



The State of Maryland

Executive Department

EXECUTIVE ORDER
01.01.2018.06

Gubernatorial Considerations in Parole of Inmates Serving Terms of Life Imprisonment

- WHEREAS, The Governor has discretion to approve or disapprove a decision of the Maryland Parole Commission to grant parole to an inmate serving a term of life imprisonment with the possibility of parole;
- WHEREAS, An inmate serving a term of life imprisonment with the possibility of parole for a crime committed before he or she reached 18 years of age (a “juvenile offender”) must be afforded a meaningful opportunity to obtain release based on maturity and rehabilitation demonstrated since the commission of the crime;
- WHEREAS, Maryland’s parole process affords juvenile offenders such a meaningful opportunity for release;
- WHEREAS, The degree to which maturity and rehabilitation have been demonstrated by a juvenile offender is considered by both the Maryland Parole Commission in deciding whether to grant parole and the Governor in deciding whether to approve parole;
- WHEREAS, The Maryland Parole Commission considers certain statutory and regulatory factors and information in determining whether to grant parole to an inmate serving a term of life imprisonment;
- WHEREAS, The Governor also considers, among other relevant information, the same statutory and regulatory factors and information in determining whether to approve parole for an inmate serving a term of life imprisonment;
- WHEREAS, The Maryland Parole Commission provides the Governor with records, documents, and materials that bear upon those statutory and regulatory factors and information, and that the Governor considers in determining whether to approve parole for an inmate serving a term of life imprisonment; and

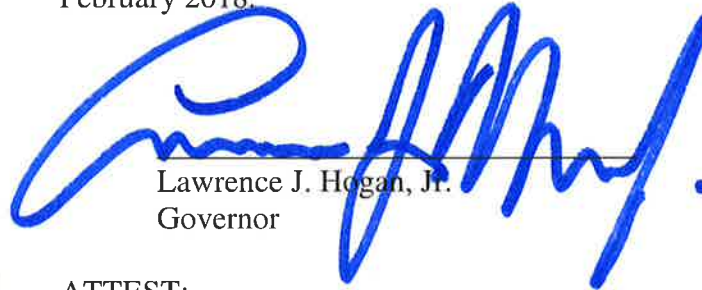
WHEREAS, Positive changes in such inmates' character, attitudes, conduct, and behavior during incarceration are important factors in considering whether parole should be granted or approved;

NOW, THEREFORE, I, LAWRENCE J. HOGAN, JR., GOVERNOR OF THE STATE OF MARYLAND, BY VIRTUE OF THE AUTHORITY VESTED IN ME BY THE CONSTITUTION AND LAWS OF MARYLAND, HEREBY PROCLAIM THE FOLLOWING EXECUTIVE ORDER, EFFECTIVE IMMEDIATELY:

- A. In deciding whether to approve or disapprove a decision of the Maryland Parole Commission to grant parole to an inmate serving a term of life imprisonment, the Governor shall assess and consider, among other lawful factors deemed relevant by the Governor, the same factors and information assessed by the Maryland Parole Commission as provided by the Maryland Parole Commission's governing statutes and regulations.
- B. If the Governor disapproves parole for an inmate serving a term of life imprisonment, the Governor shall issue a written decision delivered to the Maryland Parole Commission confirming that the Governor has considered, among other relevant and lawful factors and information, the same factors and information assessed by the Maryland Parole Commission as provided by its governing statutes and regulations.
- C. *Additional factors and information for juvenile offenders.* In deciding whether to approve or disapprove a decision of the Maryland Parole Commission to grant parole to an inmate serving a term of life imprisonment with the possibility of parole for a crime committed before he or she reached 18 years of age (a "juvenile offender"), the Governor shall consider, in addition to other lawful factors deemed relevant by the Governor and the factors and information assessed by the Maryland Parole Commission as provided by the Maryland Parole Commission's governing statutes and regulations:
 - i. The juvenile offender's age at the time the crime was committed and the lesser culpability of juvenile offenders as compared to adult offenders;
 - ii. The degree to which the juvenile offender has demonstrated maturity since the commission of the crime; and
 - iii. The degree to which the juvenile offender has demonstrated rehabilitation since the commission of the crime.

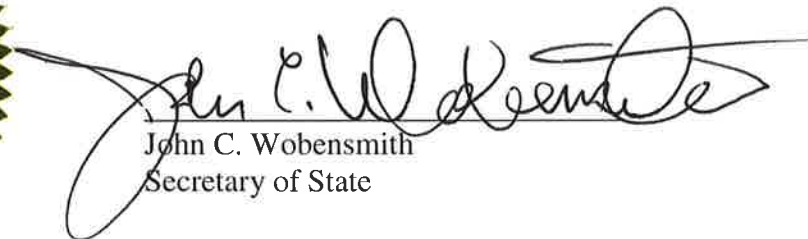
2. If the Governor disapproves parole for a juvenile offender, the Governor shall issue a written decision delivered to the Maryland Parole Commission that:
 - i. confirms that the Governor has considered the applicable statutory and regulatory factors and information and the factors and information set forth in this executive order; and
 - ii. states reasons supporting the decision to disapprove parole.
- D. This executive order may not be construed to have any retroactive effect on any decision or recommendation of the Maryland Parole Commission or any decision of the Governor, made prior to the effective date of this order, to approve, disapprove, grant, deny, or modify the conditions of a parole.

GIVEN Under My Hand and the Great Seal of the State of Maryland, in the City of Annapolis, this 9th Day of February 2018.



Lawrence J. Hogan, Jr.
Governor

ATTEST:



John C. Wobensmith
Secretary of State

