

(E) VIDEO CONFERENCE.

THIS SECTION DOES NOT LIMIT THE AUTHORITY OF THE COMMISSION TO HOLD A PAROLE HEARING THROUGH THE USE OF A VIDEO CONFERENCE OR OTHER MEANS OF ELECTRONIC TRANSMISSION.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 41, § 4-507(c), (d), and (e).

The Correctional Services Article Review Committee notes, for consideration by the General Assembly, that the meaning of the reference, in subsection (a)(1) of this section, to a "request for notification under § 7-801(b)(1)(ii) of this title" is unclear. The Committee is uncertain as to whether this means a generic "request for notification" or, alternatively, a specific "request for notification of a parole hearing". The General Assembly may wish to clarify this issue. For a more detailed discussion of this issue, see § 7-801(b)(1)(ii) of this title and accompanying Revisor's Note.

The Correctional Services Article Review Committee also notes, for consideration by the General Assembly, that the meaning of the references to "formal action" in subsections (b) and (d)(3) and (4) of this section are unclear. The Committee is uncertain as to what constitutes "formal action". The General Assembly may wish to clarify the meaning of this term.

In subsection (c) of this section, the reference to "an open parole" hearing is added to state expressly that which was formerly only implied in the reference to "the hearing".

In subsection (d)(3) of this section, the reference to "evidence" is substituted for the former reference to "oral testimony" for accuracy and brevity.

In subsection (e) of this section, the reference to the Commission's "authority" is substituted for the former reference to the Commission's "ability" for consistency throughout this article with regard to language that refers to the powers of units of State government.

Defined terms: "Commission" § 7-101

"Commissioner" § 7-101

"Inmate" § 1-101

"Parole" § 7-101

7-305. FACTORS AND INFORMATION TO BE CONSIDERED.

EACH HEARING EXAMINER AND COMMISSIONER DETERMINING WHETHER AN INMATE IS SUITABLE FOR PAROLE, AND THE COMMISSION BEFORE ENTERING INTO A PREDETERMINED PAROLE RELEASE AGREEMENT, SHALL CONSIDER:

- (1) THE CIRCUMSTANCES SURROUNDING THE CRIME;