

shall be sentenced, on being convicted a third time of a crime of violence, to imprisonment for the term allowed by law, but, in any event, not less than 25 years. [Neither the sentence nor any part of it may be suspended] THE COURT MAY NOT SUSPEND ALL OR PART OF THE MANDATORY 25-YEAR SENTENCE REQUIRED UNDER THIS SUBSECTION, and the person shall not be eligible for parole except in accordance with the provisions of Article 31B, § 11. A separate occasion shall be considered one in which the second or succeeding offense is committed after there has been a charging document filed for the preceding occasion.

(d) EXCEPT AS PROVIDED IN SUBSECTION (G) OF THIS SECTION, ANY PERSON WHO HAS BEEN CONVICTED ON A PRIOR OCCASION OF A CRIME OF VIOLENCE, INCLUDING A CONVICTION FOR AN OFFENSE COMMITTED BEFORE OCTOBER 1, 1994, AND HAS SERVED A TERM OF CONFINEMENT IN A CORRECTIONAL INSTITUTION FOR THAT CONVICTION SHALL BE SENTENCED, ON BEING CONVICTED A SECOND TIME OF A CRIME OF VIOLENCE COMMITTED ON OR AFTER OCTOBER 1, 1994, TO IMPRISONMENT FOR THE TERM ALLOWED BY LAW, BUT, IN ANY EVENT, NOT LESS THAN 10 YEARS. THE COURT MAY NOT SUSPEND ALL OR PART OF THE MANDATORY 10-YEAR SENTENCE REQUIRED UNDER THIS SUBSECTION.

(E) If the State intends to proceed against a person as a subsequent offender under this section, it shall comply with the procedures set forth in the Maryland Rules for the indictment and trial of a subsequent offender.

(F) (1) ANY PERSON SENTENCED UNDER THE PROVISIONS OF THIS SECTION WHO IS AT LEAST 65 YEARS OLD AND HAS SERVED AT LEAST 15 YEARS OF THE SENTENCE IMPOSED MAY PETITION FOR AND BE GRANTED PAROLE.

(2) THE MARYLAND PAROLE COMMISSION SHALL ADOPT REGULATIONS TO IMPLEMENT THE PROVISIONS OF THIS SUBSECTION.

(G) IF A PERSON IS SENTENCED TO DEATH, THE PROVISIONS OF THIS SECTION DO NOT APPLY.

Article 41 – Governor – Executive and Administrative Departments

4-507.

(a) The Commission or its hearing examiners shall hear cases for parole release at least once each month at penal institutions under the Division of Correction and as often as necessary at other places of penal confinement within this State at which inmates eligible for parole consideration are confined.

(b) The Commission may adopt rules and regulations for the conduct of proceedings before it and the hearing examiners.

(C) (1) IF A VICTIM OF A VIOLENT CRIME MAKES A WRITTEN REQUEST FOR NOTIFICATION UNDER § 4-504 OF THIS SUBTITLE AND ALSO MAKES A WRITTEN REQUEST WITHIN A REASONABLE AMOUNT OF TIME BEFORE A SCHEDULED HEARING FOR THE INMATE CONVICTED OF THE VIOLENT CRIME THAT THE HEARING BEFORE THE COMMISSION OR THE HEARING EXAMINERS BE OPEN TO THE PUBLIC, THE HEARING SHALL BE OPEN TO THE PUBLIC.