

**TESTIMONY ON SB123
MARYLAND SECOND LOOK ACT
Senate Judiciary Proceedings Committee
February 1, 2024**

Position: SUPPORT

Submitted by: **Serena Lao**

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

I, Serena Lao, am testifying in support of SB123, the Maryland Second Look Act. I am submitting this testimony as a community member in District 9B with a loved one who is incarcerated. I have been a Maryland resident my entire life. All my education, from primary school to college and graduate school, took place in Maryland. I have always been a proud Marylander for its strong communities and forward vision. However, I am constantly amazed by the ineffectiveness, racial inequities, and lack of progress in Maryland's prison system¹. The injustices upheld by the system tarnish the spirit of a vibrant state with great potential.

Passage of the Maryland Second Look Act would create a meaningful opportunity for sentence modification for incarcerated people 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. As a professional who works with children in need of assistance, I often see the conditions that lead older youth (who age out of foster care at age 21) and young parents down a path to involvement with the carceral system. I am incensed by the notion that we can rarely get the resources necessary to address the children's and families' needs, which could potentially protect them from making harmful choices; yet, we can allocate seemingly endless resources to maintain an extremely bloated prison system.

My loved one has been incarcerated for 35 years, with no infractions in over three decades. He has taken advantage of all the programs that have been offered to him in every facility, demonstrating maturity, rehabilitation, and natural leadership. His time in prison has made him reflect on his wrongdoings, and he has shown remorse for his actions. A psychological assessment even showed that he is mentally stable and not a risk to society. Despite all this, the barriers he has faced in attempts to modify his sentence imply that the crime itself holds more weight- a past transgression that no one can change. It is truly unclear what else he can do to prove that he is worthy of release.

While I have a personal connection to the situation, his case is unfortunately not unique. Many individuals continue to be imprisoned beyond the time needed for proper rehabilitation. Maryland is one of 12 U.S. jurisdictions where two-thirds or more of the prison population are serving sentences of at least a decade². It is no wonder that the conditions within prisons have worsened over time- they are understaffed and unnecessarily overcrowded. This bill is an opportunity to release some of the pressure that has been building on the inside. Data has shown that people tend to age out of crime, with very low recidivism rates for individuals released from decades-long sentences, so this decision is unlikely to negatively impact public safety³. I believe

that it takes remarkable determination to do good in prison, a place that breeds violence and negativity. The people who are most resilient in this adversity are the people who spend their time reaching and working towards repentance and the opportunity to redeem their lives- to make meaningful and impactful contributions to a society that they let down in the past.

As someone who was previously a therapist, I have great compassion and sensitivity for victims and victims' families and believe that their voices matter. The bill proposed does not diminish or minimize the impact of the crimes committed. That impact will always be there, and the emotions and trauma that come with it will always be valid. From my experience, however, there are no real avenues for having any kind of restorative justice dialogue during a person's incarceration. Victims and their families should always have the agency to pursue healing in the way that is best for them, but the current system is not interested in providing that healing to any of the parties impacted by crime. The hurt for victims and their loved ones is only prolonged when they are led to believe that the offender has not changed over the course of at least 20 years—a hopeless narrative that is untrue in many cases. In the current system, any attempt at restorative justice can only happen upon an inmate's release, if they have demonstrated maturity, rehabilitation, and are no longer a danger to society. This capacity for change, for resilience in the face of unbelievable hurt, is the narrative that we should acknowledge and uphold.

Maryland's parole system does not have the capacity, infrastructure, efficiency, or resources to process the individuals that this bill encompasses. This bill would provide a viable pathway forward for those who have demonstrated a commitment to bettering themselves despite their circumstances.

For these reasons, I urge you to vote **favorably** on the **Maryland Second Look Act SB123**.

Thank you,



Serena Lao

¹[MD DPSCS FY 2022 Q4 Inmate Characteristics Statistics](#) (2022); [United States Census Data \(2022\)](#); [Justice Policy Institute report](#): Rethinking Approaches to Over Incarceration of Black Young Adults in Maryland (2019)

²[The Sentencing Project report](#) – How Many People are Spending Over a Decade in Prison? (2022)

³[Justice Policy Institute Fact Sheet](#)-The Ungers, 5 Years and Counting (2018); [MD Office of the Public Defender report](#)- The Juvenile Restoration Act Year One (2022)