

"BOARD OF REVIEW" MEANS THE INSTITUTIONAL BOARD OF REVIEW CREATED UNDER § 4-205 OF THIS TITLE.

REVISOR'S NOTE: This subsection formerly was Art. 31B, § 1(b).

The only changes are in style.

(C) COMMISSIONER

"COMMISSIONER" MEANS THE COMMISSIONER OF CORRECTION.

REVISOR'S NOTE: This subsection formerly was Art. 31B, § 1(c).

No changes are made.

Defined term: "Commissioner of Correction" § 1-101

(D) DIRECTOR

"DIRECTOR" MEANS THE DIRECTOR OF THE PATUXENT INSTITUTION.

REVISOR'S NOTE: This subsection formerly was Art. 31B, § 1(e).

The only changes are in style.

(E) ELIGIBLE PERSON.

(1) "ELIGIBLE PERSON" MEANS AN INDIVIDUAL WHO:

(I) HAS BEEN CONVICTED OF A CRIME AND IS SERVING A SENTENCE OF IMPRISONMENT WITH AT LEAST 3 YEARS REMAINING ON THE SENTENCE;

(II) HAS AN INTELLECTUAL IMPAIRMENT OR EMOTIONAL IMBALANCE;

(III) IS LIKELY TO RESPOND FAVORABLY TO THE PROGRAMS AND SERVICES THAT THE INSTITUTION PROVIDES;

(IV) CAN BETTER RESPOND TO REMEDIATION THROUGH THOSE PROGRAMS AND SERVICES THAN BY OTHER INCARCERATION; AND

(V) MEETS THE ELIGIBILITY CRITERIA THAT THE SECRETARY ESTABLISHES UNDER § 4-208(B) OF THIS TITLE.

(2) "ELIGIBLE PERSON" DOES NOT INCLUDE AN INDIVIDUAL WHO:

(I) IS SERVING TWO OR MORE SENTENCES OF IMPRISONMENT FOR LIFE UNDER ARTICLE 27, § 412 OF THE CODE;

(II) IS SERVING ONE OR MORE SENTENCES OF IMPRISONMENT FOR LIFE WHEN A COURT OR JURY HAS FOUND UNDER ARTICLE 27, § 413 OF THE CODE, BEYOND A REASONABLE DOUBT, THAT ONE OR MORE AGGRAVATING CIRCUMSTANCES EXISTED; OR