

SB123AEbbTestimony (1).pdf

Uploaded by: Alice Ebb

Position: FAV

**TESTIMONY ON SB123
MARYLAND SECOND LOOK ACT**

**Senate Judicial Proceedings Committee
February 1, 2024**

SUPPORT

Submitted by: Alice Ebb

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

My name is Alice Ebb and I am testifying in support of SB123, the Maryland Second Look Act. I am the impacted mother of my incarcerated son who is currently serving life at the Jessup Correctional Facility. However, I am speaking on behalf of the men and women who may be candidates for release under the Second Look Act (HB123), should it become a law.

Plato said "The BEST decisions are made from knowledge and experience, not numbers." Similarly, Mark Twain categorized statistics as one of three types of lies. I refer to statements by these two gentlemen because policymakers tend to rely on statistical data when considering the passage of certain bills. In doing so, there is also the tendency to look at incarcerated individuals collectively as opposed to individually. Everyone behind bars does not commit a crime for the same reasons. There are incarcerated people who are remorseful for their offenses, and use their time, while incarcerated, to take advantage of every opportunity to improve themselves via workshops, seminars, and college classes.

I refer you to Eddie Harrison, who was on Death Row, whose sentence was commuted. Upon his release, he started a Pre-trial Intervention Program for Juveniles, working in partnership with HSA, and was very successful. Then there is Dr. Stanley Andrisse, an Endocrinologist and Professor at both Howard University and John Hopkins University. He is also the author of "From Jail Cell To PhD". These are just two examples of individuals who demonstrated their desire to move from lawbreaker to law-abiding citizens, giving back to the community.

I believe that the individuals who can provide strategies for decreasing crime and violence, especially with the youth, are behind bars. They lived it, and so they have the insight for what is needed in the community. It begins with the root causes, and what society has failed to provide to address it.

In my own experience as a mother of someone who is incarcerated, I have suffered verbal abuse and finger pointing from community members and people that knew nothing about me. I had to vacate my home, and everything in it, due to retaliation.

I genuinely hope that you take into consideration all of the potential that is in those currently incarcerated, that have demonstrated a transformation, and can make significant contributions to society and vote **favorably** on the **Maryland Second Look Act SB123**.

Thank you for your time and consideration.

SB123 Feb2024.pdf

Uploaded by: Andrea Cantora

Position: FAV



Senate Judiciary Proceedings Committee
Testimony on SB123, Criminal Procedure – Petition to Reduce Sentence
February 1, 2024
SUPPORT
Andrea Cantora
Associate Professor, University of Baltimore

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

I, Andrea Cantora, am testifying in support of SB123, the Petition to Reduce Sentence (known as the Maryland Second Look Act). I am submitting this testimony as a faculty member in the School of Criminal Justice at the University of Baltimore. 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 are able to demonstrate their growth and rehabilitation, such that they are no longer a threat to public safety, should have the opportunity for release.

In addition to my role as an associate professor, I am also the Director of the University of Baltimore's Second Chance College Program – a college program that operates at Jessup Correctional Institution. Since 2014 I have come to know many men serving very long sentences, including life. The group of men that I have come to know are the most motivated to succeed, most involved in prison programming, are mentors to younger men, and serve as facilitators in self-help and violence prevention programs. In my 23 years of experience working with incarcerated people I am most impressed by the persistence and accomplishments of those serving very long sentences. Over the course of our program, several of our incarcerated male students, who served over 20 years in prison, have been released. They have continued their education on our campus and several have already obtained their college degree.

Consistent with my own observations, research finds prisoners serving long sentences are the easiest population to manage, most compliant with prison rules, and most likely to mentor younger prisoners.¹ The recidivism research on lifers shows that once released they have very low rates of recidivism. Specifically, lifers who are paroled are one-third less likely to be rearrested within three years compared to all released prisoners.² In California, a 15-year longitudinal research study was conducted on 860 parolees sentenced to life. Within the 15-year study period only 5 of those

¹ Johnson, R., & Dobranska, A. (2005). Mature Coping among Life Sentenced Inmates: An Exploratory Study of Adjusted Dynamics. *Corrections Compendium*: 8-28.

² Mauer, M., King, R.S., & Young, M. (2004). *The Meaning of 'Life': Long Prison Sentences in Context*. Washington, DC: The Sentencing Project.

individuals (less than 1%) were convicted of a new felony.³ In Maryland, we can look to the Unger releases from 2012 and to date no one released under Unger has returned to prison.

Research also indicates that offenders “age out” of crime. As people age they are less likely to engage in risky behavior and more likely to conform to societal norms. Achieving life milestones (e.g., marriage, children, employment, etc.), and natural maturation, are often the factors that change the life course of someone engaged in criminal behavior. Unfortunately, the longer someone remains incarcerated the more likely they are to lose their social networks on the outside, and the less likely they are to get married and obtain a meaningful career.

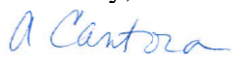
This bill is an important tool in making meaningful opportunities for release happen. Currently, incarcerated people in MD can only petition the Court for modification within 90 days of sentencing, severely limiting any potential sentence modifications.⁴ This bill also has serious racial justice implications, given that of the 2,212 people serving life sentences in MD, 80% are Black,⁵ a huge disparity compared to the 31% of Black Marylanders in the general population.⁶

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. SB123 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 after age 18.

For these reasons, I encourage you to vote **favorably** on **SB123**.

Thank you.

Sincerely,



Andrea Cantora, Ph.D.

Associate Professor, School of Criminal Justice
Director of Second Change College Program

³ Weisberg, R. Mukamal, D., & Segall, J.D. (2011). *Life in Limbo: An Examination of Parole Releases for Prisoners Serving Life Sentences with the Possibility of Parole in California*. Stanford University: Stanford Criminal Justice Center.

⁴ Maryland Rule 4-345

⁵ Maryland DPSCS FY 2022 Q4 Inmate Characteristics Statistics

⁶ US Census Data 2021

Written Testimony.pdf

Uploaded by: Anthony Muhammad

Position: FAV

February 1, 2024

Honorable Senator William C. Smith Jr.
Chair, Senate Judicial Proceedings Committee
Miller Senate Office Building, 2 East
Annapolis, MD. 21401

Testimony in SUPPORT of **SENATE BILL – 123 (The Second Look Act)**

CRIMINAL PROCEDURE - PETITION TO REDUCE SENTENCE

Sponsored by Senator Jill Carter

Dear Chair William C. Smith Jr. and Members of the Senate Judicial Proceedings Committee:

My name is Anthony Wazir Muhammad (formerly known as Anthony Fair). Thirty-one years ago, on January 26, 1993, at the age of 15, I was arrested on two homicides charges in Baltimore City. I was ultimately convicted and sentenced to life plus 20-years in prison for the crimes that I committed. During my sentencing hearing, the judge mistakenly believed that I was unredeemable, unreformable, and that the actions that I committed were unreconcilable.

My sentencing judge stated that I had *“little prospect of ever being able to come out and function,”* and that I showed very *“little hope of rehabilitation.”* The judge was unconvinced that *“job training, education, and such would make [me] a safe citizen.”* And in her most condemning remarks, she stated that she believed if I was given the opportunity to do this again, *“it would happen.”*

Thankfully, my sentencing judge was all wrong about me! Sixteen-months ago, on September 20, 2022, I was released under the Maryland *Juvenile Restoration Act* (JRA). I served a total of 29-years, 7-months, and 29-days. Interestingly, the judge who released me said the complete opposite about me than the judge who originally sentenced me. In fact, the judge who released me stated that what I accomplished during my incarceration was so remarkable that in all her years on the bench, I was the very first violent offender that she had absolutely no reservations about releasing.

There are no words adequate enough to express the depths of my remorse for the crimes that I committed. I made a horrible decision. It was the worst decision I ever made in my life, and I will always deeply regret my actions. However, egregious as my crimes were, they were not the result of “*permanent incorrigibility,*” “*irreparable corruption,*” or “*exhibit such irretrievable depravity that rehabilitation is impossible.*” As the distinguished civil rights attorney, author of the book *Just Mercy*, and founder of the *Equal Justice Initiative*, Brian Stevenson, once said - “*Each of us is more than the worst thing we’ve ever done.*”

Since my release, I have now become part of the solution to crime and violence in the very same community where I was once part of the problem. Currently, I am a Community Engagement Specialist, for the *We Our Us* organization, a non-profit group that serves the community. We are the new front line in the fight to make our communities a safe and decent place to live. We are the “*Credible Messengers,*” that go door-to-door, block-by-block, street-by-street. We put boots on the ground in the most dangerous neighborhoods in Baltimore City as “*Messengers,*” “*Protectors,*” “*Connectors,*” and “*Mediators.*”

Thanks in no small part to the incredible work of returning citizens, particularly those who served life and long-term sentences, for the very first time in 9-years, Baltimore City witnessed the single largest reduction in homicides in almost a decade. While no one individual or organization can claim all the credit, what is undeniable, what is undisputable, is the positive contributions that long-term returning citizens are making in this effort.

Long-term returning citizens are working in collaboration with all of the community stake holders. There is NOTHING that long-term returning citizens are not doing as productive members of society. We are employed by multiple agencies in the Baltimore City government. We are consultants to the Baltimore City Police Department on best practices for community engagement.

We are partners with the Maryland DPSCS & DOC to provide re-entry services to returning citizens. We are currently working with the Maryland DJS to provide life coaching & mentorship services to help address what many are now mistakenly calling a juvenile crime surge.

Long-term returning citizens are helping all throughout the Baltimore City Public School system, in many capacities. We are in all of the Recreation Centers. We are on college campuses and universities throughout the State of Maryland. We are in law school programs and legal clinics here in Maryland. We are the leaders in non-profit organizations doing phenomenal community engagement work. We are business owners, entrepreneurs, homeowners, hard-working, tax paying citizens who are thoroughly engaged in the community.

Our message to this esteemed committee is this: there are a few hundred more just like us who are still locked behind the prison walls in Maryland. They are aging, and they are dying. They have served their time in prison - some 20, 30, 40, and yes, even 50 years in the Maryland prison system. No, they were not juveniles. They did not qualify for release under the Unger decision or the JRA. However, they deserve a second look. It is indisputable that they are no longer threats to public safety and we are confident that they will make positive contributions to society, if given the opportunity, just as those of us who stand before you today.

For these reasons, we urge a favorable vote on SB123. Thank You!

Respectfully submitted,
Anthony Wazir Muhammad
Mr.afair@gmail.com
(443) 400-9479

SB123.pdf

Uploaded by: Atoya Fletcher

Position: FAV

**TESTIMONY ON SB123
MARYLAND SECOND LOOK ACT**

**Senate Judiciary Proceedings Committee
February 1, 2024**

SUPPORT

Submitted by: **Atoya Fletcher**

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

I, Atoya Fletcher am testifying in support of SB123, the Maryland Second Look Act. I am submitting this testimony as an **impacted family member.**

I support this bill from 2 different perspectives. 1-As a former Correctional Officer, I had the chance to be face to face with some of the individuals that were actually incarcerated and I had the chance to see most of them change and evolve from the person that they once were. I have seen most rehabilitate themselves by helping others such as the youth get their lives straight so that they won't continue to make the same mistakes that they made and by becoming involved in programs designed especially for reform. The prisons now have a Certified Peer Recovery Specialist Program, Smart Recovery and Conflict Resolution Programs that will prepare these incarcerated individuals with the knowledge to help others from becoming victims & perpetrators. 2-As someone who has a loved one that is locked up. Although I agree that if you commit a crime you must be punished but what is a punishment if you do not learn from it? The prisons themselves are just a place to house incarcerated individuals until their sentence is up, they are not teaching these individuals to be better it's something that they must want and learn on their own. They must want to sign up for the programs and want to change. Once a person has decided to be a better person and put forth the effort to change then that is when the punishment has been fulfilled. The whole point of the prison system is to reform and rehabilitate. Once that has been accomplished there should be a chance for redemption. Redemption to prove to the world that they are not the same person that they once were. I believe that a number of individuals fit this description and should be given a second chance to prove themselves. I support this bill for those with a good prison record, the time served requirement and strong signs of improvement.

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

Thank you for your time on this matter.

Second Look testimony - Lifers.docx.pdf

Uploaded by: Carlos Childs

Position: FAV

Testimony for the Senate Judicial Proceedings Committee

Tuesday, January 23rd, 2024

SB 123 - Criminal Procedure - Petition to Reduce Sentence

Favorable

Hello Chair Smith, Vice-Chair Waldstreicher, and members of the committee,

We write to you to express our unwavering support for Senator Carter's bill, SB 123, on behalf of the Maryland Lifers Coalition. We are a grassroots coalition of directly impacted and formerly incarcerated Maryland citizens, who advocate for legislation and systems that not only provide opportunities for citizens to return home from lengthy sentences but also support returning citizens with pathways to reintegrate into society around the state.

With Maryland leading the nation with the highest percentage of incarcerated Black residents, around 71%, it is imperative our legislators create meaningful pathways for citizens who are serving extreme sentences and have demonstrated their rehabilitation to come home. SB 123 would do just that by allowing individuals who have served at least two decades the ability to petition the court to modify or reduce their sentence.

Research shows that young adults are still developing, and recidivism rates decrease among people released from prison in their 40s and beyond. In Maryland, available evidence consistently supports the notion that individuals serving lengthy sentences are among the least likely to engage in further criminal activities. Over the 12 years since the Maryland Supreme Court ruled that improper jury instructions invalidated life-with-parole sentences for 235 individuals, a remarkable 96% have reintegrated into the community without any incidents. These young adults, 90 percent of whom are Black, spent an average of 40 years behind bars but could have been contributing to our communities' decades earlier. In the last two years, individuals returning to the community through parole or the Juvenile Restoration Act have demonstrated similarly compelling success rates. Our coalition has first-hand knowledge of the positive impact returning citizens have on their family and community, from caring and providing for loved ones to working directly in our communities to end gang violence, create support groups for returning citizens, and more.

We urge you to move our state towards true justice reform and ending the mass incarceration of Black people, by providing a favorable report for SB 123.

Respectfully,

Maryland Lifers Coalition

WDC Testimony on SB123 (2024)_FINAL.pdf

Uploaded by: Carol Cichowski

Position: FAV



MONTGOMERY COUNTY, MARYLAND
WOMEN'S DEMOCRATIC CLUB

P.O. Box 34047, Bethesda, MD 20827

www.womensdemocraticclub.org

**Senate Bill 123 – Criminal Procedure -- Petition to Reduce Sentence
Judicial Proceedings Committee – February 1, 2024
SUPPORT**

Thank you for this opportunity to submit written testimony concerning an important priority of the **Montgomery County Women's Democratic Club (WDC)** for the 2024 legislative session. WDC is one of Maryland's largest and most active Democratic Clubs with hundreds of politically active members, including many elected officials.

We firmly believe that our state has for too long allowed people who are demonstrably rehabilitated to languish in prison, a costly policy that fails to credit their efforts to reform and does nothing to make our state safe. **For that reason, we strongly support SB0123**, which gives individuals who have served more than 20 years in Maryland's prisons an opportunity to seek a reduction of their sentence, based on a showing that they have been rehabilitated and do not represent a threat to public safety.

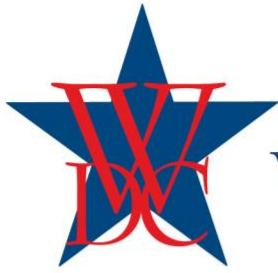
A meaningful chance of release from prison, such as the opportunity provided by SB0123, is a powerful incentive for people who are serving long sentences to remain steadfast in their efforts to be rehabilitated. The value of giving people hope cannot be underestimated. Recognizing and rewarding an individual's personal transformation is both an act of humanity and justice and a cost-effective and sensible way to allow people who are serving long sentences to ultimately make positive contributions to their community.

History shows that we can safely release many of the Marylanders serving long sentences. That has been Maryland's experience with the Juvenile Restoration Act (JRA), which provides an opportunity for resentencing to individuals who were incarcerated as minors, who have served at least 20 years, and who have demonstrated to a judge that their release does not pose any threat to public safety and serves the interests of justice. Of the 40 individuals who have been released, there has only been one case of recidivism. The courts have shown that they can identify individuals who have been rehabilitated and who can be safely released.¹

We know that criminal activity is primarily a young person's game and that people age out of crime.² The immature patterns of thinking found in emerging adults and that can be a factor in criminal behavior are

¹For information on the first year, see The Juvenile Restoration Act: Year One – October 1, 2021 to September 30, 2022, Maryland Office of the Public Defender (October 2022), p. 13, https://8684715c-49a2-4082-abff-3d2e65a61f0b.usrfiles.com/ugd/868471_e5999fc44e87471baca9aa9ca10180fb.pdf

²Fettig, A. and Zeidman, S., People Age Out of Crime. Prison Sentences Should Reflect That (September 9, 2022), <https://time.com/6211619/long-prison-sentences-youthful-offenders/>; Kazemian, L., "Pathways to Desistance From Crime Among Juveniles and Adults: Applications to Criminal Justice Policy and Practice," NCJ 301503, in Desistance From Crime: Implications for Research, Policy, and Practice (Washington, DC: U.S. Department of Justice, National Institute of Justice, 2021), NCJ 301497, <https://www.ojp.gov/pdffiles1/nij/301503.pdf>



MONTGOMERY COUNTY, MARYLAND
WOMEN'S DEMOCRATIC CLUB

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long outgrown after 10 years. The commission of serious crimes such as homicide and rape peak at ages 18-20.³ We should heed the advice of experts who say we are keeping people in prison too long.⁴

The average cost to Maryland taxpayers to keep a person imprisoned is close to \$60,000 per year.⁵ Much of the cost is attributable to incarcerating many aging prisoners and the much higher medical needs of those over age 55. The state could realize considerable savings by offering a second chance to those who have served 20 or more years, many of whom are likely to be over 55 and costly to incarcerate. The Maryland Department of Public Safety and Correctional Services (DPSCS) estimates there are 2204 incarcerated individuals in Division of Correction facilities who have served 20 or more years without the application of diminution credits, a group costing Maryland well over \$100 million per year to house.⁶ Much-needed resources are being wasted on incarcerating people that professional criminologists would agree does absolutely nothing to make our state safer.

