

Maryland's Mandatory Minimums are a MESS!

General Assemblies of the past have codified their intent to establish minimum times of imprisonment for certain offenses in a number of ways:

“not less than”

“minimum sentence of”

“mandatory minimum”

To add to the confusion, some of these provisions are subject to a judge “suspending” the sentence, or DoC “paroling” the defendant, but not all. In addition, many of these sentences are for first-time offenders and many apply to misdemeanor tack-on charges, not the top-count felony charge in a case.

SB 122 Makes Them MESSIER!

Amidst this confusion, for the first time ever, the Hogan-Zirkin punishment package creates a **HALF**-mandatory minimum:

So... “IMPRISONMENT FOR NOT LESS THAN **10 YEARS**” *...and...* “THE COURT MAY NOT IMPOSE LESS THAN THE MINIMUM SENTENCE OF **10 YEARS**” *...but???* “THE COURT MAY NOT SUSPEND THE FIRST **5 YEARS** OF A MANDATORY MINIMUM SENTENCE IMPOSED UNDER...THIS PARAGRAPH.” (SB 122, pages 12-13)

The people stand for a criminal code that is clear, accountability that is accurate, and punishment that is proportional.

We know the House can do better!