

**TESTIMONY ON SB 0771  
MARYLAND SECOND LOOK ACT**

**Senate Judiciary Proceedings Committee**

**March 15, 2023**

**SUPPORT**

Submitted by: Eliza Cornejo

Chair Smith, Vice Chair Waldstreicher and members of the Judicial Proceedings Committee:

**I, Eliza Cornejo am testifying in support of SB 0771, the Maryland Second Look Act.** I am submitting this testimony as the Executive Director of the Goucher Prison Education Partnership (GPEP), a program of Goucher College, a non-profit, liberal arts college located in Towson, Maryland.

Passage of the Maryland Second Look Act would create a meaningful opportunity for sentence modification for people who are incarcerated after having served 20 years of their sentence. I firmly believe that those individuals who can demonstrate their growth and rehabilitation, such that they are no longer a threat to public safety, should have the opportunity for release.

For over 10 years, GPEP has been proud to offer access to a rigorous college education to students who are incarcerated in two Maryland state prisons: the Maryland Correctional Institution – Jessup (MCIJ) and the Maryland Correctional Institution for Women (MCIW). Around 130 students enroll at Goucher College every year through GPEP; each working toward a bachelor’s degree that they can complete either while incarcerated or after transferring their credits and finishing at any accredited college nationwide upon release, including on Goucher’s main campus in Towson. Their scholarly work as students and the work they go on to do as alumni enhances their communities both inside and outside of the prisons. All of us benefit from their contributions to our state and our country.

To date, former GPEP students have continued their studies at 20 different colleges and universities, earning 26 degrees. Two former students are now enrolled in master’s degree programs at Johns Hopkins University and Rutgers University in NJ, respectively. Of the students who have completed their full degree with Goucher, 40% have graduated with honors. In addition to continuing their studies, when they return home from prison former GPEP students engage in as wide a range of pursuits as can be expected of any diverse student body including working in all areas of the service industry, participating in religious leadership groups, and starting their own businesses. Some work for non-profit organizations like the Education Trust

and the Vera Institute of Justice, creating academic and professional opportunities for other people who are formerly incarcerated. Many have been able to secure good-paying jobs with benefits for the first time in their lives that allow them to be present and engaged parents and partners. The fact that they are home with their families and engaging in meaningful work means that instead of passing on to their children cycles of poverty and incarceration, they are passing on generational accumulated wealth and hope for a brighter future for us all.

The time to look at sentence modification is far overdue. Especially with the restoration of federal Pell Grants to incarcerated students as of July 2023, and bills like [HB0416](#) and [HB89](#) that support the implementation of higher education and other rehabilitative programs in prison, there is a large (and growing!) population of individuals in prison who are eager and well equipped to make a positive impact in their communities outside of prison. Studies have shown that access to a high-quality education in prison can lower recidivism rates by over 38%<sup>1</sup>, so as more people who are incarcerated have access to high quality education and resources, I am confident that more people will be staying home once they come home. It is critical that we take a second look at these cases and the human beings behind these sentences.

This bill is an important tool in making meaningful opportunities for release happen, as currently, incarcerated people in MD can only petition the Court for modification within 90 days of sentencing, severely limiting any potential sentence modifications<sup>2</sup>. This bill also has serious racial justice implications, given that of the 2,212 people currently serving life sentences in Maryland, 80% are Black<sup>3</sup>, a huge disparity given that only 31% of Marylanders in the general population are Black<sup>4</sup>.

In 2021, the General Assembly made a positive step by passing the Juvenile Restoration Act [SB0494/HB0409](#) which allowed individuals who were minors sentenced as adults the ability to petition the Court for sentence modification after 20 years. It is important to note here that the definition of minor used is under 18 years of age, meaning a teenager who was sentenced as an adult when they were 18 years and 1 day old would not be eligible for the Juvenile Restoration Act. We know that the brain is not fully developed until at least 26 years old, particularly the frontal cortex where decision-making and executive functioning is processed. So, there is still an enormous need for comprehensive sentencing reform for all. The Maryland Second Look Act would extend this ability both to youth sentenced after the JRA went into effect (who were excluded from the bill) and other incarcerated people in Maryland who committed a crime aged 18 and up.

Given the tendency for people to age out of crime and the very low recidivism rate for other individuals released from decades-long sentences, this decision is unlikely to negatively impact public safety. This has been seen with the Ungers, 200 Marylanders serving life sentences, who were released after the landmark case *Maryland v Unger*, who, five years after the case, had a

1% recidivism rate<sup>5</sup>. We know many more men and women serving decades-long sentences who have worked hard, hoping for their chance to reenter and succeed in their communities. For these reasons, I encourage you to vote **favorably** on the **Maryland Second Look Act SB0771**.

Please feel free to reach out with any further questions. Thank you.



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<sup>1</sup> [The Effects of College in Prison and Policy Implications](#) (2021)

<sup>2</sup> Maryland Rule 4-345

<sup>3</sup> [MD DPSCS FY 2022 Q4 Inmate Characteristics Statistics \(2022\)](#)

<sup>4</sup> [United States Census Data](#) 2021

<sup>5</sup> Justice Policy Institute [Fact Sheet: The Ungers](#) (2018)