There are also huge social costs resulting from the incalculable harm suffered by the families, particularly the children of incarcerated parents, and the communities, when incarcerated family members cannot contribute economically or emotionally to the well-being of the family.⁷ Long sentences exacerbate these harms. Moreover, this cost has been borne disproportionately by Black families. Over 70 percent of Maryland's prison population is Black.⁸ Senate Bill 123 provides Maryland with an opportunity to remediate the harm experienced by its Black population as a result of decades of over-policing and harsh sentencing.

The courts are well-positioned to evaluate the progress an individual has made since his or her original sentencing and make a considered judgment about the interests of public safety and justice. Like the JRA, SB0123 provides a viable path to re-entry that a failed parole system has been unable to offer to the many Marylanders whose records demonstrate they deserve a second chance. **For these reasons, WDC urges a favorable report for SB0123.**

Tazeen Ahmed
WDC President

Carol Cichowski
Margaret Martin Barry
Jane Harman
WDC Subcommittee on Criminal Justice Reform

³The Marshall Project, Justice Lab. Goldstein D., Too old to commit crime? (March 20, 2015),

<https://www.themarshallproject.org/2015/03/20/too-old-to-commit-crime>; Sampson, RJ, Laub, JH., Life-course desisters? Trajectories of crime among delinquent boys followed to age 70. *Criminology* 41: 301.

⁴ See, for example, Principle 6 in a resolution adopted by the American Bar Association in 2022, which recommends a second look after 15 years of incarceration. [22A604 \(americanbar.org\)](https://www.americanbar.org/resolutions/2022/22A604)

⁵ Fiscal and Policy Note for SB0771 (2023 Session), p. 4, which states that the average total cost to house a State inmate in a Division of Correction (DOC) facility, including overhead, is estimated at \$4,970 per month.

https://mgaleg.maryland.gov/2023RS/fnotes/bil_0001/sb0771.pdf

⁶ Racial Equity Impact Note for SB0771 (2023 Session), <https://mgaleg.maryland.gov/Pubs/BudgetFiscal/2023RS-SB0771-REIN.pdf>

⁷The Governor's Office for Children, Children and Families Affected by Incarceration, <https://goc.maryland.gov/incarceration/>

⁸ DOC Data Dashboard, https://www.dpscs.state.md.us/community_releases/DOC-Annual-Data-Dashboard.shtml

SB0123_Petition_to_Reduce_Sentence_MLC_FAV.pdf

Uploaded by: Cecilia Plante

Position: FAV



TESTIMONY FOR SB0123 Petition to Reduce Sentence

Bill Sponsor: Senator Carter

Committee: Judicial Proceedings

Organization Submitting: Maryland Legislative Coalition

Person Submitting: Aileen Alex, co-chair

Position: FAVORABLE

I am submitting this testimony in favor of SB0123 on behalf of the Maryland Legislative Coalition. The Maryland Legislative Coalition is an association of activists - individuals and grassroots groups in every district in the state. We are unpaid citizen lobbyists, and our Coalition supports well over 30,000 members.

Incarceration rate of Black men in the state ranks among the highest in the country. Black men make up 14 percent of Maryland's general population but consist of 73 percent of the male prison population in the state, according to the Attorney General's Office. Black women make up 16 percent of the state's population but a disproportionate 53 percent of the female prison population (Washington Post, 10/26/23). And Maryland has the fourth highest rate of prisoners convicted as children, with the school to prison pipeline still a risk for disadvantaged students.

More needs to be done to address our systemic injustice in policing and inequity in the criminal justice system. This bill allows an inmate who has served at least 20 years to petition the court for a reduced sentence every 3 years for up to 3 petitions. The decision to grant the petition would be based on factors typically used in parole hearings.

SB0123 reduces the impact of discrimination in our criminal justice system that results in harsher sentences that appear to be race related. It not only benefits a prisoner unjustly sentenced but also stems the ancillary damage to their families. Moreover, reduced sentences save Maryland taxpayers over \$38,000 per inmate annually. Money that could be better spent on schools.

The Maryland Legislative Coalition continues to advocate for this and similar bills that chip away at the injustice evidenced in our incarceration rates while providing other benefits.

We support this bill and recommend a **FAVORABLE** report in committee.

FAMM SB 123 SUPPORT.pdf

Uploaded by: celeste trusty

Position: FAV



Written Testimony of Celeste Trusty

Deputy Director of State Policy, FAMM

In Support of SB 123

Maryland Senate Judicial Proceedings Committee

February 1, 2024

I would like to thank the Chair, Vice-Chair, and members of the Senate Judicial Proceedings Committee for the opportunity to provide written testimony in support of SB 123, a bill that would allow opportunities for incarcerated people who have served at least 20 years of their sentence to petition the court for a reduction of their sentence. **FAMM supports SB 123 and urges the Committee to pass this crucial piece of legislation.**

FAMM is a nonpartisan, nonprofit organization that advocates sentencing and prison policies that are individualized and fair, protect public safety, and preserve families. Creating and expanding access to “second look” mechanisms - pathways to review the appropriateness and necessity of a person’s continued incarceration - is among FAMM’s top priorities across the country. SB 123 would establish an avenue for a second look at the sentences of people who have served decades behind prison walls. It would create an opportunity for people to ask the court to weigh the public benefit of their continued incarceration versus release into the community.

SB 123 would require the court to consider a person’s age at the time of the offense, and family and community circumstances prior to entering prison, including any history of trauma, abuse, or involvement in the child welfare system. The court would also consider evidence of maturity and rehabilitation, including institutional history of involvement in programming,



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Families for Justice Reform

and disciplinary infractions. Additionally, the nature of the offense and the person's level of involvement, as well as any victim input would also be included in the court's decision-making process.

By providing a presumption that people who have served more than 30 years in prison or are over age 60 are not a risk to public safety, the provisions included in SB 123 reflect commonly accepted evidence that as people age, they tend to mature out of behaviors that contribute to crime and risk to public safety.¹ Each of these factors would be carefully considered by the court to determine the outcome of every decision.

Time and time again, FAMM meets people who have served lengthy terms of incarceration and have demonstrated readiness to return to the community. Yet for many of these people, there is a dearth of opportunities to do so. Second-look efforts have proven highly successful in many jurisdictions at the federal and state levels, including here in Maryland. The *Unger v. Maryland* case is a prime example of how the larger Maryland community has and will continue to benefit from second look opportunities for people sentenced to excessive terms of incarceration.²

The *Unger* decision led to the release of around 200 people who were sentenced to life in prison in Maryland after being convicted of offenses committed as emerging adults. There has been a nominal recidivism rate of less than 1% for this group.³ Because the cost of incarceration rises dramatically as people age in prison, the release of this group of people is estimated to have already saved Maryland taxpayers \$185 million in unnecessary incarceration costs, with an estimated taxpayer savings of more than \$1 billion over the coming decade due to this singular second look effort.⁴

¹ Prescott, J.J., Pyle, B., and Starr, S.B. (2020). Understanding Violent-Crime Recidivism. *Notre Dame Law Review*, 95:4, 1643- 1698, 1688. <http://ndlawreview.org/wp-content/uploads/2020/05/9.-Prescott-et-al.pdf>.

² https://mgaleg.maryland.gov/cmte_testimony/2020/jud/3942_03062020_12133-993.pdf

³ https://justicepolicy.org/wp-content/uploads/2021/06/The_Ungers_5_Years_and_Counting.pdf

⁴ https://justicepolicy.org/wp-content/uploads/2021/06/The_Ungers_5_Years_and_Counting.pdf

SB 123 would build on the successes of people like the “Ungers.” It would free up precious taxpayer resources for investment elsewhere in our communities, instead of in maintaining an ineffective sentencing scheme that has placed Maryland atop the list of worst racial disparities among prison populations nationally. The rate of incarceration for Black Marylanders is greater than double the national average.⁵ Maryland also tops the country for rates of Black people sentenced to incarceration between ages 18 and 24 who have already served 10 years or more in prison.⁶

SB 123 would help address these glaring racial disparities among Maryland’s prison population, and, like the overwhelming taxpayer benefit resulting from the *Unger* decision, allow precious taxpayer resources to be reallocated from incarceration to investing in things Maryland’s communities really need.

Thank you for considering FAMM’s input on SB 123, a common-sense and necessary piece of legislation for Maryland. **We ask that you vote in support of SB 123.** Please do not hesitate to reach out to me at ctrusty@famm.org or 267-559-0195 with any further questions.

⁵ <https://www.baltimoresun.com/2019/11/06/report-proportion-of-maryland-black-prison-population-is-more-than-double-the-national-average-of-32/>

⁶ https://justicepolicy.org/wp-content/uploads/justicepolicy/documents/Rethinking_Approaches_to_Over_Incarceration_MD.pdf

Testimony for SB 123.pdf

Uploaded by: Curtis Alston

Position: FAV

Testimony of Curtis Alston on SB123

Ladies and Gentlemen, Honorable Members of the Assembly,

Today, I stand before you to discuss a matter of profound importance – the passage of SB 123, the Maryland Second Look Act. This bill represents not just a change in legislation, but a monumental shift in our perspective on justice, rehabilitation, and the transformative power of time.

Let's start with a fundamental truth backed by extensive research: people age out of crime. Statistics show that criminal activity significantly decreases as individuals enter their late 20s and 30s. The National Institute of Justice affirms that the likelihood of reoffending diminishes with age. This isn't just a trend; it's a clarion call for reform. By adopting the Second Look Act, we acknowledge this reality and embrace a system that prioritizes rehabilitation over indefinite punishment.

Consider the stories of those who have already walked this path – individuals who, after decades of incarceration, have been given a second chance. Their stories are not just anecdotes; they are beacons of hope and tangible proof of transformation. Take the example of John, who, after being released at the age of 40, has dedicated his life to mentoring at-risk youth, steering them away from the mistakes of his past. Or Maria, who now advocates for women's rights and provides support to those affected by domestic violence. Consider my journey, a former lifer who remained infraction-free for 16 years, navigated reentry successfully, and completed 9 years on parole. Today, I don't just live as a free man; I serve on the Lived Experience Council, I'm a Peer Recovery Specialist, and show others how to do the same. My story is a testament and evidence to the profound impact of the Second Look Act. Those that I spoke of aren't isolated cases; they are part of a growing body of evidence that supports the effectiveness of second chances.

The Maryland Second Look Act isn't about overlooking the severity of crimes committed. It's about acknowledging that people can change and that our justice system should allow for the possibility of redemption. It's about understanding that a life sentence without the possibility of parole can be a denial of the potential for human growth.

By passing this bill, we send a powerful message – that we believe in the capacity for change, that we value rehabilitation, and that we recognize the dignity and potential in every individual. This isn't just an investment in those who have erred; it's an investment in the safety and moral fiber of our society. It's a commitment to breaking cycles of crime by creating cycles of renewal.

In closing, I urge each one of you to consider the weight of your decision. The Maryland Second Look Act isn't merely a legislative choice; it's a moral imperative, a step towards a more just, empathetic, and effective justice system. Let us choose to be on the right side of history, to foster a society that believes in second chances and the power of human redemption. This is SB 123, and in my view, it's as simple as 1, 2, 3 – activate.

Testimony SB 123.pdf

Uploaded by: Desmond Perry

Position: FAV

SB123: Criminal Procedure: Petition to Reduce Sentence

Empowering Reentry and Second Chances

Honorable Members of the Judicial Committee,

I stand before you not only as a Forensic Peer Specialist for the Office of the Public Defender in Maryland but as a father, husband, brother, and active community member. My journey from a post-conviction sentence, overcoming a life-plus-15-year verdict for murder, echoes the transformative power of second chances. In my role as a mentor and religious advisor, I witness daily the potential for change and growth within individuals who, like me, entered prison undeveloped and immature. Yet, Maryland's current system lacks a comprehensive mechanism to recognize and support the redemption of those who've diligently demonstrated remorse and personal development.

As the proud owner and co-founder of a nonprofit focused on reentry equity, I implore you to consider the pivotal role second chances play in rebuilding lives. The Sentencing and Conviction Integrity Unit, currently limited to Prince George's County, should serve as a model for statewide implementation. We must acknowledge and reward the efforts of incarcerated individuals committed to personal transformation and community contribution. By expanding mechanisms like the Sentencing and Conviction Integrity Unit, we create a pathway for redemption and ensure that individuals returning to society are given the opportunity to thrive. Let us together embrace the power of rehabilitation, redemption, and second chances. I urge you to champion the cause of reentry equity and support the expansion of initiatives that recognize the potential for positive change within our community.

Sincerely,

Desmond Haneef-Perry, PRS

Co-Founder & Executive Director

RECTIFY INC.

Reintegration for Equitable Community Transitions

[604 N. Chester Street #1047](#)

[Baltimore, MD](#). 12105

Phone: 410-656-4111

Email: dperry@rectifymd.org

TESTIMONY ON SB123.pdf

Uploaded by: Dondre Phoenix

Position: FAV

TESTIMONY ON SB123

MARYLAND SECOND LOOK ACT

Senate Judiciary Proceedings Committee

February 1, 2024

SUPPORT

Submitted by:

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

I, Dondre' Phoenix, am testifying in support of SB123, the Maryland Second Look Act. I am submitting this testimony as a community member in District 37B. I'm CEO of Thirty Four Enterprises and founder, coordinator of TFE Future & Media 101 For Our Future Youth Program in which we utilize music, multimedia, mentorship, goal setting, incentives, life skills and LOVE to give our kids a sense of value, responsibility, accountability and a positive vision for their future. I have a very close loved one who received a 130-year sentence. His sentencing was the motivation to start my youth program. I wanted to give the youth a positive, motivational and inspiring space, with incentives, to stay out of trouble. Due to a loophole in my loved one's case, he was released in October 2023. Since his release, he has become a mentor in my youth program, and he has volunteered to be an assistant coach for his son's football team. With the huge obstacle of his criminal record, obtaining employment became very challenging. However, he recently began full-time employment at a local hospital.

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 are able to demonstrate their growth and rehabilitation, such that they are no longer a threat to public safety, should have the opportunity for release.

During the many conversations with my formerly incarcerated loved one, one of the things that he stated was his need to be there for his son. He obviously couldn't do that behind bars. Yes, he's taken full accountability for his actions that landed him there. He also realized there were some huge changes he had to make within himself. Getting a second chance is one thing, but not taking it for granted and utilizing it to make a positive impact, not just in his son's life, but also in the community that he caused so much havoc in, is what the very best of second chances is all about. He's very appreciative that I have given him the opportunity to share his story and to actively engage with the youth in my program, give them positive energy and to be a walking testament that second chances do happen, despite your past. Even more important than that, programs like TFE Future & Media 101 For Our Future gives the youth mentorship, activities, incentives, a sense of responsibility, a sense of hope, a family atmosphere that shows we care and the tools for life, with the hope it will deter them from taking a path that will lead them to prison. The Maryland Second Act is a very important piece of legislation that will forever change the lives of many and will make a huge impact for those that have earned that second chance. We've all made mistakes, bad decisions and miscues in life, some more severe than others. None the less, if those who have made amends, have accepted responsibility and for a period of time, have shown to have changed their lives that warrants forgiveness, they should be strongly considered to be given a SECOND LOOK.

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 modifications¹. Maryland judges used to have the ability to review sentences, an important safety valve for extreme sentences, but this opportunity was eliminated with a rule change in 2004². Furthermore, for more than 25 years, Maryland's parole system was not available to people serving life with parole sentences. Now, the Governor has finally been removed from the parole process, but this is not enough to remedy decades of wrongful denials which contributed to the bloated prison system and its extreme racial disparities.

This bill also has serious racial justice implications, given that of the 2,212 people serving life sentences in MD, 80% are Black, a huge disparity when compared to the only 31% of Black Marylanders in the general population. Shamefully, Maryland also leads the nation in sentencing young Black men to the longest prison terms, at a rate 25% higher than the next nearest state, Mississippi.

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. For example, in the past 12 years since the Maryland Supreme Court held that improper jury instructions invalidated the life with parole sentences of 235 people, 96% have remained in the community without incident. These individuals, 90 percent of whom are Black, spent an average of 40 years behind bars but could have been contributing to our communities decades earlier. 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 SB123.

Thank you.

1 Maryland Rule 4-345

2 Court of Appeals of Maryland Rules Order

3 MD DPSCS FY 2022 Q4 Inmate Characteristics Statistics (2022)

4 United States Census Data (2021)

5 Justice Policy Institute Rethinking Approaches to Over Incarceration of Black Young Adults in Maryland (2019)

6 Justice Policy Institute Fact Sheet: The Ungers (2018)

2024.01.31 CCJR SB 123 FAV.pdf

Uploaded by: E. Flannery Gallagher

Position: FAV



TESTIMONY IN SUPPORT OF SENATE BILL 123

TO: Members of the Senate Judicial Proceedings Committee
FROM: Center for Criminal Justice Reform, University of Baltimore School of Law
DATE: January 31, 2024

The University of Baltimore School of Law’s Center for Criminal Justice Reform is dedicated to supporting community driven efforts to improve public safety and address the harm and inequities caused by the criminal legal system. The Center supports Senate Bill 123.

I. Unnecessarily long sentences are detrimental to public safety.

SB 123 promotes, rather than hinders, public safety. There is no evidence that unnecessarily long sentences deter people from engaging in criminal behavior.¹ Instead, certainty of apprehension—not severity of sentence—discourages people from engaging in crime.² Incarcerated people grow and change regardless of how old they were at the time of their offense. Accordingly, recidivism rates are extremely low for people released in their mid-40s or later.³ Furthermore, by creating an opportunity for resentencing, this bill would also very likely improve morale and behavior inside prisons, benefiting incarcerated people and corrections officers alike.⁴

II. Unnecessarily long sentences devastate families and communities across the socioeconomic spectrum, but they disproportionately impact communities of color.

Reducing unnecessarily long sentences, regardless of a person’s age at the time of his offense, is a critical component of addressing mass incarceration and mitigating racial disparities in our criminal legal systems. Data demonstrate that “there are stark racial and ethnic differences in the shares of people who are sentenced to and serving 10 years or more in prison, especially

¹ See U.S. DEP’T OF JUSTICE, OFFICE OF JUSTICE PROGRAMS, *Five Things About Deterrence*, <https://www.ojp.gov/pdffiles1/nij/247350.pdf>.

² Id.

