

Department of Legislative Services  
2011 Session

FISCAL AND POLICY NOTE

House Bill 874  
Judiciary

(Delegate Simmons)

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Truth in Sentencing Task Force

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This bill establishes a Truth in Sentencing Task Force to examine and report on various specified issues relating to sentencing, diminution credits, early release, parole, and the impact that the elimination of early releases would have on the ability of prison officials to control inmate behavior. The bill specifies the membership of the task force and requires the Governor to appoint a chair from among the members. Staffing is provided by the Department of Public Safety and Correctional Services (DPSCS). The task force must report its findings and recommendations to the General Assembly by December 31, 2011.

The bill takes effect June 1, 2011, and terminates on May 31, 2012.

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Fiscal Summary

**State Effect:** Any expense reimbursements for task force members and staffing costs for DPSCS are assumed to be minimal and absorbable within existing budgeted resources.

**Local Effect:** None.

**Small Business Effect:** None.

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Analysis

**Background:** Most states have policies awarding eligible inmates in state prisons and/or local correctional facilities some form of limited, credit-based early release. States with “truth-in-sentencing” policies typically had a target for convicted persons to serve at least 85% of their sentence or term – especially those convicted of felonies and other more serious crimes. As its name suggests, these policies tend to ensure that the actual time

served by offenders is closer to the length of sentence they were given, thus decreasing the amount of diminution credit which may be applied to their sentence.

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### **Additional Information**

**Prior Introductions:** HB 138 of 2009 received a hearing by the House Judiciary Committee, but no further action was taken.

**Cross File:** None.

**Information Source(s):** Department of Public Safety and Correctional Services,  
Department of Legislative Services

**Fiscal Note History:** First Reader - March 7, 2011  
mc/hlb

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Analysis by: Guy G. Cherry

Direct Inquiries to:  
(410) 946-5510  
(301) 970-5510