannot deny. They are the moon, the sun, and the truth.

For many years the policy that was set in place during Paris Glendening tenure as Governor caused many people who have been sentence to life with parole to languish in Maryland's Department of Public Safety and Correctional Services. I and other lifers have for years been subjected to a lie that was told to us by our sentencing judge-Life with the possibility of parole. Unfortunately, the judge was oblivious and not at fault for the Governor not abiding by their sentence of the defendant. Some of these judges probably would have opted to sentence the defendant to a life suspended sentence.

The parole board has attempted to grant parole to a few lifers that they felt deserved to be paroled. Nonetheless, this is ultimately wipe out by the politics of the Governor. The Governor has the power to alleviate the burden of so many lifers who have been granted parole by the Parole Board.

Many of us who have been sentenced to Life w/Parole committed heinous acts that would warrant the sentences that were given to us. But, the reality is that we are being subjected to the injustice of the current sentencing policies. If I was sentence to a parole eligible life sentence, than I should be granted participation in pre-release, work release, and meaningful parole reviews that is not predicated upon the whims and caprice of others, but by my institutional record, and by the amount of time I have been incarcerated.

The truth is I have a Life w/Parole sentence for Attempted Murder. The truth is that I have progress through the system and have maintained a stellar adjustment record. I have taken advantage of all the programs that (MDPSCS) ~~has~~ ^{has}. What more can I do to progress and better myself? The department only have a few viable programs. There is simply no reason for I and others to languish in Medium security prisons, when in fact we have done enough to be granted minimum status or pre-release status.

What we have to do is rectify this conundrum of the sentencing policies for lifers who have been sentenced to Life w/Parole. Do we have to wait for a court ruling to better the conditions of lifers, such as Unger or can we as reasonable and logical people have the fortitude to correct this problem that has been plaguing lifers since that tragic day that caused all lifers to be sent back to medium status, to waste away in the abyss of prison.

Thank-You,

A solid black rectangular box used to redact the signature of the author.

December 4, 2013

Dear Mr. Soulé:

I [REDACTED] humbly request that my letter be received and entered into the record at this years annual Public Comments Hearing of the Maryland State Commission on Criminal Sentencing Policy, on December 10, 2013 at 6:15 p.m.

I am currently incarcerated and serving a parole-eligible Life sentence, at the [REDACTED]

I humbly ask that the Commission address the injustices of the current sentencing policies and prohibitive parole model for "lifers". More specifically: Why are "lifers" being denied participation in pre-release, work-release and meaningful parole reviews?

Mr. Soulé, I thank you for your consideration in this matter and look forward to becoming a useful instrument in future policy implementation or change.

Respectfully Submitted
[REDACTED]