³ In one study, only 4% of people convicted of violent crimes released between ages 45 and 54, and 1% released at 55 or older, were reincarcerated for new crimes within three years. Among people previously convicted of murder, those rates fell to 1.5% and 0.4%, respectively. J.J Prescott, et al., *Understanding Violent-Crime Recidivism*, NOTRE DAME LAW REVIEW, 95:4, 1643-1698, 1688-1690 (2018).

⁴ KEVIN SHARP & KEVIN RING, *Judges Should be Able to Take a ‘Second Look’ at Prison Sentencing*, USA TODAY (June 20, 2019, 5:22 PM), <https://www.usatoday.com/story/opinion/policing/2019/06/20/inmates-prison-reform-judges-sentencing-trump-policing-the-usa/1498072001/>.

when comparing Black people and White people.”⁵ For example, “46% of the total number [of] people serving life or sentences of 50 years or more were Black” across the country in 2020.⁶ Racial disparities for children sentenced to long terms of imprisonment as adults in Maryland are also instructive here: 87 percent of those who became eligible for relief under the Juvenile Restoration Act (JRA) are Black.⁷ According to the Campaign for Fair Sentencing of Youth, this racial disparity is the worst in the entire nation.⁸

III. Senate Bill 123 would promote cost-savings and allow those funds to be allocated to effective public health and safety efforts.

The state prison population and expenses may be reduced via sentence reductions for incarcerated people with lowest-risk status. Successful applicants for SB 123 sentence modifications would be very low risk in light of their age, deteriorating health, and demonstrated self-rehabilitation achievements. Cost savings are especially likely because costs increase dramatically for older individuals in prison.⁹ Wasteful and unnecessary policies and practices—such as the ongoing incarceration of people who pose the lowest risk of reoffending—harm public safety by siphoning massive sums of money that could otherwise support programs that actually prevent crime. The cost savings that are likely to result from the passage of SB 123 would allow the reallocation of critical funds to assist with drug treatment, reentry and other rehabilitation programs for people at higher risk of engaging in criminal behavior.

IV. The successful implementation of the Juvenile Restoration Act bolsters confidence in the impact of SB 123.

Positive outcomes from the JRA, which this committee supported three years ago, underscore the types of impact that the passage of SB 123 would have on Maryland families and communities. Marylanders who were granted relief pursuant to the JRA have contributed to their families and communities since returning home by caring for sick family members, paying taxes, and dedicating their lives to repairing and preventing the types of harmful behavior that they engaged in as young people. Our communities are safer and healthier because of their contributions. Existing law fails to remedy all unnecessarily long sentences—even for individuals who are not a threat to public safety and even when the interests of justice would be best served by a reduced sentence. There is an entire population of incarcerated Marylanders who are not eligible for relief under the JRA who have the same capacity for change, redemption, and positive impact. SB 123 would afford them that opportunity.

For these reasons, we urge a favorable report on Senate Bill 123.

⁵ COUNCIL ON CRIMINAL JUSTICE, *How Long is Enough? Task Force on Long Sentences Final Report* (Mar. 2023), https://assets.foleon.com/eu-central-1/de-uploads-7e3kk3/41697/task_force_on_long_sentences_final_report.ecc1d701464c.pdf.

⁶ Id.

⁷ CAMPAIGN FOR THE FAIR SENTENCING OF YOUTH, *Juvenile Restoration Act (HB409/SB494)*, https://cfsy.org/wp-content/uploads/HB409_SB494_JuvenileRestorationAct_FACTSHEET-1.pdf.

⁸ Id.

⁹ MATT MCKILLOP & ALEX BOUCHER, *Aging Prison Populations Drive Up Costs*, THE PEW CHARITABLE TRUSTS, (Feb. 20, 2018), <https://www.pewtrusts.org/en/research-and-analysis/articles/2018/02/20/aging-prison-populations-drive-up-costs>.

Support SB123.pdf

Uploaded by: Edward Sabin

Position: FAV

**Testimony before the Senate Judicial Proceedings Committee
Supporting SB 123, Maryland Second Look Act, Feb. 1, 2024**

Please support SB 123. My name is Edward Sabin. I am a retired state employee. I have been a volunteer at Jessup Correctional Institution (JCI) on and off for over 25 years. In doing so I've met a number of men serving long sentences who rehabilitated themselves. They are facilitators in the Alternatives to Violence Project (AVP) a volunteer program in which I also serve as a facilitator.

AVP workshops are small group experiences which improve communication skills, build a sense of community, and combat the macho ethic so common in prison. A strength of the program is that incarcerated people who participate in several workshops become facilitators and lead workshops themselves, a marketable job skill. Based on sound group dynamics principles, AVP workshops stress experiential learning rather than lectures and include both fun and serious exercises. Workshops produce a feeling that "we're all in this together." There's a waiting list of incarcerated men for these 18 hour long workshops at JCI.

AVP is practiced in 33 states around the country and in 45 foreign countries both inside prisons and in the community. Prison administrators generally support AVP where it is seen as promoting a positive atmosphere and safety in the prison. AVP produces mature and skilled leaders who are needed in the prison but more importantly in the outside community. These men and women serve as models for young people who need direction in their lives. For this reason, I heartily **support SB 123** to provide these leaders the opportunity to prove their rehabilitation and show leadership in the community. For more information go to www.avpusa.org.

Thank you for your service to the people of Maryland,

Edward Sabin
1639 Lakewood Road
Pasadena, MD 21122
410-255-7362
edsabin1@gmail.com

2024 SB0123 Testimony Suter, Erica.pdf

Uploaded by: Erica Suter

Position: FAV



NATASHA M. DARTIGUE
PUBLIC DEFENDER

KEITH LOTRIDGE
DEPUTY PUBLIC DEFENDER

TO: Members of the Senate Judicial Proceedings Committee

FROM: Erica J. Suter, Assistant Public Defender and Director of the UB Innocence Project Clinic

RE: SB0123: Criminal Procedure- Petition to Reduce Sentence

DATE: February 1, 2024

I am an assistant public defender, faculty member of the University of Baltimore School of Law and Director of the UB Innocence Project Clinic, and Immediate Past President of the Maryland Criminal Defense Attorney's Association. I write in support of SB0123.

In the not-too-distant past, defendants in Maryland could potentially return to court and ask the court to reconsider their sentence many years later. Prior to July 1, 2004, defendants in Maryland had the right to file a Motion to Modify Sentence under Rule 4-345 within 90 days of sentence and the sentencing court had perpetual revisory power over the motion so long as it was timely filed. In other words, so long as a defendant filed the motion within 90 days of the sentence and the sentencing court agreed to hold it and not rule on it, the defendant could come back years later and demonstrate that they had matured, evolved, and used their time productively. Defendants had time to develop an institutional record that could reflect growth and maturity. They might take courses and earn a degree or complete programming intended to impart vocational skills or pro-social behavior. After 2004, a change in the rule meant that courts only reconsider the sentence within 5 years from the date of sentence. For a defendant who is serving a long sentence, five years is typically not enough time to demonstrate rehabilitation to a court. Though any one of us may change for the better in five years, most of us can agree that we are certainly not the same person as we were 20 or 30 years ago.

Although much is often said from the opposition regarding the numerous procedural mechanisms that defendants have at their disposal to challenge their sentences, I can state as a criminal defense attorney with nearly two decades of experience working with defendants on their cases after they have been sentenced, their avenues of relief are quite circumscribed. More specifically, the court's ability to reconsider a sentence based on a defendant's demonstrated growth and rehabilitation is limited to, typically, one motion to modify sentence. Other pleadings such as an appeal or post conviction petition have nothing to do with a defendant's rehabilitation or any consideration of public safety. The opportunity for juvenile lifers to have a second look is a recent phenomenon that has been very successful, but it leaves behind other, equally deserving individuals. SB0123 provides an opportunity for the court to take a second look at individuals. It is not a "get-out-of-jail-free card." It is an opportunity for a defendant to demonstrate their

worthiness of a second chance. Given the disturbing racial disparities present in Maryland's prisons, with Maryland incarcerating the largest portion of our Black citizens than any other State in the Nation, this is also a racial justice bill.

It is important to note that SB0123 is more restrictive than the rule that covered all modifications prior to 2004. It requires that a defendant serve at least 20 years, which is consistent with the lessons of social science. Individuals tend to age out of crime and violence and recidivism decline sharply with age. The bill puts public safety as an explicit consideration, which the court must assess. The lack of recidivism and remarkable success of defendants in Maryland who were released pursuant to *Unger* and the juvenile lifers who have been released as a result of the Juvenile Restoration Act are local, recent reminders that our returning citizens can be thriving, contributing members of our community.

For these reasons, I urge a favorable report.

Gordon Pack's SB 0123 Testimony 2024.docx.pdf

Uploaded by: Gordon Pack, Jr.

Position: FAV



PREPARE
PREpare for PARole and REentry

January 31, 2024

Re: Testimony in Support of SB 0123
Criminal Procedure - Petition for Sentence
Modification

Dear Members of the Judicial Proceedings Committee:

I support SB0123 sponsored by Senator Jill Carter and ask that a favorable vote be rendered.

I am a beneficiary of the Juvenile Restoration Act (JUVRA) which became effective in October 2021. I pled guilty and was sentenced to a congregate parole eligible life sentence for horrible crimes committed as a fifteen year old in 1979. As the sentencing judge denied my Motion for Reduction of sentence two months later, the Court lost jurisdiction to act in my case. The ninety-day provision for filing a sentence modification was inadequate to make any accomplishments to demonstrate maturity and rehabilitation.

I became eligible for parole in 1993. Although I had amassed a strong record of accomplishments, no avenue would exist for a meaningful parole consideration based on demonstrated maturity and rehabilitation until 2019. In response to former Governor Glendenning's 'life means life' policy not a single lifer was paroled outright in over two decades. I filed several legal Motions to no avail because the Court still had no jurisdiction to act.

Despite the Court's considerations, intent, and recommendations when imposing sentences, MD has no legal presumption that any prisoner should be released upon reaching parole eligibility. The lack of statutory and regulatory provisions regarding the exercise of MD Parole Commission discretion and the, then, gubernatorial discretion results in disparity without explanation. Additionally, those who have reformed and may be deemed worthy of release consideration by the Court prior to and after reaching parole eligibility may never receive it.

Prepare-parole.org
PO Box 16274, Baltimore, MD 21210



PREPARE
PREpare for PARole and REentry

Without the legislation of JuvRA, I still would not know when, if ever, I would be released or what was expected of me to be paroled. Fortunately, the Court recognized my growth and maturity and acted upon its new jurisdiction in my case. Since my 2022 court release, I am doing well on parole, maintaining meaningful employment, remaining active in reentry support networks, engage in prison reform efforts, and live a law abiding life.

Though I am deeply sorry for the tragic crimes fifteen year old me committed and spend everyday trying to atone for my actions, I question the justice of holding juveniles, emerging adults, and seniors -reformed men and women- in prison for twenty-thirty years beyond parole eligibility. These particular men and women whom have accepted responsibility for their transgressions, worked hard to improve their social functioning, and become mentors and problem-solvers no longer pose threats to public safety and would be productive citizens.

As an example of someone who was held in prison longer than necessary, in terms of rehabilitation, and has transitioned to the outside community successfully, I believe in redemption and second chances. Providing an incarcerated individual the opportunity to petition for a Modification of Sentence after serving twenty years would only permit the Court to consider whether the imposed sentence still serves its intended purposes. Thus, I urge this honorable committee to vote favorably for SB0123.

Truly yours,

Gordon R. Pack, Jr.
Parole Advocate
gordon@prepare-parole.org
gordonrpack@gmail.com
Cell# 410-456-7034

Prepare-parole.org
PO Box 16274, Baltimore, MD 21210

Copy of SB 0123 SampleTestimony - 01.25.2024.pdf

Uploaded by: Jami Greene

Position: FAV

**TESTIMONY ON SB123
MARYLAND SECOND LOOK ACT**

**Senate Judiciary Proceedings Committee
February 1, 2024**

SUPPORT

Submitted by: Jamesina E. Greene

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

I, Jamesina E. Greene am testifying in support of SB123, the Maryland Second Look Act. I am submitting this testimony as an impacted family member of an incarcerated person and Founder of “A Mother’s Cry” an organization which supports and advocates for mothers of incarcerated persons.

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 are able to demonstrate their growth and rehabilitation, such that they are no longer a threat to public safety, should have the opportunity for release.

On June 16, 2006, my 25-year-old son was escorted into the courtroom. He looked handsome in his starched white dress shirt and new jeans. The ankle chains, and handcuffs, however, reminded me of my ancestors being led to the slave auction blocks. A mother observing her child being led into a room like an animal, surrounded by pistol-wearing individuals with blanket authority to harm him, was traumatizing. This day would begin one of the most heart-wrenching phases of my life’s journey.

He sat next to his court-appointed attorney, head held high, shoulders squared, looking his accusers in the eye, I could see the regal and highly intelligent warrior that he was raised to be. Still, my heart was gripped with fear. Statistics show that young Black and Brown men experience harsher sentences way more often than White men of the same age in this country. The tension and even hatred in some of the faces in that room were palpable and were directed at my child.

My mother’s heart hurt.

I watched the system fail yet another young Black man and his loved ones. With no physical or forensic evidence, no eyewitness, and a recording proving that the victim lied, my son was found guilty and sentenced to 50 years for ASSAULT. Not murder. Not attempted murder. Not rape of a child. ASSAULT.

This is our so-called justice system at work. When you give a 25-year-old a 50-year prison sentence, you are saying to them, “you are useless, you do not matter and we are throwing you away.”

These excessive sentences are unfair and damaging. It has been [well-documented](#) that the development of the human brain is not complete until the age of 25. So these extreme sentences for young Black and Brown men and women are an abuse of power. They are intentional acts that destroy families and the lives of our youth.

Daily, I speak with and advocate for mothers who are experiencing the same life-altering pain that I am. We wholeheartedly believe that it is imperative that this Bill be taken seriously and made law. There are multitudes of individuals behind those prison walls who deserve a second look and a second chance. Making a bad choice should not always mean that you are discarded by society.

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 modifications¹. Maryland judges used to have the ability to review sentences, an important safety valve for extreme sentences, but this opportunity was eliminated with a rule change in 2004². Furthermore for more than 25 years, Maryland's parole system was not available to people serving life with parole sentences. Now, the Governor has finally been removed from the parole process, but this is not enough to remedy decades of wrongful denials which contributed to the bloated prison system and its extreme racial disparities.

This bill also has serious racial justice implications, given that of the 2,212 people serving life sentences in MD, 80% are Black³, a huge disparity when compared to the only 31% of Black Marylanders in the general population⁴. Shamefully, Maryland also leads the nation in sentencing young Black men to the longest prison terms, at a rate 25% higher than the next nearest state, Mississippi⁵.

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. For example, in the past 12 years since the Maryland Supreme Court held that improper jury instructions invalidated the life with parole sentences of 235 people, 96% have remained in the community without incident⁶. These individuals, 90 percent of whom are Black, spent an average of 40 years behind bars but could have been contributing to our communities decades earlier. 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 SB123**.

Thank you.

¹ Maryland Rule 4-345

² [Court of Appeals of Maryland Rules Order](#)

³ [MD DPSCS FY 2022 Q4 Inmate Characteristics Statistics](#) (2022)

⁴ [United States Census Data](#) (2021)

⁵ Justice Policy Institute [Rethinking Approaches to Over Incarceration of Black Young Adults in Maryland](#) (2019)

⁶ Justice Policy Institute [Fact Sheet: The Ungers](#) (2018)

SB123JDorseyTestimony.pdf

Uploaded by: JOAN DORSEY

Position: FAV

**TESTIMONY ON SB123
MARYLAND SECOND LOOK ACT**

**Senate Judicial Proceedings Committee
February 1, 2024**

SUPPORT

Submitted by: Joan Dorsey

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

I, Joan Dorsey, am submitting this testimony in support of SB123, the Maryland Second Look Act. I am submitting this testimony as an impacted family member and member of the Second Look Coalition.

I support this initiative SECOND LOOK ACT SB 123 where the Second-look laws would legally allow courts to re-examine the sentences of incarcerated individuals with a minimum 20 years to apply for sentence modification. I believe that the literature inclusive of numerous studies targeting 20-year sentence cap justify, substantiates and validates why capping 20 years will significantly reduce mass incarceration. Countless evidenced based studies have definitively reported in many official, authenticated documents that credible, scholarly and reliable research in many states and countries support this argument.

The premise is that if the incarcerated persons have demonstrated their growth and progress by rehabilitation and show that they are no longer a threat to the safety of others, then the opportunity should be available for them to apply for modification at 20 years and ultimately be released.

I believe that "The Second Look Act" that includes the option for a 20 year sentence review, incorporates an absolute confirmation of corroborative data with proper measures and will executive the following factors:

- Reduce and eliminate factual racial disparities among Black and Brown persons who have been sentenced to long sentences due to racial disparity, which is well documented should be given an opportunity for release.
- Eliminate mandatory minimum sentences and allow the discretion of the judge to be the executive rather than sentence guidelines
- Examine the incarcerated individuals who have out and show no threat to public safety
- Provide huge monetary savings to empower communities, states and countries to invest
- Review sentence after 10 years critically measuring the fairness and justice of the sentence rendered
- Carefully look at the fairness and societal impact for the poor, low income, disadvantaged, and disabled

- Eliminate enhancements, parole, continuous parole denials, consecutive sentences
- Provide provisions for re-entry to society which can increase jobs, employment family unification and lessen family support and dependence on government
- Review and examine the lengthy sentences of persons for misdemeanors and the innocence convicted of a crime
- Review and scrutinize the criteria of the 20 year gap which can provide data that demonstrates that the reduction of lengthy sentences prove that it is not a deterrent to crime and does not limit public safety.
- Allow the oversight persons of the Second Look Act to assess their qualifications of applicants based upon a strict criteria for prison release for example: good time served, accomplishments, character references from correctional officers and staff., rehabilitation , any outreach/support given to community, family, and while in jail
- Review statistics in research that demonstrate how the contributions to society and world reduced the prison population of mass incarceration and the over crowdedness of jails causing violence and deaths
- Seriously analyze and understand data that shows incarcerated persons who age out of crime showing no threat to public safety
- Examine facts that show the recidivism rates decline for persons released after lengthy sentences.
- Identify persons with misdemeanors sentenced to long sentences due to racial disparity, which is well documented should be given an opportunity for release.
- Address mental and physical disability and finding the proper and effective treatment that has been implemented

I found a number of factors in what I stated to be accurate, particularly because I have a son, 36 years of age and will be 37 in February. He was incarcerated at age 19 years old. My husband and I adopted him at 2 1/2 months old. At age 7, he was diagnosed with Tourette Syndrome, (multiple motor tics and vocal tics) as well as and other health impairments whereby limited knowledge and information was given even by the best doctors he encountered. The teasing, bullying and being ostracized led to unruly and reckless behavior that began at an even earlier age of nursery school. He was a truly a classic book case example of Tourette Syndrome whereby this body jumped, all over, the echolalia, coprolalia, palialia overwhelmed in conversations and consumed him. Due to limited knowledge of TS in the 90's by the best medical and clinical professionals, his mind and body and mind traveled down a daily life of uncertainly, confusion and isolation with powerful medications that only exacerbate and worsen his condition as he developed into middle school. As a result, lack of professional knowledge and proper treatment, he began reckless and unruly behaviors that manifested in school, peer groups and in the general public. These misbehaviors, and my son not having the ability to manage, led him to incarceration.

