

1 and the executive agencies to grant parole and to suspend
2 sentences and permitting laws such as we do have in
3 Maryland, Article 31B, the Defective Delinquent Act, is
4 an indeterminate sentence law, that these could not exist
5 without constitutional sanction.

6 The thinking has changed considerably since. A
7 number of States have no such provision and still, I think,
8 all fifty States have provisions for a suspension of
9 sentence or for parole. This is almost a universally or
10 is a universally accepted means of handling criminal cases
11 in all States, without constitutional sanction in many
12 instances.

13 The Committee had very little difficulty in
14 determining that Sections A and C, the ones dealing with
15 suspension of sentence and with release upon parole, were
16 not needed in the new Constitution. We had a lot more
17 difficulty with B, regarding the indeterminate sentence
18 in criminal cases. The reason for this is that the Maryland
19 Defective Delinquent Act, I believe, is the only truly
20 indeterminate sentence law in the country. There are
21 laws labeled indeterminate sentences -- California has