



Report Overview

Safe at Home: Improving Maryland's Parole Release Decision Making

Researchers at the Justice Policy Institute (JPI) analyzed five years (FY2017 - FY2021) of data reflecting practices by the Maryland Parole Commission (MPC). Those data—collected, prepared, and shared by the Maryland Department of Public Safety and Correctional Services—cover parole eligibility, the number of cases heard, grant rates, denial rates, lengths of supervision, and parole revocations. In developing recommendations, JPI consulted with people who have experience with the Maryland parole system, their family members, and attorneys who assist individuals applying for parole. We also reviewed the latest research and examined best practices in parole in other states.

Overall, our research found that parole is widely misunderstood in Maryland. Rules and regulations are not necessarily reflected in practice; little data are available to the public, including current annual grant rates; recidivism and racial disparity continue to plague the system; and insufficient staffing, training, and resources are available to help paroled people transition successfully from prison to the community.

As a result, Maryland parole is more likely to produce hopelessness than rehabilitation.

Detailed findings include:

- Since 2017, the number of individuals newly eligible for parole has declined. Much of this decline is attributable to a shrinking incarcerated population and the impact of COVID-19. The decline in newly parole-eligible individuals between 2017 and 2021 was primarily driven by a 93 percent decrease in the number of emerging adults (25 years of age and under) becoming newly eligible. Meanwhile, the number of newly parole-eligible adults ages 60 and over more than tripled to 8 percent of the newly eligible population. These data point to a “graying” of the Maryland prison population.

Maryland's parole system is falling short—and has been for a long time

Many of the problems JPI researchers identified were also noted in a similar report issued 90 years ago. Today, when concern about crime is on the rise, state leaders have an opportunity to undertake comprehensive reform of parole that can enhance public safety and conserve state resources by addressing these long-neglected problems. Making parole a more reliable source of rehabilitation and hope could also improve attitudes toward the legal system in communities that are disproportionately affected by crime and incarceration.

- In 2018 the MPC heard 5,002 cases, an increase of 76 percent in one year. This spike was attributable to sentencing modification changes in the Justice Reinvestment Act, which took effect in FY2018 and expanded parole eligibility. Since then, the number of hearings has steadily declined, with a dramatic drop in 2021 due to the closure of courts in response to the COVID-19 epidemic. People 51 years or older comprised only one in eight parole hearings during this period.
- The parole grant rate decreased between 2020 and 2021 despite the emergence of COVID-19 in early 2020. Many jurisdictions around the country expedited the release of individuals from prison to reduce the spread of the virus. This was typically accomplished by moving up parole eligibility by a few months and expanding the number of people eligible for a hearing. However, Maryland data reveal sharp declines in newly eligible individuals, hearings, and releases granted.
- Emerging adults (ages 25 and younger) report a grant rate of 37 percent. The rate increases to a high of 43 percent for people between the ages of 31 and 35, and then steadily declines as individuals age. People over 60 are paroled at a rate of 28 percent. Parole grant rates that decline with age run counter to everything we know about trends in criminal offending. Crime is a young person’s endeavor, and the likelihood of reoffending drops precipitously after age 40.

Recommendations

Maryland can improve its parole practices by adopting the following best practices identified by experts in parole release decision-making:

- Basing parole release decisions solely on objective factors related to an individual’s future risk to the community; punishment, as a goal, should be considered met at the time of initial parole eligibility,
- Adopting transparent rules and procedures that reflect input from all interested parties,
- Documenting reasons for denial of parole in writing and making decisions appealable,
- Expanding eligibility and developing standards for compassionate release,
- Working closely with other criminal legal and support agencies to ensure the development of a parole release plan that supports successful reentry, and
- Establishing inclusive standards for parole board member eligibility, including education and work/life experience.

These recommendations are offered as a guide for legislative and administrative action. Maryland decision-makers can build upon this foundation by soliciting input from a broad range of stakeholders, including community members, on how to operationalize these options into policy.

The full report, [Safe at Home: Improving Maryland’s Parole Release Decision Making](#), includes a detailed history of parole in Maryland and in-depth coverage of the MPC’s structure, guidelines, and procedures. It can be accessed, read, and downloaded from JPI’s website, www.justicepolicy.org. For more information, contact Keith Wallington at KWallington@justicepolicy.org.

“Instead of providing incentives for good behavior and rehabilitation, along with support for success in the community, for too long Maryland parole has been associated with hopelessness and recidivism. We can, and must, change this.”

—T. Shekhinah Braveheart, Advocacy Associate, Justice Policy Institute