I believe my son received an unfair and unjust sentence due to a number of factors stated above. The judge doubled his sentence, going outside of the guidelines, never taking in consideration the diagnosed disabilities of Tourette Syndrome and other health impairments. I believe that racial disparity can clearly be seen in his case. He has thus far served nearly

twenty years in prison with limited support, however with my husband's consistent communication and advocacy, the storms slowly diminished. My son has grown to be a loving, caring, and compassionate, responsible man, through rehabilitation, and a continuous very strong support of family. We love him very much and are fighting for his purposeful life.

My husband and I are aging, 73 and 75 and experiencing a number of health challenges where our son's absence has created a profound impact on our lives, however, his release from incarceration at the 20 years will significantly help, assist and support us! I know my son is ready to contribute to the community and would meet the criteria set forth and truly make a positive difference and change in this society.

The criminal justice system in the state of Maryland houses the highest number of blacks incarcerated in the United States at 71 % which doubles the national average. Additionally, Maryland heads the country with distributing the longest sentences to young black men with a 25% higher than MISSISSIPPI... I PONDER and ask WHY WHEN I READ AND HEAR ABOUT THE OTHER STATES MAKING MODIFICATIONS ,CONSIDERATIONS AND PASSING THE 20 YEAR SENTENCE CAP.... My belief is that IT IS NOW,,,,,,NOT TO WAIT CONTINUE TO RESEARCH, TAKE OVER STUDIES, continue to attend hearings, meetings that generally conclude using proven data stated the 20 year sentencing can be effective. We know that one of the major issues in THE STATE OF MARYLAND criminal justice system is MASS INCARCERATION. I believe that the 20 year sentence cap can bring a meaningful resolve to support this issue. WE MUST PRIORITIZE FAIR AND JUSTICE SENTENCES FOR ALL AND PASS THE BILL NOW.

My hope is that mercy, grace and a strong hard look are considered in passage of the Second Look Act' whereby, evidenced based studies of other states, countries who have modified sentences in alignment with the 20 sentence cap have demonstrated positive outcomes, Please, please look at the strict criteria to be followed and adherence prior to the acceptance of being granted release and pass this bill. I believe that individuals deserving OF A SECOND CHANCE AND fully have met the criteria for the 20 year sentence review should be considered for release. As a result, their character will demonstrate positive attributes of a productive citizen eagerly, actively, seriously committed to serving the community and this world.

MAJR testimony supporting SB 123.pdf

Uploaded by: Judith Lichtenberg

Position: FAV



MARYLAND ALLIANCE FOR JUSTICE REFORM
Citizens working to reform criminal justice in Maryland



www.MA4JR.org
351 Dubois Rd., Annapolis, MD 21401
info@ma4jr.org

Testimony in support of SB 123: Criminal Procedure – Petition to Reduce Sentence

My name is Judith Lichtenberg. I am testifying on behalf of the [Maryland Alliance for Justice Reform](#) (MAJR), a nonprofit, all-volunteer organization of more than 2,000 Marylanders; I serve on its executive committee and the board. I have lived in Hyattsville since the early 1980s and am professor emerita of philosophy at Georgetown University. Since 2016, I have also been teaching, tutoring, and mentoring at Jessup Correctional Institution (JCI), the DC Jail, and, most recently, Patuxent Institution—in colleges courses offered for credit by Georgetown University and the University of Baltimore.

Senate bill 123, which would allow a person to petition for a sentence modification if they have served 20 years in prison (with a few other qualifications), is a crucial step to reducing mass incarceration, saving taxpayers money, and achieving justice. Keeping people incarcerated for crimes they committed when young is particularly problematic. [We know](#) the brain does not reach maturity until a person is in their mid-twenties. And over the course of decades even those who committed crimes after 25 can change radically. Current practice is expensive not only in terms of the monetary costs of incarceration but also because of the tremendous waste of human resources that occurs when we lock people up for decades because of crimes committed so long ago.

Since 2016 I have taught well over a hundred students behind the walls. Many of them have been incarcerated since they were in their teens or twenties. Many have been locked up for more than 20 years. Most are very different people than they were when they committed their crimes. Most are people I believe are decent and trustworthy. I find it unconscionable that they will live out their days in prison no matter who they are today or how they have changed. The people I am thinking of do not present a threat to society; they are remorseful for their crimes; and they can and want to make valuable contributions to their communities.

According to the [Justice Policy Institute](#), 2,341 people in Maryland, or about 11% of the prison population, are serving life sentences. These people are overwhelmingly Black. Today more than 3,300 Maryland prisoners are over 50. Some states estimate that it costs four times as much to care for older prisoners as younger ones. The aggregate costs will balloon in the future unless we take action now. Because people age out of crime by middle age, continuing to incarcerate them does not serve any counterbalancing public safety benefit.

Legislators have introduced [second look bills](#) in 25 states. In 2020 the District of Columbia adopted the Second Look Amendment Act, which allows those whose offenses occurred before they were 25 to petition for resentencing once they have served 15 years.

A right to petition for sentence modification is not, of course, a guarantee that modification will be granted. But there are [a variety of reasons](#)—rooted in justice, mercy, racial inequities, wastefulness and inefficiency, and cost—to permit requests for sentence modification by prisoners who have served 20 years in prison.

On behalf of MAJR, I urge you to issue a favorable report on SB123.

Sincerely,

Judith Lichtenberg

Judith Lichtenberg
7109 Eversfield Drive
Hyattsville, MD 20782
District 22
301.814.7120
jalichtenberg@gmail.com
For the [Maryland Alliance for Justice Reform](#) (MAJR)

MAJR testimony supporting SB 123.pdf

Uploaded by: Judith Lichtenberg

Position: FAV



MARYLAND ALLIANCE FOR JUSTICE REFORM
Citizens working to reform criminal justice in Maryland



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On behalf of MAJR, I urge you to issue a favorable report on SB123.

Sincerely,

Judith Lichtenberg

Judith Lichtenberg
7109 Eversfield Drive
Hyattsville, MD 20782
District 22
301.814.7120
jalichtenberg@gmail.com
For the [Maryland Alliance for Justice Reform](#) (MAJR)

Ricardo Burks SB123 testimony.pdf

Uploaded by: Judith Lichtenberg

Position: FAV

Ricardo Burks
4647 Rokeby Road
Baltimore, Maryland 21229

February 1st, 2024

Written Testimony ~ Senate Bill 123

My name is Ricardo Burks, a registered Democratic voter and a proud resident of the great state of Maryland. I am writing to express my wholehearted support for Senate Bill 123, which I believe is a crucial step towards justice and second chances for individuals who have demonstrated rehabilitation during incarceration.

I have personally experienced the life-changing influence of a second chance. After spending over 30 years behind bars, I emerged as a reformed and productive member of society, committed to being a law-abiding and tax-paying citizen. I was 63 years old when a second modification of my sentence allowed me the privilege of experiencing freedom. I spent decades building a body of work through actions that spoke to the reformation that had taken place in my life. The modification of sentence has allowed me to contribute positively to the community I now call home. I am currently employed as an advocate for the homeless in Baltimore City, bringing valuable and needed resources to the faceless population among us.

SB 123, in my view, is an essential piece of legislation that addresses the needs of countless model prisoners who, like me, have served decades with exemplary behavior and have exhausted all available legal remedies. These individuals have proven their commitment to personal growth and societal reintegration yet find themselves without recourse to present their case before a judge for reconsideration.

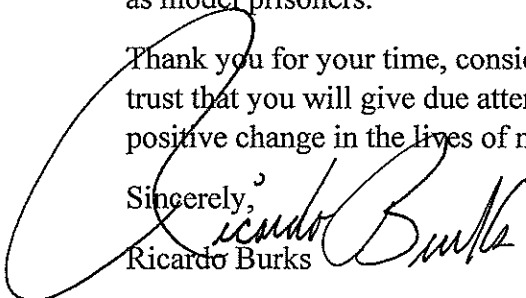
This bill represents an opportunity to rectify this injustice and provide a pathway for those who have served extended sentences to seek a fair and impartial review of their cases. By allowing individuals who have demonstrated genuine rehabilitation to have their day in court, SB 123 aligns with the principles of justice, fairness, and compassion that our great state stands for.

I urge you to consider the positive impact SB 123 could have on the lives of many deserving individuals who have paid their debt to society and are eager to contribute positively to our community. By supporting this bill, we create a more just and compassionate criminal justice system that recognizes the potential for redemption in those who have served lengthy sentences as model prisoners.

Thank you for your time, consideration, and dedication to the well-being of our community. I trust that you will give due attention to the importance of SB 123 and its potential to bring about positive change in the lives of many. Thank you for allowing my voice to be heard.

Sincerely,

Ricardo Burks



SB123__support_JPI_1_31_24.pdf

Uploaded by: Keith Wallington

Position: FAV



Testimony to the Senate Judiciary Proceeding Committee
Senate Bill 123 — Criminal Procedure – Incarcerated Seniors – Motion to Reduce the Duration
of a Sentence
Keith Wallington
Justice Policy Institute
kwallington@justicepolicy.org
February 1, 2024

Justicepolicy.org

Founded in 1997, the Justice Policy Institute (JPI) is a nonprofit organization developing workable solutions to problems plaguing youth and criminal legal systems. For over 25 years, JPI's work has been part of reform solutions nationally, with an intentional focus on Maryland.

JPI supports Senate Bill 123 which would permit individuals serving a term of confinement to petition a court to reduce the sentence after the individual has served 20 years and at least three years have passed since the court decided any petition previously filed by the individual for a reduced sentence.

[When There Is Harm, There Need to Be Repair](#)

JPI recently released, [Safe at Home: Improving Maryland's Parole Release Decision Making](#), a comprehensive look at Maryland's parole system, including a deep analysis of the inefficiencies. Between 2017 and 2021, the average parole grant rate was 39.69 percent. And those grant rates drop off precipitously as the time served, and subsequently the age of the petitioner, increases. After 20 years of incarceration, the grant rate is 21.9 percent, and continues to drop all the way to 5.6 percent after 50 years of time served. As a result of bureaucratic delays and perpetual recommendations for "re-hearings", long-sentenced, parole-eligible individuals are often subjected to 3- 8 parole hearings throughout their incarceration, despite rehabilitative success and program completion. *That* is a broken parole system.

Moreover, "key-man" laws, the unconstitutional practice that lead to the [Unger ruling](#), resulted in a racially disparate system with its contribution to a prison population. According to data collected in 2020, of the men over 60 years old in Maryland's prison system that have served at least 20 years, 53.9 percent are black – SB123 can correct this wrongdoing. SB123 would allow judges to consider individuals' post-conviction conduct, including their disciplinary record and participation in rehabilitative programming before determining that their sentence reduction and/or release poses little to no risk to public safety. SB123 does *not* guarantee anyone will get out early. Instead, it just gives incarcerated people an opportunity to show how they have changed.

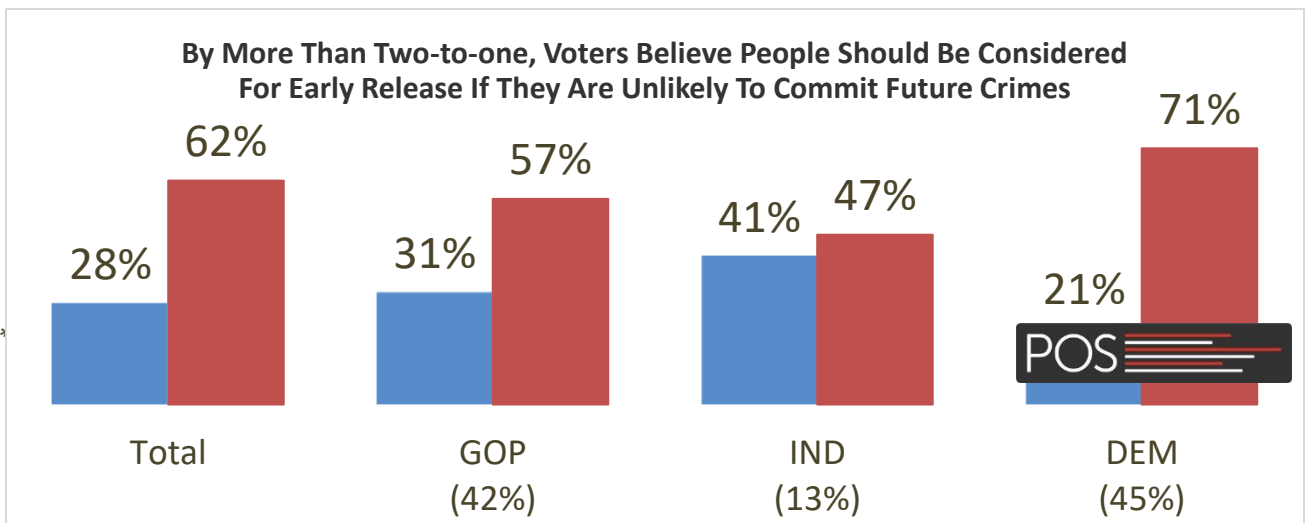
[Strongest Reasons to Support Second Look](#)

The strongest reasons to support Second Look point to low risk of re-offending:

- The Unger case, a 2012 Maryland Appellate Court decision resulted in the release of over 200 long-sentenced individuals with an average age of 63, and provided a natural case study. After 10 years since

the ruling, the Unger cohort continues to have less than five percent recidivism rate, and more Ungers have unfortunately passed away than reoffended.

- Nationally, people who have been released through Second Look Laws have extremely low rates of re-offending, and many are now working to improve their community’s safety by working as mentos with the highest at-risk youth. We have experienced this in Maryland with the passage of the Juvenile Restoration Act (JRA). Individuals who have been granted a re-sentencing are thriving as community members, and to date, only **one** individual has recidivated.
- People who committed crimes when they were under age 25 have a greater capacity to change and grow over time. The vast majority of people who commit serious crimes naturally grow out of that behavior as they mature and become less likely to re-offend. Continuing to incarcerate people unnecessarily wastes taxpayer money that could otherwise be spent on things that actually prevent crime and protect public safety. JPI’s reported in, [Rethinking approaches to over incarceration of black young adults in Maryland](#), that nearly 50 percent of those serving the longest prison terms in Maryland were initially incarcerated as emerging adults.
- According to a 2022 poll conducted by political and public affairs survey research firm, *Public Opinion Strategies*, American voters supported “Second Look Laws” by a two-to-one margin, and by more than two-to-one, voters believe people should be considered for early release if they are unlikely to commit future crimes. Thus, prioritizing public safety over prolonged “punishment”



Poll Question: “Which ONE of the following statements comes closer to your own opinion?

People should stay in prison and serve their full sentences, even if they reach a point at which they are unlikely to commit future crimes...or...People in prison should be allowed to be considered for an early release from their sentence if they reach a point at which they are unlikely to commit future crimes.”

All commonly argued points are true: Our communities desperately need and deserve safety, the need for criminal legal reform is real, and harm needs to be repaired. The Justice Policy Institute urges this committee to issue a favorable report on SB123.

Petition to reduce sentence.pdf

Uploaded by: Linda Green

Position: FAV

TESTIMONY IN SUPPORT OF SENATE BILL 123

Criminal Procedure – Petition to Reduce Sentence

FROM: Dr. Linda Green

Member, American Public Health Association, Life After Release

I, Linda D. Green MD, am writing to support Senate Bill 123 which will allow adults who have been incarcerated for 20 years to request a reduced sentence. This is similar to the JRA which I also had supported. I have been working with Life After Release for 5 years in Prince George's County and am a 40+ year member of the American Public Health Association. In addition I have reviewed cases and written medical summaries to help individuals through Aging People in Prison, Human Rights Campaign. Two important policies of the APHA were passed in the last few years to address the public health consequences of law enforcement violence and the long term effects of the carceral system. Thus I have been involved in learning and writing about the criminal legal system for the past decade.

I have also met many people released from prison and worked with them to get the medical care and support they need to more easily reenter society. This is a reasonable proposal from a public safety viewpoint as incarcerated individuals for a long period of time are rarely involved in further criminal activity. Financially the cost of providing medical care to older prisoners has become quite expensive and the system will save money overall even if there are more expenses for public defenders. I respectfully urge a favorable report.

SB123MTsiongasTestimony.pdf

Uploaded by: Magdalena Tsiongas

Position: FAV

**TESTIMONY ON SB123
MARYLAND SECOND LOOK ACT**

**Senate Judicial Proceedings Committee
February 1, 2024**

SUPPORT

Submitted by: **Magdalena Tsiongas**

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

I, Magdalena Tsiongas, am testifying in support of SB123, the Maryland Second Look Act.

I am submitting this testimony as the convenor of the Maryland Second Look Coalition and the family member of an incarcerated person.

I started convening the Maryland Second Look Coalition with other impacted family members, previously incarcerated people and advocates to create a pathway for hope and reunification for families. 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 are able to demonstrate their growth and rehabilitation, such that they are no longer a threat to public safety, should have the opportunity for release. After 20 years of incarceration, my own family member, John, will have been in prison longer than he was free, the equivalent of his entire lifetime before prison, behind bars. A lifetime is enough to be a different person. It is the difference between a teenager and a 40 year old.

While watching someone you love dream of a life you don't know if they will ever reach is painful, seeing their growth is amazing. During his 17 years of incarceration, I have seen the leadership in John that drives him to support others in rehabilitation. Being given the opportunity to get therapy while behind bars has given him a chance to finally unpack the first 19 years of his life, where he often experienced things no child should have to experience, that contributed to his incarceration. It's also allowed him to address the harm that he has caused and to gain the wisdom to know where he wants to go. Our dream is to have our family whole.

A second look through SB 123 is not a guarantee for anyone to come home, but it is hope. Hope that a judge will see what decades worth of growth has amounted to and grant some the opportunity to finally come home and bring that hard work to the community with them.

I 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, and finally get the chance to fully be sons, daughters, parents, spouses and siblings to their families again. Nothing has brought me more joy in this fight than seeing other coalition members who have come home after decades in prison, now reunited with their wives, children and parents.

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

Thank you.

Craig Muhammad 01.29.2024.pdf

Uploaded by: MARTINA HAZELTON

Position: FAV

MRS. HAZELTON,
RECEIVED YOUR INSTRUCTIONS.
YOU SHOULD GET MORE
PROFILES. I DID THIS ONE
A FEW MONTHS AGO. WILL
HAVE THE JCI GENERAL
POPULATION GET THEIR
FAMILY TO SEND EMAILS
TO LEGISLATURES. THANK
YOU. GIVE ERIC MY
LOVE & RESPECT

Craig Muhammad (Walker)

WHO I AM TODAY

"Approximately thirty-three years ago, I committed a horrible crime that not only affected the victim but also affected the victim's family, friends and my community. Thirty-three years ago, I did not know that when a crime is committed the entire community suffers. I did not understand the shock waves of trauma that a victim, friends and family experience when someone they love is victimized by crime.... I stand before you today, not as the blind, ignorant, uncaring individual who walked through these prison doors thirty-three years ago, but I stand before you in total remorse and repentance for the harm I have done to individuals, my community and society."

The above statement of contrition was made by me seven years ago at a victim awareness seminar at the Jessup Correctional Institution on August 19, 2015. During 40 years of incarceration, I have developed approximately seven victim awareness seminars/crime symposiums in DPSCS facilities to give voice to victims of crime and to educate offenders on the impact of crime and violence.

I was raised in the Sandtown-Winchester area of West Baltimore. I attended Catholic school until the dire financial situation at home compelled my mother to enroll me in public school to begin the seventh grade. I began public school at Harlem Park Junior High (now August Fells Savage Academy of Visual Arts). The bullying I experienced at Harlem Park Junior High school was traumatic. I could not handle being teased about my homely clothes and shoes with holes in them. When the bullying became physical, I was not equipped to respond appropriately. So, I dropped out of school. Perhaps I would have responded more fittingly had a father been present in my life. However, my father left my mother when I was eighteen months old.

My mother did not realize that I had dropped out of school until it was too late. She was too busy working long hours as a single parent to provide for her children to notice the behavior that accompanies school absenteeism.

EXPERIENCE:

- Group Facilitation
- De-escalation and conflict resolution
- Trauma Informed
- Trauma Responsive
- Recovery Oriented
- Strong Ethical Boundaries
- Able to provide support to diverse populations
- Culturally Competent
- Strong professional written and verbal communication
- Models leadership
- Promotes advocacy

In addition, I was a *ghost student* at Harlem Park Junior High school and at Calverton Junior High school where I was transferred when school redistricting took place. I was passed from the seventh to ninth grade as a *ghost student*. My criminal activity did not start until I dropped out of school and climaxed as a substance abuser with a life sentence for an offense I committed at the age of 21. **THAT WAS THEN.**

THIS IS NOW and EDUCATION IS KEY. My confinement has been a testament of my deep-seated remorse as I equip myself with skills to make amends and help build healthy communities. In 1989 I earned a B.S. degree in Applied Psychology from Coppin University, a HBCU. During my incarceration, I have mentored hundreds of youth under the *Friend of a Friend* program. I am an experienced Special Education/Adult Basic Education/GED tutor. I sat on the steering committee that created the *University of Baltimore Second Chance College* program at the Jessup Correctional Institution. Today, I serve as a writing tutor for the program. I am also a facilitator for a legal writing program sponsored by the *Georgetown University Law Center*. I have used my skill set in education to help as many incarcerated persons as possible overcome illiteracy and obtain an advanced education.

From 1983-1991 I earned approximately 9,100 work hours as an apprentice Electrician. In 2022, I completed 500 experience hours, 25 supervision hours and 46 hours of training to become a Trained Peer Recovery Specialist. Certification testing is pending before the Maryland Addiction & Behavior-health Professionals Certification Board. I provide peer support, including trauma informed care, group and one-on-one services to over 50 incarcerated persons per week.

In 2014, I created Project Emancipation Now (PEN)—a gang emancipation, conflict resolution, mentoring and victim-community impact services organization. PEN has emancipated many men from gangs in the Maryland prison system and interrupted numerous potentially violent situations. PEN has zero percent recidivism of an emancipated gang member returning to the gang/criminal lifestyle. PEN keeps accurate records. Presently PEN is developing a blueprint for a ***PEN Center for Community Healing*** to provide wrap around services to youth in urban areas. It is my hope that one day I will be released to make that vision reality and use my skill set in my community.

EXPERIENCE:

- **Strong organizing skills**
- **Victim Awareness**
- **Crime/Violence impact aware**
- **Comprehends complexities of trauma**
- **Community informed**
- **Trauma equipped**
- **Gang Emancipation**
- **Violence Interruption**
- **Violence Intervention**
- **Violence Prevention**
- **Strong youth mentoring skills**
- **Strong facilitating skills**
- **Program development**

ADDITIONAL EXPERIENCE:

- *Comprehension of A. C. & D. C. electricity*
- *Electrical house wiring*
- *Lighting installation*
- *Fluorescent light repair (i.e. ballast replacement, single/double pin socket replacement)*
- *Schematic reading*
- *A. C. motor repair (Bushing replacement, Armature repair, etc.)*
- *Service panel comprehension and troubleshooting (GFCI & AFCI Circuit Interrupters, Circuit Breakers, Fuses, etc.)*
- *AWG wire gauge informed*
- *Conduit bending & installation (EMT, IMC & FMC)*
- *Multi-phase circuit informed*
- *Multimeter comprehension and use*
- *Bonding and Grounding comprehension*
- *Troubleshooting*
- *Work Order informed*

NBCI - 01.31.2024.pdf

Uploaded by: MARTINA HAZELTON

Position: FAV

Warren X Stuckey #241-212
North Branch Correctional Institution
14100 McMullen Hwy., S.W.
Cumberland, Maryland 21502

RE: Support and Consolidation for Justice
Reform to Change Laws to Protect Against Intermecine Harms

Martina Hazelton
Co-Founder and Executive Director
Family Support Network (FSN)
3957 1/2 Minnesota Avenue, NE
P. O. Box 64093
Washington, DC 20029

Dear Ms. Hazelton:

This letter is being written on behalf of the men who reside in North Branch Correctional Institution-(**herein after 'NBCI'**)-; because we wish to share our sentiment with you and the Attorney General (Mr. Anthony Brown) for the rebel endeavor in which you'll have taken upon yourselves.

All of the letters of the men who support the many who are advocating for us really wish you to know that we are with you in spirit. As the Student Minister of the Nation of Islam, I am in a continuous struggle (**though worth every second**) for self-development and reform which entails doing that which is in line with producing a reformative mind through efforts of remorse; enabling one to grow beyond the deplorable thinking and behavior patterns. It isn't until the human being learns how to truly evolve the self, that he/she is able to reform and give the same to others.

Since coming to prison in 1983, for the murder of a childhood friend (Larry "Woodie" Erickson), I have spent my time trying to figure out what was causative enough to transform a young mind to do that which troubles the innate propensity for right thinking. Of course, we can all concede to how certain conditioning has been the culprit to belie and distort that which the communities (i.e. **"culture"**) in Black and Brown areas suffers from, and pass them off as mere slippages of those languishing therein; however, those understanding the power of having a voice knows better. For whenever you take the ability of people to articulate their feelings (i.e. **like human beings should**); what depreciates as a result is more than just the gift of expression; they become what they see. And, this means to lose that ability altogether.

Children moves in errant due to what the eye catches; because they lack the know how of distinction between right and wrong. This is precisely why parents and other guardians sometimes find it difficult to grasp "why?" Now, after years of research and experiments; it becomes obvious that the mind capacity of even early adults lack true comprehension of a wide tendency to produce for that mind, clarity of measuring a full impact for deviation. We learn this empirically. This is why the task; as well as the path, assured by those like yourselves are of extreme importance. They help to facilitate a better lens from which to see how entangled goes this intermecine problem.

Each individual whose names affixes this show of support, most of whom have endeavored to prove ourselves worthy of such advances on your parts, by living a life that could be easily

braved to support the argument against giving us a second chance to live in a wellness state outside of these confines.

We are extremely hopeful of the Bill passing with respect to this regard. If you haven't seen or been told by the many you represent in these laborious undertaking; know that our gratitude speaks volumes of your worth in the cause of justice and devotion. WE thank you; and say, "Mizpah!"

Sincerely,

Warren X Stuckey ("Warren Muhammad")

CC:MS

Anthony G. Brown

200 Saint Paul Place

Baltimore, MD 21202

Greeting Mr. Brown,

First and Foremost I would like to start off by thanking you for your concerns and your efforts in reducing Mass incarceration and also establishing meaningful reform in Maryland's criminal legal system.

As an incarcerated individual serving a sentence of life without the possibility of Parole, I feel discriminated against because of my sentence. Serving a life without Parole sentence doesn't allow me to move throughout Maryland's prison system to be able to take advantage of certain programs or special Trades other institutions may have to offer. I believe that there should be a criteria met that would allow incarcerated individuals the opportunity to advance throughout the prison system. The idea of reform is for one to improve on self, the system doesn't allow individuals to do that.

I would also like to thank you and your constituents for your work and support in trying to get the Second Look Act Bill passed. I believe in second chances for individual who have earned it, I also believe that they shouldn't be taken lightly. I am amongst some men who are well deserving of a second chance, and I pray that one day they'll get that chance because they have so much to offer to society.

Mr. Brown I can't even express to you the importance of this bill and the affect that it will have on individuals who are so eager to do the right thing, to re-enter society and be productive citizens to there communities.

Again Mr. Brown, thank You and all who support the cause for reducing mass incarceration and establishing meaningful and effective reform in the legal systems.

Sincerely,

James Turner

James Turner

364-875

November 26, 2023
10:07 AM

ABRAS MORRISON
N.B.C.I. - 227630/136197
H100 Mc-Mullen Hwy, 50
Cumberland, MD 21502

Dear Honorable Anthony G. Brown;

Goodmorning Sir!

Sir, first allow me to Thank you for reviewing and supporting the Second Look bill in Maryland, to change the mass incarceration of Blacks and other marginalized people. Yes Sir, you are correct and it has been proven that lack of educational services, equality and care leads to us making negative decisions. One of the main reasons for men and women spending 3 to 5 decades incarcerated, is because when errors are raised to the courts, the circuit courts use their discretion instead of applying the Md. law. In my case, my co-defendant pled guilty, did 29 yrs on his life sentence, had his sentence modified twice & freed June 2020. I did not plead guilty received life without parole sentence. I have raised the claim with verifiable proof that the State's Attorney lied to the court for me to receive the enhanced/increased penalty. Up to now no one from the State's Attorney office, including

415

The State's Attorney have said that my claim is untrue. I say again, no member of the opposing party has said, nor can they say, my claim is untrue. Yet, up to now, every judge has just denied the motion or petition with no opinion. In Gregory Daniel Lambert's situation, he did exactly what you told him to do pertaining to his Md. R. 4-351 claim, he even used the exact case and motion you said he should have filed. Yet, the circuit court judge denied his claim with NO OPINION. So, as you can see Sir, the circuit court judge are not using the Md. law to address errors, they are using their discretion, which many times leaves you and the appellate courts to deal with the claims. Please make sure that in the Second Look Act bill, it is stated that, ONCE AN INCARCERATED PERSON SATISFIES THE requirements, juvenile or not, the court must modify the incarcerated person's sentence. Otherwise Sir, the judges will use their discretion and deny the modification, every 5 yrs., leaving MASS INCARCERATION OF BLACKS AND OTHER marginalized people UNCHANGED.

Thank you Sir, for reading these words.

2

Sincerely,
Abner Morrison

DEAR HONORABLE ANTHONY G. BROWN;

GOOD DAY SIR!

I PRAY THIS LETTER REACH YOU IN THE BEST SPIRIT.

I WOULD LIKE TO FIRST THANK YOU FOR YOUR SUPPORT OF THE SECOND LOOK ACT BILL. AS YOU KNOW, MANY BLACK MEN, WOMEN AND CHILDREN ARE DISPROPORTIONATELY INCARCERATED IN MARYLAND AND ALL ACROSS THIS COUNTRY. PART OF THE REASON FOR THIS PROBLEM OF MASS INCARCERATION IS NOT ONLY THE CULTURAL, ECONOMIC, SOCIAL ILLS, ETC., OF BLACK PEOPLE, BUT ALSO THE STATES ATTORNEYS AND JUDGES THAT DON'T FOLLOW THE LAWS/MD. RULES WHEN ERRORS ARE MADE BY THE STATE, THE COURT OR LAW ENFORCEMENT. INSTEAD OF GRANTING BLACK MEN, WOMEN AND CHILDREN RELIEF ACCORDING TO THE MD. RULES/LAWS OR EVEN THE PROGRESS/GOOD BEHAVIOR OF THE INCARCERATED, THE STATE AND/OR THE COURT CHOOSES TO KEEP US INCARCERATED; THEREFORE PERPETUATING THE MASS INCARCERATION OF BLACK MEN, WOMEN AND CHILDREN. PEOPLE SUCH AS YOURSELF ARE IN A POSITION TO HAVE MERCY ON US. THANK YOU FOR YOUR TIME AND ENERGY.

SINCERELY,



GREGORY DANIEL LAMBERT
327-299/1528429
N.B.C.I.

14100 MCMULLEN HWY, S.W.

CUMBERLAND, MD. 21502

11-27-23

DaJuan Marshall #400088 #2102583

14100 McMullen hwy, S.W

Cumberland, Md. 21502

Mr. Brown,

I am writing on the behalf of myself and the many other incarcerated men, women, and children throughout Maryland. I thank you for having interest and considering the Second Look Bill. As you know there are many of us incarcerated looking towards, fighting towards, and deserving of a second chance at life and the Privilege of freedom. From those who have languished behind bars for a crime committed in their childhood, or to those of us who are truly innocent but were still convicted, or to those who've truly transcended from their past self. This second look gives hope and would be in the best interest of Justice and morality.

As I enter my 16th year of incarceration, I think of the men and women who have been in bondage for 20, 30, 40+ years, and to what end?

Is it humanly possible to not evolve past the mistakes or faults committed in our youth? We should all be deemed worthy of rehabilitation, redemption, and reconciliation. For crimes one is convicted of should punishment be the end all, say all?

I have met the genuine at heart, and some of the greatest minds on this journey, and surely their families and society would receive a great service by their presence. The Second Look act would bring fair balance on the scale of justice, so once more on the behalf of the often forgotten and exiled... I thank you, and thank you for taking time to read my words. Sincerely,
DaJuan Marshall

In The Name of Allah, The Beneficent

The Most Merciful

As-Salaam Alaikum (Peace and Blessing be upon you)

Mr. Brown first, before I begin to address any subject matter. I would be remiss if I don't thank you and all of those who stand/work shoulder to shoulder with you on the Reduction of Mass Incarceration, and Restructuring this broken Maryland Criminal Legal System.

Now as a Incarcerated Individual (II) serving a life with parole sentence, by guilty plea; which is a high rate in itself. I have been confined since 2009, and what the system calls a model (II) and still hasn't gotten all the system has to offer. I believe as a Lifer we should've multi-option that will maximize the potential for Self-Improvement, and Higher Education. Because in doing so this gives the person the opportunity to show and prove his/her Rehabilitation; isn't this suppose to be the goal for the prison system?

So working to pass the Second Act Bill is very much needed. So those who has qualified themselves as Redeemed (II)'s, will then in return be the solution to the problem in society. Me and many other Brother's are willing to be The Price of Redemption to save one life. I hope and pray that all parties argue their proportion of the bill and why it should pass like their children's life depends on it, because it does. Now why I said that is because your children ~~are~~ either growing up in some of the same or similar environment.

my final thoughts, and suggestion is to jump start this Reform in the Maryland Criminal legal System. ONE I believe it should be a Integrity Unit inside Baltimore County and in any state that doesn't have this Integrity Unit (IU) in place; Because the unit establish responsibility and accountability from the Highest to the Lowest, (from Police officers, Prosecute's, and Judges etc.) Our Criminal legal system has all type of Rules and Regulation Md-Rules, Criminal Procedure etc. that (must) be followed to the Letter; not circumvent. So whenever The Law is precisely shadow it creates Balance and Justice brings peace.

Mr. Attorney General, what you are witnessing in our city streets is the lack of Balance. Mr Brown our goal is to correct misconduct of any kind of the root. So let's continue to work haed to restore our communities. Thank you for all your Support Sir!

your truly
Robert X Crowder 364-717

"Where there No Justice, there No Peace"

Marvin L. Warner
14100 Mcmullen hwy, SW
Cumberland, MD 21502
December 22, 2023

Dear Attorney General Anthony Brown,

Hello sir! My name is Marvin L. Warner. I'm currently incarcerated at North Branch Correctional Institution, serving a life sentence. I'm writing you in reference to (Maryland Second Look Act). I would be remiss in my duties as a reformed man, if I didn't express my gratitude to you and your administration for supporting the second look act. The second look act, ~~the~~ is a great step towards criminal justice reform in the state of Maryland.

I know that the keys to making the state of Maryland a safer environment reside in the hearts of the men at N.B.C.I, with a second chance

and proper Funding, I and many others
will become a great asset to the
communities within the state. Myself
and many other men and women look forward
to benefiting from this. Thank you sir!

Sincerely
Marvin Warner
Mar Warner

Dec 15, 2023

To: Attorney General - Anthony G. Brown

I Am writing you this letter to show my appreciation and admiration towards you, for supporting and advocating for the passing of The Second Look Act that's coming up for a vote next year. I am a individual who fits under the criteria of this Bill. I was arrested at the age of 18 yrs old and convicted at 19 yrs for a murder, and sentenced to a life sentence without the possibility of parole. This Bill will help me greatly, in achieving my freedom back giving me the opportunity, to make something out of my life on a positive note. And giving back to my community. My family support me and they also support's you, and the advocacy of this Bill. I would like to know who else I need to contact and support with my family to get this Bill passed into law.

Thank you! For listen Sincerely Mr. Jerome Blawie Jr

SN# 1662295 N.R.C.F

Cumberland, MD 21502

14100 McMillen Hwy S.W

(Time of my Arrest 1996)

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Position: FAV

MR. ANTHONY BROWN:

12-22-23

MY NAME IS ERIC CLARK AND I AM CURRENTLY INCARCERATED AT M.B.C. IN CUMBERLAND, MARYLAND. I AM RESPECTFULLY ADDRESSING THIS LETTER TO YOU IN REFERENCE TO YOUR APPRECIATED SUPPORT AND ASSISTANCE WITH THE SECOND LOOK ACT BILL. MR. BROWN, THIS LETTER ISN'T JUST ABOUT ME THANKING YOU ON BEHALF OF MYSELF; SIR, THIS IS A LETTER ON BEHALF OF ALL OF THE MEN AND WOMEN HERE IN MD AND ACROSS THE COUNTRY, WHO ARE ACTUALLY UNABLE TO SAY "THANK YOU". SO MANY MEN AND WOMEN WHO ARE INCARCERATED REALLY DO DESERVE A SECOND CHANCE — A SECOND LOOK AT LIFE. MANY OF US CAME TO PRISON AS LITTLE BOYS AND GIRLS WITH UNDEVELOPED MINDS; MEANING, WITHOUT ANY VALUES OR TRUE GOALS. YET, OVER THE PAST 20, 25, 30 YEARS ALOT OF THESE SAME YOUNG BOYS AND GIRLS HAVE EVOLVED, GROWN AND MATURED INTO MEN AND WOMEN OF AND WITH HONOR, INTEGRITY AND RESPECT. ELEMENTS OF VALUES AND PRINCIPLES THAT DIDN'T EXIST IN OUR EARLIER UN-NURTURED YEARS. THIS IS WHY THE SECOND LOOK ACT BILL IS SO NEEDED, SO IMPORTANT AND SO POWERFUL. THIS BILL GENERATES AN INCENTIVE TO SO MANY TO CONTINUE TO GROW AND TO CONTINUE TO DO GOOD. THIS BILL IS A POWERFUL ENCOURAGEMENT TO MEN AND WOMEN TO CONTINUE TO PROPERLY REHABILITATE THEMSELVES IN A MORE POSITIVE AND MORE STRONGER MANNER. THAT'S MENTALLY, MORALLY, EMOTIONALLY, SOCIALLY AND SO ON. YET; HOW CAN WE DEMONSTRATE OUR TRUE GROWTH FOR SELF AND OTHERS, IF WE AREN'T AFFORDED ~~AN~~ A GENUINE OPPORTUNITY TO BE OUR TRUE REHABILITATED SELF. THAT'S ONE WHO DOESN'T TAKE LIFE OR IT'S BLESSINGS FOR GRANTED. ONCE AGAIN, ON BEHALF OF ALL THE MEN AND WOMEN THIS BILL AND YOUR ACTIONS HELP — "THANK YOU" ⁰⁰⁰ ₀₀₀

ERIC CLARK #188-711

Dear Att. General Brown, I'm writing to you in reference to the Second Chance Act, as well as the traumatic issue being the mass incarceration within our community in our state. I am in full support of the initiative and any necessary actions needed to be taken in the form of programming and rehabilitation. I believe that between the misunderstandings and complexities in the cases of charged and convicted persons and the bias nature in which we are judged in these cases, as well as taking the next steps in remedies within the Honorable Courts and judges not using law to fulfill the requests in such errors is another issue. Judges shouldn't be able to use discretion at the least, when their responsibility is to strictly exercise the law. Sir I believe that everything ties into problems needing to be addressed in the form of mental health aid. I hope that all parties involved can work together to reach the ultimate goal of correcting these matters at hand, and I would like to personally thank you for taking the time to address such matters.

Respectfully submitted,

Quanta' Warrell
secret
492031

Dear Atty. Gen. Anthony Brown,

My Name is Myron X & I'd first like to thank you in advance for taking time to read my letter.

I submit it in Prayer, seeking your assistance or/and instructions as to how I may receive relief regarding an error in my sentence, as it pertains to Md. Rule 4-351(a)(5) governing Commitment Records.

Specifically on Jan. 1998 I was sentence to Double Life + 50 Years. However, during my sentencing, the Judge failed to follow the guidelines established by 4-351(4) In stating when my Sentences were to end & the next was to begin, with multiple consecutive sentences. For simplicity & clarity, I've included a 2 page copy from my transcripts to display for you exactly that which my complaint is in reference to.

Mr. Atty. Gen., I hope & pray that you can offer some insight that'll ultimately sport me relief in this matter. Again, thank you much for your time.

Mr. Anthony G. Brown
Attorney General of Maryland
Office of the Attorney General
Criminal Division
200 - Saint Paul Place
Baltimore, Maryland 21202

Bro. Edward J. X (Ford), Jr. 475837/45189
North Branch Correctional Institution
14100 - Mc Miller Hwy, S.W.
Cumberland, Maryland 21502-5777
December 17th, 2023

RE: THE SECOND CHANCE ACT

Dear, Attorney General Brown

It is with a heavy heart that has been filled with aspiration caused by the introduction of THE SECOND CHANCE ACT. It is with the high hopes of the possibility of acquiring your support and overall endorsement of said legislation, that I am initiating this communication. Not that I am one who is so adept at coining petty phrases, or so gifted with my word usage, however, I do sincerely pray that my words as, herein, will cause you to reflect in thought.

As the State of Maryland has for quite a number of years has not even considered ever granting parole to its prisoners, who had been sentenced to serve (parole-eligible) life sentences. That is, even if over many years of incarceration the prisoners in question had clearly demonstrated their "rehabilitation", which was being done "solely" for political purposes. As the state has a new progress governor now, it is hopeful that Maryland will leave that antiquated political way of thinking in the past, as we are now living in the twenty-first (21st) century!

In support my position is this: the prisoners in this category has caused a bottleneck to develop, which has and is the direct cause of prison over-crowding; exorbitant prison budgets;

along with under staffing, etc. But even more to the point, Stanford University conducted a study which clearly demonstrated that older prisoners, who had spent lengthy periods of incarceration were less-likely to return to a life involving criminal activity. And there are mountains of other behavior studies that has arrived at the self-same conclusion. Lastly, crime is the product of poverty; the lack opportunity; racism (in some cases); environment, and of course, many would say "GREED". However, from my personal situation at that juncture in my life, it was "the only" means that I had open to myself to survive!

Only if hind-sight was our fore-sight, none of the life altering mistakes that people make ~~would~~ of ever come about! Even more real and consequential over time, people do change; thus, the need to belief in reform, redemption, and the possibility of rehabilitation. In closing, let me just say this: the yester in the DMV see out there running amok and those of us who they would willingly listen to, are here warehoused in prison; that is, when we should be out there straighten-out those yester and improving our neighborhoods. I close wishing you and your family continued good health, and a very happy holiday.

Respectfully Yours,
Mrs. Edward J. X (1/01), Jr

Mr. Anthony G. Brown
Attorney General of Maryland
Office of the Attorney General
Criminal Division
200 - Saint Paul Place
Baltimore, Maryland 21202

James Logan
347025/2039203
17100 Mc Mullen Hwy, SW
Cumberland, Md 21502
December 19th 2023

RE: The Second Chance Act

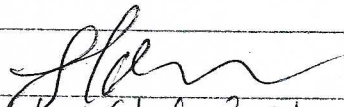
Dear, Attorney General Brown

After learning about the Second Chance Act and the possibility of acquiring your support and overall endorsement I had to write this letter. The Second Chance Act is not only a great thing for the Maryland Prisoner, but also for the Maryland Justice Prison System. Mass incarceration is becoming a big problem for the United States. The Maryland State Prison system alone is overcrowded. Most incarcerated individuals after spending a substantial amount of years say 8 years are really trying hard not to return to prison or a criminal lifestyle for that matter. Many men and woman in the Maryland State Prison System are serving life sentences and have spent more than 25 years incarcerated. Majority of these individuals have been rehabilitated and ready for a Second Chance. It is my sincere prayer and hope that you endorse this Second Chance Act and give these men and women a Second Chance.

Sincerely,
James Logan

12-20-2023

to Whom this letter is concern I AM
LLOYD Walters at North branch Correctional
Institution doing life +20+20. the second
Chance act is in need of pushing from A body
of people in power and people of Control and
people of influence. the second Chance
act is what people like me need but the prob
lem is there is know one pushing for it behind
the second Chance act. the problem is know
one is concern like the people that need it the
most like me. I AM sorry for the individual
that got the chance to do right but did wrong.
the second Chance act need pushing need
ever one in power to be pushing for the second
Chance act. I LLOYD Walters is in need of the
second Chance act because I have A son that
is seven that need is daddy and mommy to grow
him up right and not wrong. to Whom this
letter is concern please push for the second
Chance act please.


LLOYD Walters

Peace & Blessings

12-22-23

Dear Sir

My name is Thomas D. Cook I'm sending you this letter thanking you for supporting the second look act giving someone like myself hope of not having to spend another 15 years in prison.

I don't have the best adjustment history and I've been lock up for over 25 years. Now,

I've been able to grow and come to an understanding of who I am and my worth. I have completed some programs while being housed here at N.B.C.I.

When you spoke about mass incarceration, I see the men and women who look like myself.

I don't proclaim to be innocent, but I will say that everytime I broke a rule, a penalty was to be paid. So when the judge says that he would use my sentence as a deterrent for other. Never once did he say anything about Rehabilitation being apart of my sentence. This is a real issue that should be address.

So again thank you for not only speaking on this but putting action behind your words.

Sincerely
Thomas D. Cook #283-827

From: North Branch Correctional Institution
 Incarcerated Individuals

To: General Assembly of Maryland (2024)

Re: "With my signature, I declare the need
 AND my support for Maryland Second
 Look Act (2024):"

	Print Name	Sign Name	Age of I.I.	Years Served
1.	Abram Morrison	Abram Morrison	52	32
2.	Daquan Marshall	Daquan Marshall	42	16
3.	THOMAS W. COOK	Thomas W. Cook	48	26
4.	Travis Thaniel	Travis Thaniel	43	20
5.	Eric Athinson Jr	Eric H. Athinson	36	20
6.	Nasiruddin Bey	Nasiruddin Bey	46	25
7.	Daniel Sullivan	Daniel Sullivan	43	12
8.	Roberto A Murillo	Roberto A Murillo	40	16
9.	Danny McGee	Danny McGee	67	27
10.	Andre Lawson	Andre Lawson	40	23
11.	John Falkenstein	John Falkenstein	67	10
12.	Eugene James	E. J.	30	5
13.	Mark A. [unclear]	Mark A. [unclear]	53	21
14.	DaQuan Dickerson	DaQuan Dickerson	27	7
15.	John Garcia	John Garcia	56	21
16.	Donald Peoples	Donald Peoples	32	12
17.	Bill Phillips	Bill Phillips	38	3
18.	Marvin Warner	Marvin Warner	37	13

	Print Name	Sign Name	Age of I.I.	Yrs. Served
19.	Keith Jones	Keith A Jones	48	18 yrs
20.	Forbes B	Forbes B	48	24 years
21.	Alvaro Hernandez	Hernandez	41	14
22.	Lamont Brown	Lamont Brown	50	18 years
23.	Ernest Rivers	Ernest Rivers	56	17 years
24.	Andre Chavis	Andre Chavis	64	21 years
25.	FREDERICK VAUGHN	F. Vaughn	35 35	20
26.	Garry Qualls	Garry Qualls	33	16
27.	Nathaniel Appleby	N. Appleby	72	50
28.	David Hunter	D. Hunter	36	12 1/2
29.	Demetrius Thompson	Demetrius Thompson	28	5 1/2
30.	Dominic Daniel	Dominic Daniel	31	7
31.	Douglas Starlip	Douglas Starlip	44	23
32.	Tron Johnson	Tron Johnson	22	15 1/2 months
33.	Wycliff Butler	Wycliff Butler	33	
34.	Antonio Davis	Antonio Davis	28	7
35.	Cordell Chase	Cordell Chase	38	18
36.	Wanken Taylor	Wanken Taylor	43	13
37.	Anthony Smith	Anthony Smith	40	18
38.	Garry Qualls	Garry Qualls	33 33	16
39.	DERRICK DAVIS	Derrick Davis	53	30
40.	Dominic Webster	Dominic Webster	64	15
41.	D. Lewis	Derrick Davis	32 32	10
42.	Frederick Christian	Frederick Christian	44	14
43.				
44.				
45.				

From: North Branch Correctional Institution
 Incarcerated Individuals

To: General Assembly of Maryland (2024)

Re: "With my signature, I declare the need
 AND my support for Maryland Record
 Look At (2024):"

Print Name	Sign Name	Age of II	Years Behind
1. ABRAS MORRISON	Abras Morrison	52	32
2. Robert Bryant	Robert Bryant	47	24
3. Quinton Heard	Quinton Heard	47	8 1/2
4. AVON TULL	Avon Tull	29	6 1/2
5. Nathaniel Nelson	Nathaniel Nelson	43	22
6. TEDDY SHANNON	Teddy Shannon	35	7
7. Gregory Barber	Gregory Barber	39	17
8. Lanie Walker	Lanie Walker	44	16
9. Devin Lee	Devin Lee	32	8
10. Corey Thomas	Corey Thomas	34	12
11. RUSSELL HARDEN	Russell Harden	41	15
12. Tremayne Lewis	Tremayne Lewis	35	10
13. Rodney Holloman	Rodney Holloman	43	8
14. Jason Herring	Jason Herring	42	7
15. Mark Canty	Mark Canty	51	25
16. Adrian Outten	A. Outten	37	17
17. Martin Harris	M. Harris	39 II	12
18. Robert Hanna	Robert Hanna	43 II	23

	Print Name	Sign Name	Age of I.I.	Yrs. Served
19.	Elgin Phelps	Elgin Phelps	FI 58	21 YRS
20.	Ryan Holden	Ryan Holden	II 26	6 years
21.	Ricardo Henriquez	Ricardo Henriquez	IF 57	32/YRS
22.	Anthony Bowers	Anthony Bowers	II 38	6 years
23.	Miguel Duke	Miguel Duke	II 27	6 years
24.	Irvn Brown	Irvn Brown	II 41	22 yrs
25.	Sean Jenkins	Sean Jenkins	II 29	11 years
26.	ERIC CLARK	Eric Clark	II 55	36 years in
27.	Mark Hemphill	Mark Hemphill	46	27 yrs
28.	Michael Wallace	Michael Wallace	FI 38	17 years
29.	Shawn Clark	Shawn Clark	II 49	30 years
30.	George Murray	George Murray	II 43	11 years
31.	Yasamin Vann Sheed	Yasamin Vann Sheed	II 49	20 yrs
32.	Jamal Chapman-Bey	Jamal Chapman-Bey	II 46	15 yrs
33.	Lateef Mapp	Lateef Mapp	II 35	3 yrs
34.	JAVON SANDS	Javon Sands	II 42	23 yrs
35.	Red Cannon	Red Cannon	ID 50	24 yrs
36.	Donta Matthews	Donta Matthews	33	14 yrs
37.	Russell Cole	Russell Cole	41	20 yrs
38.	T. Webb	T. Webb	27	14 yrs
39.	Dayvin Cooper	Dayvin Cooper	18	6 years
40.	Dayvin Cooper	Dayvin Cooper		
41.	George Skights	George Skights	49	29
42.	Jishva Edwards	Jishva Edwards	36	16
43.	Warren X Stuckey	Warren X Stuckey	52	31
44.	GREG LAMBERT MASTER GX	Greg Lambert	49	20
45.	Robert X Crowder	Robert X Crowder	44	15

From: North Branch Correctional Institution.
Incarcerated Individuals

To: General Assembly of Maryland (2024)

Purpose: "With my signature, ~~and~~ I declare the need and my support for Maryland Second Look Act."

Print Name	Signature	Age of II	Years served
ABRAHAM MORRISON	Abram Morrison	52	32
Enrique Gonzalez	Enrique D. Gonzalez	48	30
Dominick Simons	Dominick Simons	33	Since 2014
Ryan Johnson	Ryan Johnson	23	4 years
DAVON MARKHAM	Davon Markham	35	50
Richard D. Mose D. Mose	Ran D. Mose	39	7
Tyrrell Bogden	Tyrrell Bogden	38	25 years
Derrick Sellman	Derrick Sellman	36	30 years
Korey Stevenson	Kory Stevenson	38	43 years
DWAYNE HARRIS-EL	D. Harris-El	54	33
JOHN C JOHNSON	John C Johnson	48	29
Donald Vaughan	Donald Vaughan	40	26
James F. Young III	James F. Young III	29	7
ERIC V. POOLE	Eric V. Poole	55	22 years
Nicholas Colman	Nicholas Colman	29	13

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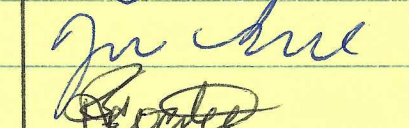
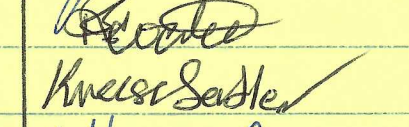
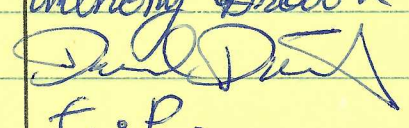
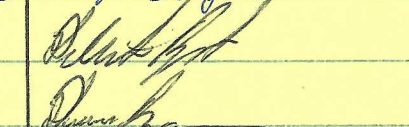


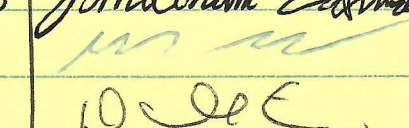
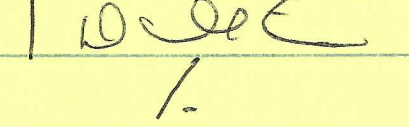
Position: FAV

NAME	SIGNATURE	Age	Years incarcerated
HARRY DAVIS	Harry Davis	32 year old	14 years in
Arthur Phillips	Arthur Phillips	43 years old	17 years in
Janeal Thompson	Jane Thompson	32 years old	11 years in
Kristopher Stull	Kestell	41 yrs old	5 yrs in
John Kidwell	John Kidwell	35	3 yrs in
Charles Mayberry	Charles Mayberry	48	25 yrs
Walter Grey	Walter Grey	44 years old	18 years
Ronald Russell		10 years	1-C-53
Frank Thodos	Frank Thodos	18	36 7 yrs
Edward Knight	Edward Knight	52	28 years in
R. Rahman	R. Rahman	49	22
Bill Wallace	Bill Wallace	51	31
Juan Brown		55 years	5
Yahya Jibed	Yahya Jibed	38 year	8 years
Nike Hicks	Nike Hicks	29 Years	7 Years
Jeffrey Corbett	Jeff Corbett	38 years	14 years
Kennell S. Williams	Kennell S. Williams	53 53 years old	34 years
Shawn Jones	Shawn Jones	52 years old	54 years
EDGAR DAVIS	Edgar Davis	52 yrs	27 years

From: North Branch Correctional Institution
Incarcerated Individuals

To: General Assembly of Maryland (2024)

Re: "With my signature, I declare the need
AND my support for Maryland Second
Look Act (2024):"

	Print Name	Sign Name	Age of I.I.	Years Behind
1.	Abram Morrison	Abram Morrison	52	32
2.	Andre Chavis	Andre Chavis	44	21
3.	James Coombs	James M. Coombs	52	30
4.	Jerrell Jones		36	17
5.	Thomas Taylor		20 42	17
6.	Jason Mitchell		44	22
7.	Ken Scudder		63	34
8.	Kwasi Sadler	Kwasi Sadler	30	7
9.	Anthony Brown	Anthony Brown	63	33
10.	Desmond Dickey		52	23
11.	ENRIQUE PIZARRO	E.P.	39	17
12.	Polycarpus Long	P. Long	41	19
13.	Delonte Bryant		30	9
14.	Dayven Byrd		30	2
15.	Tony Cateer		31	12
16.	Jonathan Edmonds	Jonathan Edmonds	34	16
17.	WAYNE BOOR		24	15
18.	Darnell Kintan		33	13

	Print Name	Sign Name	Age of I.I.	Yrs. Served
19.	Mario Rodriguez	---	35	17
20.	A. Torres	Torres	24	8
21.	D. Markham	---	35	16
22.	W.C. Turner - 41	W.C. Turner	41	5
23.	J Woodley	J Woodley	39	10
24.	Terence Butts	Butts	31	
25.	TERRENCE BUTLER	Terence Butts	35	31
26.	Christian Brooks	Chris Brooks	40	17
27.	JUAN RANOLPH	Juan Ranolph	36	8 1/2
28.	harry Hirsch	Harry Hirsch	31	14
29.	Malik Shalour	Malik Shalour	26	8
30.	Cody Russ	Cody Russ	26	
31.	DWAYNE HARRIS - 54	D. Harris - 54	54	33
32.	Ricky Horton	Ricky Horton	35	Double life Plus 90 years
33.	JARREN WITMER	Jarren Witmer	54	37
34.	PAUL DUFFY	Paul Duffy	35	10
35.	Danzel Phipps	Danzel Phipps	28	10
36.	ROBERT ANDERSON	Robert Anderson	34	11
37.	John H. Dunn	John H. Dunn	41	14
38.	Adrian Washington	Adrian Washington	33	15
39.	DARRON TAYLOR	Darron Taylor	32	13 1/2
40.	Orey Smith	Orey Smith	25	7
41.	Christopher X	Chris X	32	9
42.	Robert Hylton	Robert Hylton	#33	5
43.	Jordan N. Jennings	Jordan N. Jennings	#1	
44.	Kerrin Cospell	Kerrin Cospell	#35	2.8
45.	Michael Martin	Michael Martin	#52	10

From: North Branch Correctional Institution
 Incarcerated Individuals

To: General Assembly of Maryland (2024)

Re: "With my signature, I declare the need
 AND my support for Maryland Record
 Look Act (2024):"

	Print Name	Sign Name	Age of I.I.	Years Behind
1.	Bro. Edward J-X (Ford), Jr	Bro. Edward J-X (Ford), Jr	76	43+
2.	Brandon Morris	Brandon Morris	39	20
3.	Elwood Green	Elwood Green	35	48+10
4.	Kim Hargett	Kim Hargett	39	17 1/2
5.	Orlando Green	Orlando Green	28	8 1/2
6.	LAMONT A. CURTIS	LAMONT A. CURTIS	52	28 1/2
7.	Harold Singfield	Harold Singfield	11	9
8.	D. Smith	D. Smith	10	6+
9.	R. Stroyd	R. Stroyd	13	21
10.	Maurice Smith	Maurice Smith	#14	40
11.	Type Jones	Type Jones	#15	Life, SAB-55
12.	Joseph Jackson	Joseph Jackson	#39	30 years
13.	Leonte Richardson	Leonte Richardson	33	10 1/2
14.	T. Hewe	T. Hewe	38	Life
15.	Dorothy Powell	Dorothy Powell	32	30
16.	D. Brooks	Dorita Brooks	#44	25 1/2
17.	Arnold Davis	Arnold Davis	44	17
18.	D. McFadden	D. McFadden	20	20

	Print Name	Sign Name	Age of I.I.	Yrs. Served
19.	Brian W. Benson	Brian W. Benson	27	14 years
20.	Brian Jenkins Trevin Jenkins	Trevin Jenkins	32	13 years
21.	Volany Smith	Volany Smith	38	16 1/2
22.	Diana Bessessauer	Diana Bessessauer	26	7 1/2
23.	Keith Edmonds	Keith Edmonds	44 yrs	27 1/2 yrs
24.	Eber Umancor	Eber Umancor	28 yrs	10 yrs
25.	Lamont Anthony Johnson	Lamont Johnson	39	15 yrs
26.	Darryl T. Powell	Darryl T. Powell	36 yrs	18 yrs
27.	Tavon Monroe	Tavon Monroe	38	17 yrs
28.	William Taylor	William Taylor	35	32
27.	Nathaniel Coates	Nathaniel Coates	24	12 yrs
30.	David Brigham	David Brigham	46	27 yrs!
31.	Shaun D. Joyce	SHAUN D JOYCE	43	15 yrs!
32.	Anthony A. Ablonczy	Anthony A. Ablonczy	38	7 yrs
33.	Alphonso Johnson	Alphonso Johnson	23	27
34.	William Stewart	William Stewart	51	28.5
35.	James Earl	James Earl	32	16 yrs
36.	James Macbride	James Macbride	34	11 yrs
37.	HARRIS DAYTON	Harris Dayton	43	16 yrs
38.	James Logan	James Logan	45	21 yrs
39.	Jody Miles	Jody Miles	54	27 yrs
40.	Reginald Williams	Reginald Williams	53	18 yrs
41.	Ryan Hollebon	Ryan Hollebon	45	8 yrs
42.	Ron Shandwick DAVIS	Ron Shandwick DAVIS	70	25 years
43.	Pick Stallings	Pick Stallings	42	17 yrs
44.	Myles Gray	Myles Gray	31	11
45.	William A. Geyer III	William A. Geyer	64	16 yrs

HU-20

From: North Branch Correctional Institution
Incarcerated Individuals

To: General Assembly of Maryland (2024)

Re: "With my signature, I declare the need
AND my support for Maryland Second
Look Act (2024):"

	Print Name	Sign Name	Age of I.I.	Years Behind
1.	BRO. EDWARD J. X (BROD), JR.	BRO. EDWARD J. X (BROD), JR.	76	43+
2.	John P. Hicks	John P. Hicks	46	7
3.	LLOYD WALTERS	Lloyd Walters	57	6
4.	Eugene Waller	Eugene Waller	51 51	19
5.	Gregory Holder	Gregory Holder	41	11
6.	D'ANGELO HEMSLEY	D'angelo Hemsley	47	7
7.				
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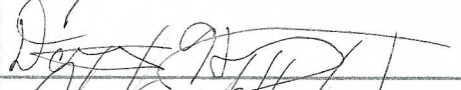
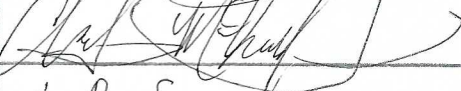



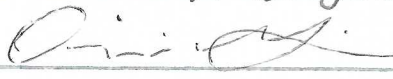



From: North Branch Correctional Institution
 Incarcerated Individuals

To: General Assembly of Maryland (2024)

Re: "With my signature, I declare the need
 AND my support for Maryland Record
 Look Act (2024):"

	Print Name	Sign Name	Age of I.I.	Years Behind
1.	Bro. Edward J. X (Ford), Jr.	Bro. Edward J. X (Ford), Jr.	76	43+
2.	John P. Hicks	John P. Hicks	46	7
3.	LLOYD WALTERS	Lloyd Walters	57	6
4.	Eugene Waller	Eugene Waller	51 51	19
5.	Gregory Holder	Gregory Holder	41	11
6.	D'ANGELO HEMSLEY	D'angelo Hemsley	47	7
7.	DAVID PATRICK	David Patrick	40	20
8.	Michael Boyer	Michael Boyer	50	20
9.	WALTER HALL	Walter Hall	58	34
10.	GARY SWANN Gary Swann	Gary Swann	68	38
11.	Michael VAUGHN	Michael Vaughn	42	20
12.	Vernon Evans	VERNON EVANS	74	40
13.	Edward Bell	Edward Bell	48	20
14.	Larry Davis	Larry Davis	68	17
15.	JIMMY BROWN	Jimmy Brown	59	16
16.	Evan D. Smyth	Evan D. Smyth	60	20
17.	Charles W. Selby	Chas. W. Selby	56	16
18.	Nyckell Butler	Nyckell Butler	33	14

	Print Name	Sign Name	Age of I.I.	Yrs. Served
19.	GREGORY HILTON	Gregory Hilton	23	20
20.	Charles Burns	Charles Burns	52	19 19
21.	Johann Yarbrough	John Yarbrough	52	17
22.	Jose Ulloa	J. Ulloa	50	28
23.	HERB CRAWFORD	Herb Crawford	46	27
24.	Fabian Stipm	Fabian Stipm	58	17
25.	TERRELL Bush	Terrell Bush	43	18+
26.	TROY NASH	Troy Nash	62	15
27.	TAMAR Dudley	Janet Dudley	44	25
28.	Wallace Ball	Wallace Ball	65	29
29.	Keith Carroll	Keith Carroll	45	25
30.	LEON A. COSTLEY JR	Leon A. Costley Jr	58	21
31.	Darrell MATTHEWS	Da Matthews	52	14 1/2
32.	Christopher Grizzle	Christopher Grizzle	34	14
33.	NEIL Lawrence	Neil Lawrence	31	13
34.	Richard Jenkins	Richard Jenkins	59	36
35.	Jerry N. N-B	Jerry N. N-B	60	29
36.	BERNARD Blackwell	Bernard Blackwell	41	21
37.	BARY MICK	Bary Mick	49	24
38.	Richard Miller	Richard Miller	60	16
39.	Wm. Brown	Wm. Brown	56	15
40.	Ricardo Watson	Ricardo Watson	52	18
41.	Butchie Stemple	Butchie Stemple	49	22
42.	Charles's Hanks	Charles Hanks	73	17
43.	Charles Duckett	Charles Duckett	50	17
44.	Vince Wade	Vince Wade	56	31
45.	S. Davis	Thomas Davis	67	25

	PRINT NAME	SIGN NAME	AGE OF I.I.	YEARS SERVED
46.	Randy Clayton		38	12
47.	Raymond Wilson	Raymond Wilson	63	25
48.	James Harley Jr		45	7
49.	Thomas Krenn		33	14
50.	Michael Farmer	Michael Farmer	40	22
51.	Damien Stallworth	Damien Stallworth	47	26
52.	Alexis Jordan	Alexis Jordan	37	19
53.	Otis Edwards	Otis Edwards	48	22
54.	Jibrayl Shaked	Jibrayl Shaked	54	31
55.	Dawn Wiggins	Dawn Wiggins	38 43	23
56.	Derrick Taylor	Derrick Taylor	45	19
57.	Raymond Williams	Raymond Williams	49	14
58.	Dominick Hursey		50	7
59.	Clark McKnight		56	12
60.	Rashad Eady	R E	36	13
61.	Gerald Sears		44	14
62.	Robert Garner Jr	R Garner Jr	39	19
63.	Carlos Ovalle		48	15
64.	HERMAN BOLLING, JR.	Herman Bolling Jr.	73	15
65.	Charles Martin		46	15
66.	Charles L. Bellamy	Charles Bellamy	41	17
67.	Dominic Givens		32	12
68.	Malcolm Pulliam	Malcolm Pulliam	47	14
69.	Emanuel Tardis		70	7
70.	SMITH H. DEAN III	Smith H. Dean	65	27
71.	John Reed		48	28
72.	Ellsworth Slye		44	19
73.	VINCENT THOMAS	Vincent Thomas	52	15

	PRINT NAME	SIGN NAME	AGE OF I.I.	YEARS SERVED
74.	Jose R Mejia-Varela	JRMV	33	12 Years
75.	JAMES TRIMBLE	James Trimble	60	43
76.	TIMOTHY C. WEINMERSKA	Timothy C. Weinmertska	65	16
77.	Jamaal G. Alexis	J. Alexis	37	16
78.	Gregory Wilson	Gregory Wilson	47	20 yrs
79.	SONG YUN	Song Yun	52	33 yrs
80.	JAMES HADKEY	James Hadkey	55	15 yrs
81.	William Brown	William Brown	42	14 yrs
82.	ANTHONY BROWN	Anthony Brown	50	26 yrs
83.	Charles Thomas	Chuck	59	15 year
84.	Rodney Pitts	Rodney Pitts	50	29 years
85.	Joseph Stanley	Joseph Stanley	38	15 years
86.	Laymond Kirby	Laymond Kirby	56	26 yrs
87.	Sulio Aguilar	Sulio Aguilar	43	19 years
88.	Hector Mosquera	Hector Mosquera	35	18 yrs
89.	Antoine Adams	Antoine Adams	55	20 yrs
90.	Karlief Moya	Karlief Moya	47	7 yrs
91.	John A. Miller	John A. Miller	51	26 yrs
92.	Tony Bunker	Tony	32	19 yrs.
93.	Michael Harrod	Michael Harrod	55	13 1/2 yrs
94.				
95.				
96.				
97.				
98.				
99.				
100.				
101.				
102.				

SB 0123 - SECOND LOOK ACT - FSN - MARTINA HAZELTON

Uploaded by: MARTINA HAZELTON

Position: FAV

February 1, 2024 @ 1:00pm (Senate Hearing)

Maryland General Assembly
Senate Judicial Proceedings Committee
2 East
Miller Senate Office Building
Annapolis, MD 21401

RE: SB 0123 – Criminal Procedure – Petition to Reduce Sentence (Md Second Look for All)
SUPPORT

Please accept my written testimony in support of Senate Bill 0123 (HB 0724). I am testifying on behalf of the Family Support Network (FSN) and from my personal experience.

FSN is a network of individuals with incarcerated loved ones, returning citizens and advocates that support one another and serve as a voice for those behind the wall. I have the lived experience and remain near to those that are dealing with the daily challenges of having an incarcerated loved one. Most of the FSN returning citizens and those still serving are lifers or have life equivalent sentences.

My husband was incarcerated at 16 years of age and served 28 years and 8 months in Maryland prisons. In 1993, he was sentenced to two consecutive life sentences plus 23 years. Given his sentence he was not eligible for his first parole hearing until he had served 40 years at which time, he would have been 56 years of age. With all his post-conviction options exhausted and parole out of sight. We thought all was lost. However, after retaining private counsel in March 2017, a Motion to Correct an Illegal Sentence was filed and through that motion it was discovered that there was illegality in his sentence. Subsequently, his original sentence was modified to correct the illegality and through that action he was able to file a second Motion for Reconsideration. His initial Motion for Reconsideration was denied in 1999. After 25+ years of incarceration, the second Motion for Reconsideration was granted and a hearing was scheduled. My husband was not the lost 16-year-old teenager that was engulfed in a situation where he found himself at the wrong place, at the wrong time, with the wrong people. He was now a man in his mid-forties that had matured, committed himself to being a better person, engaged in developmental opportunities whenever possible and ultimately was no threat to public safety. His impeccable institutional record and demonstration of growth garnered the State's support and recommendation of release. On November 8, 2021, his sentence was reduced to time served and by the grace of God he became a free man on November 9, 2021. Since his release he maintains full employment, supports our family, and makes positive contributions to strengthening our community. None of this would have been possible without a Second Look, we both know how fortunate he is and that his case is an exception and not the rule. The one thing that he expresses that lingers over his mind the most is that he left behind so many deserving men that are just like him. He says those men are trapped in a system that has forgotten about them and has left them for dead. He proclaims often that he is not special and that the same "Second Look" that God blessed him with should be bestowed upon others.

Maryland incarcerates the highest percentage of Black people in the country (71% of Md's prison population is Black – 2x the national average). Maryland leads the nation in its level of incarcerated black men ages 18 to 24 by sentencing young Black men to the longest prison terms at a rate 25% higher than the next nearest state (Mississippi). How did this happen? Bias and discrimination against Black and Brown people with low income has been well documented at every stage in Maryland's criminal legal system, to arresting and sentencing. It is my desire that you consider the legislation before you as a step in the right direction of fixing the systemic mass

incarceration of Black and Brown men in Maryland. The extreme level of incarceration did not occur overnight by one specific action. It took years and incremental actions that had negative affects throughout the legal system to get here. To undo the injustices and address this crisis it is also going to take several actions over a period of years to achieve real justice reform. In 2021, the Juvenile Restoration Act (JRA) was passed but, it ended on the day it was signed as it was retrospective legislation. I implore you to build upon that to ensure we give those most deserving of a second look an opportunity to do so after having served 20 years in prison regardless of their age at the time of the offense.

We have been in communication with those behind the wall so they may also exercise their voices and participate in this legislative process. Please read their stories, lament the amount of time they have served and acknowledge that redemption is possible. Second chances are needed and necessary.

On behalf of myself, FSN and the Md Second Look Coalition I hope that you will unequivocally support this bill and move it forward with a **favorable** vote.

Respectfully,

Martina Hazelton

Martina Hazelton
Co-Founder and Executive Director
Family Support Network (FSN)
3937 1/2 Minnesota Ave, NE
PO Box 64093
Washington, D.C. 20029
Website: thefamilysupportnetwork.org



SB 0123 - Written Testimony by O. Moyd.pdf

Uploaded by: Olinda Moyd, Esquire

Position: FAV



AMERICAN UNIVERSITY

WASHINGTON, D C

Clinical Program

Olinda Moyd, Esq.

Director, Decarceration and Re-Entry Clinic
American University Washington College of Law
Submitted January 31, 2024

IN FAVOR: SB – 0123

Criminal Procedure – Petition to Reduce Sentence

My name is Olinda Moyd and I am a Maryland native who currently resides in Prince George’s County. As a social justice advocate who has dedicated my legal career to disrupting the machinery of mass incarceration, I have had the honor of representing many men and women confined in Maryland’s prisons over the last few decades. The Decarceration and Re-Entry Clinic at the American University Washington College of Law represents individuals before the Maryland courts, most of whom have served decades behind bars. Many of these individuals have been detained far beyond the point of having been successfully rehabilitated, long after achieving educational and vocational goals and way past the stage of being healed and grown from the harm they caused. So many are older individuals who have outgrown criminality. Our clinic believes that every human being deserves a second chance and that most people have redemptive value.

SB 123 simply authorizes an individual who is serving a term of confinement to petition a court to reduce the sentences under certain circumstances after the individual has served 20 years of their term of confinement. The court must hold a hearing once it determines that the individual is eligible where evidence may be introduced in support of the petition. The factors that the court must consider mirror the factors that the courts currently are required to review under the Juvenile Restoration Act passed in October 2021 through which my students and I represent clients frequently. The court has the judicial acumen to review the evidence presented, assess witness credibility and they are trained to make such deliberate release decisions from the time a person is arrested upon entry into the criminal legal system and throughout their detention, should opportunities arise. This bill merely creates one avenue to possible release and contains the necessary safeguards to manage abuse or repeat filings.

This bill does not guarantee release after twenty years in prison, it merely creates an avenue through the courts for an individual to petition the court for release. It is worth noting that most western democracies have few or no people serving life sentences, and research suggests that

sentences of longer than twenty years are often not justified.¹ Excessive sentencing thwarts the correctional goals of rehabilitation and reintegration. Most correctional officials will confess that a population without hope is more challenging to prison operations and daily productivity. When prison doors are slammed shut, hopelessness prevails.

A person's debt to society is not paid back simply because of the number of years a person spends in prison, but are instead paid back through perpetual acts of human decency, love and successful community uplifting upon release. Many of the scores of individuals who I have represented and befriended through the years have proven that upon release they can live law-abiding lives and contribute greatly to the very communities that they once offended years ago. Individuals released pursuant to the *Unger* decision and those released pursuant to the Juvenile Restoration Act demonstrate that most people merely need an opportunity to live out their true purpose and the life they were intended to live before being sidetracked. Because of the overwhelming number of Black men entrenched in our encarceral system and held in Maryland prisons, our communities of color have suffered in their absence and they can serve as a valuable resource upon their return. All people need is an opportunity and SB 123 merely creates an avenue for such.

Our clinic recently represented Mr. S before the courts. He qualified under the JRA and this avenue for release would not have been available to him but for the legislative action of the passage of the statute two years ago. He was in prison for over three decades and served most of that time programming and working, but living under a cloud of hopelessness that he would ever live in the free world due to his life sentence. However, since his release last year he has been reunited with his family, working diligently, paying taxes and mentoring young people to deter them from making the mistakes he made which led to his incarceration. He says that his goal is to "be the mentor that was missing in his life during his own adolescence." His contributions to his community would be void had it not been for legislative intervention and an opportunity to petition the court for release.

I strongly support this bill and urge a favorable vote in order to foster hope and open another avenue for release for the men and women in our prisons.

¹ Marc Mauer and Ashley Nellis, *The Meaning of Life: The Case for Abolishing Life Sentences*, (2018).

Support SB 123- Second Look Act (1).pdf

Uploaded by: Philip Caroom

Position: FAV

Support SB 771 - Second Look Act

MARYLAND ALLIANCE FOR JUSTICE REFORM
Working to end unnecessary incarceration and build strong, safe communities



TO: Chair Will Smith and Senate Judic.Proceedings Committee

FROM: Phil Caroom, MAJR Executive Committee

DATE: February 1, 2023

Md. Alliance for Justice Reform ([MAJR-www.ma4jr.org](http://www.ma4jr.org)) supports SB 123 that would permit sentencing judges to consider possible modification of sentences under limited circumstances.

This is not a new concept that would create a crisis for the Judiciary. Quite the contrary, prior to a 2004 modification of Maryland Rule 4-345, Maryland judges regularly considered sentence modifications without a 5-year cap. Thus, SB 123, in its central provision, would restore this discretion that judges previously could exercise throughout earlier Maryland court history. (See revisor's notes to Maryland Rule 4-345.)

In effect, there is a backlog of cases created by Rule 4-345's amendment that the Courts could work through much as was done with the Unger cases and Justice Reinvestment reconsiderations after retroactive modification of mandatory sentence provisions.

One procedural difference between the current sentence modification Rule and SB 123 is the requirement for a hearing in a qualifying motion. Because of the 20 year qualification under SB 123, the hearing is especially appropriate because it is likely that the original sentencing judge will have retired and that a new judge will need to familiarize herself or himself with the case, the defendant and the victim. It also is desirable because sentencing judges, under current law, very rarely ever will see inmates who have been impacted by sentences after 5 years have passed and who have had decades to work on their rehabilitation. Judges should have this opportunity to see, in person, the impact and possible results of our lengthiest sentences.

SB 123 also is consistent with the policy of Maryland's Justice Reinvestment Act (JRA), permitting judges to grant retroactive reduction of sentences in recognition of new sentencing policies. Thus, Maryland courts, prosecutors, Public Defenders and other defense counsel have gained substantial experience in how to process a high volume of such requests.

Particularly, state prison population and expenses may be reduced via reductions for inmates with lowest-risk status— and successful applicants for SB 123 sentence modifications likely would be low risk in light of their aging, deteriorating health, and such individuals' self-rehabilitation achievements. These savings, as provided by JRA, would serve to provide more grant funding to assist with drug treatment, reentry and other rehabilitation programs for younger, higher risk offenders.

For all these reasons, Md. Alliance for Justice Reform (MAJR) urges a favorable report on SB 123.

PLEASE NOTE: Phil Caroom offers this testimony for Md. Alliance for Justice Reform and not for the Md. Judiciary or any other unit of state government.

SB0123- Live Testimony- Prechelle Shannon. .pdf

Uploaded by: Prechelle Shannon

Position: FAV

Lawmakers, we stand today at a crossroads. Before us lies a path towards a more just Maryland, a path paved with the promise of second chances and a commitment to dismantling the systemic inequities that stain our criminal justice system. That path is illuminated by the Postconviction Review—Motion for Reduction of Sentence bill.

Let's be clear: Maryland's incarceration crisis is not merely a matter of numbers, though the numbers themselves paint a stark picture. The latest Department of Justice data reveals a shameful truth: Black people make up over **double the national average** in Maryland's prisons. This isn't just an imbalance, it's an indictment of a system that perpetuates racial disparities at every turn.

And the injustice goes deeper. Look at the faces etched in despair behind bars serving life sentences – **77% of them Black**. These are not simply statistics, they are individuals, mothers, fathers, sons, daughters, whose lives have been swallowed by a system that prioritizes punishment over rehabilitation, vengeance over redemption.

This bill offers a beacon of hope in this pervasive darkness. It empowers prosecutors to petition for sentence reductions based on evidence of rehabilitation, changed circumstances, and diminished risk. It opens the door for those who have demonstrably reformed, who have earned a chance to rejoin society and contribute positively.

Passing this bill is not just about correcting past wrongs, it's about building a safer future. Studies tell a clear story: individuals who've served 20 years or more and successfully rejoin society reoffend at significantly lower rates. Look no further than the "Ungers," where only 5 out of 188 released saw renewed incarceration – a mere 3% compared to Maryland's staggering 40% recidivism rate. This bill isn't just about second chances, it's about investing in proven rehabilitation, a strategy far more effective than the walls of endless incarceration.

Furthermore, consider the financial burden of our current system. Housing an individual for life costs Maryland taxpayers an average of **\$2 million dollars**. Imagine the resources we could reinvest in education, healthcare, and community programs that foster opportunity and break the cycle of crime.

The time for excuses is over. The data is undeniable, the human cost immeasurable. This bill is not a handout, it's a hand up. Yet, while we champion this crucial legislation, let us not allow its passage to overshadow the immediate actions we can take for lifers today.

First, let's address the Mutual Agreement Program. Its current state, all but excludes someone serving a life sentence, offers little solace to those yearning for a second chance.

We need to refine the language so that it outlines a defined pathway, a roadmap with clear milestones and criteria, leading lifers towards rehabilitation and reentry.

Second, the parole board's operations deserve scrutiny. We demand standardized procedures and transparent rules, crafted with input from all stakeholders – from legal experts to formerly incarcerated individuals themselves. Let's shed light on the decision-making process, ensuring fairness and consistency in every parole evaluation.

Third, accountability is paramount. Denials of parole should be accompanied by **documented justifications**, not shrouded in silence. The reasons for dashed hopes must be laid bare, allowing for informed appeals and, hopefully, future improvements in the system overall.

And finally, let us not forget the power of executive action. Governor Wes Moore, with a single stroke of his pen, can break the shackles of "life means life," a policy born not from justice, but from the shadows of political expediency. Remember how former Governor Glendening altered the landscape of life sentences with a decisive pen stroke? Governor Moore holds that same power; he can wield it for justice.

The time for excuses is over. The data is undeniable, the human cost immeasurable. Let us rise to this moment, let us pass this bill, and pave the way for a more just, more equitable, and more prosperous Maryland for all. This is not just about policy; it's about humanity. It's about choosing hope over despair, redemption over resignation. It's about building a Maryland where every life, regardless of past mistakes, has an opportunity for redemption and second chances. Let us choose that path, lawmakers. Let us choose justice.

SB 123 Support Criminal Procedure - Reduce Sentenc

Uploaded by: Rebecca Walker-Keegan

Position: FAV

Testimony in Support of Senate Bill 123
Criminal Procedure – Petition to Reduce Sentence

To: Senator William C. Smith, Jr., Chair, and Members of the Senate Judicial Proceedings Committee

From: Rebecca Walker-Keegan, Student Attorney, Youth, Education and Justice Clinic, University of Maryland Francis King Carey School of Law (admitted to practice pursuant to Rule 19-220 of the Maryland Rules Governing Admission to the Bar)

Date: January 31, 2024

I am a student attorney in the Youth, Education, and Justice Clinic (“Clinic”) at the University of Maryland Francis King Carey School of Law. The Clinic represents children who have been excluded from school through suspension, expulsion, or other means, as well as individuals who have served decades in Maryland prisons for crimes they committed as children and emerging adults. The Clinic supports Senate Bill 123, which would, *inter alia*, allow an incarcerated individual who has served at least 20 years of their sentence to petition a court for a reduction of sentence, as long as a prior petition filed under this section had not been decided in the previous 3 years.

Research has shown that “age is one of the most significant predictors of criminality, with criminal or delinquent activity peaking in late adolescence or early adulthood and decreasing as a person ages.”¹ The United States Department of Justice’s Bureau of Justice Statistics (BJS) conducts research using data from state agencies and the FBI. In a study published in 2021, the BJS analyzed recidivism data from 24 states covering 2008 to 2018.² The BJS found that, during this ten-year follow-up period, released individuals aged 24 or younger were substantially more likely to be arrested than those aged 40 or older.³ The risk of rearrest dropped even more significantly as released individuals continued to age.⁴ SB 123 provides a practical avenue to account for an individual’s reduced risk of recidivism as they age.

Second, our clients—all of whom have served decades in prison—have matured and transformed over their decades of incarceration. Our clients have held jobs and had rewarding careers, attained postsecondary education, earned certificates and awards, mentored children and adults, married loved ones, strengthened families, and positively impacted individuals inside and outside of prison. They are deeply remorseful for their crimes and are committed to working to strengthen communities in fidelity to public safety. They have done everything and more to

¹ TINA CHIU, VERA INSTITUTE OF JUSTICE, IT’S ABOUT TIME: AGING PRISONERS, INCREASING COSTS, AND GERIATRIC RELEASE 5 (2010), <https://www.vera.org/downloads/publications/Its-about-time-aging-prisoners-increasing-costs-and-geriatric-release.pdf>.

² LEONARDO ANTENANGELI & MATTHEW R. DUROSE, U.S. DEP’T OF JUST., BUREAU OF JUST. STAT., RECIDIVISM OF PRISONERS RELEASED IN 24 STATES IN 2008: A 10-YEAR FOLLOW-UP PERIOD (2008-2018) 1 (2021), https://bjs.ojp.gov/BJS_PUB/rpr24s0810yfup0818/Web%20content/508%20compliant%20PDFs.

³ *Id.* at 4.

⁴ *Id.*

deserve meaningful opportunities to have their sentences reduced and, ultimately, live productive lives outside of prison.

Third, the financial costs of incarceration are staggering. Housing individuals for a life sentence requires decades of public expenditures. As of 2022, Maryland spent an average of \$59,616 per incarcerated individual annually.⁵ This yearly average forecasts that a 20-year sentence would cost close to \$1.2 million. However, the costs would increase exponentially higher as prison terms extend, given the staggering healthcare expenses for aging incarcerated individuals.⁶ Therefore, providing avenues of opportunity for sentence reduction and release from incarceration would help relieve Maryland taxpayers of the exorbitant costs of incarcerating individuals who have rehabilitated and transformed.

Urgently, SB 123 would also help address the racial injustices that plague Maryland's prison system. Maryland has the most racially disproportionate prison population in the United States. Specifically, over 70% of Maryland's prisoners are Black,⁷ which is more than double the national average of 32%.⁸ Moreover, these disparities worsen the longer individuals are incarcerated. Of those individuals who have been incarcerated in Maryland's prisons for more than ten years, nearly 80% are Black.⁹ Given these unconscionable disparities, providing a meaningful opportunity for release is a pressing matter of racial justice.

For these reasons, the Clinic respectfully asks the Senate Judicial Proceedings Committee to issue a favorable report.

This written testimony is submitted on behalf of the Youth, Education, and Justice Clinic at the University of Maryland Francis King Carey School of Law and not on behalf of the School of Law or the University of Maryland, Baltimore.

⁵ MARYLAND MANUAL ONLINE, MARYLAND AT A GLANCE, <https://msa.maryland.gov/msa/mdmanual/01glance/html/criminal.html> (last visited Jan. 25, 2024) (“According to the Division of Correction, in Fiscal Year 2022, the monthly cost of room and board, and health care per inmate was \$4,968.”).

⁶ See, e.g., Leah Wang, *Chronic Punishment: The Unmet Health Needs of People in State Prisons*, PRISON POL’Y INITIATIVE (June 2022), <https://www.prisonpolicy.org/reports/chronicpunishment.html> (“[R]ates of medical problems are always *much* higher for older people [in prison].”) (emphasis in original); U.S. DEPT. OF JUST., THE IMPACT OF AN AGING INMATE POPULATION ON THE FEDERAL BUREAU OF PRISONS i-ii (2016), <https://oig.justice.gov/reports/2015/e1505.pdf> (“Aging inmates are more costly to incarcerate, primarily due to their medical needs.”).

⁷ JUST. POL’Y INST., RETHINKING APPROACHES TO OVER INCARCERATION OF BLACK YOUNG ADULTS IN MARYLAND 8 (2019), http://www.justicepolicy.org/uploads/justicepolicy/documents/Rethinking_Approaches_to_Over_Incarceration_MD.pdf.

⁸ *Id.* at 7.

⁹ *Id.* at 8.

SB123 Support Testimony SLao.pdf

Uploaded by: Serena Lao

Position: FAV

**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)

SB123Testimony.pdf

Uploaded by: Stuart Simms

Position: FAV

SENATE BILL 123
TESTIMONY OF STUART SIMMS
IN FAVOR OF THE BILL

**To the Chair and members of the Committee
Good Afternoon.**

My name is Stuart Simms. I am a member of the Bar in Maryland and have served in a number of public safety roles and served over 18 years in private practice that included service as defense counsel in criminal matters. I appear here today in favor of Senate Bill 123.

If passed and implemented, this bill would slightly expand post-conviction relief for a small segment of persons convicted of Maryland offenses who have served a significant portion of their respective sentences. Specifically, the procedure and eligibility for relief proposed in the bill are limited to a person who has served at least 20 years of their sentence and is at least 3

years removed from their last post-conviction claim. An individual may also pursue relief if the State in its discretion submits a claim.

The procedure outlined in the bill specifies 10 specific factors for a court to assess a post-conviction. Those factors are consistent with reviewing the merits of an offender's progress and protecting the public.

In my view, this procedure, if enacted is not:

- A reversal of a conviction;**
- Not forgiveness or exoneration;**
- Does not conflict with other processes such as gubernatorial authority, current modification of sentences under MD Rules, or**
- The current parole process.**

The focus of the bill is on a select group of potential offenders who will have served or have been incarcerated a considerable period of time. 20 or 30 years. This particularly significant for Maryland where according to Maryland

Department of Public Safety's Annual Report for FY 2022 there were 1100 persons 60 or older out of a base population of approximately 15,000. If individuals are granted relief under the proposed legislation there is a significant opportunity for this State to save expenses on overtime, supervision and medical costs.

Again, thank you for the opportunity to testify in support of SB 123.

Testimony .pdf

Uploaded by: Theresa Smith

Position: FAV

**TESTIMONY ON SB123
MARYLAND SECOND LOOK ACT**

**Senate Judiciary Proceedings Committee
February 1, 2024**

SUPPORT

Submitted by: **Theresa Erin Smith**

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

I, Theresa Erin Smith am testifying in support of SB123, the Maryland Second Look Act.
I am submitting this testimony as an impacted family member.

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 are able to demonstrate their growth and rehabilitation, such that they are no longer a threat to public safety, should have the opportunity for release.

On January 24, 2024, I married my best friend and partner. He is currently in a Maryland prison and has been for 28 years. Our story started many years ago in Prince Georges County. We knew each other in passing. Unfortunately, my husband didn't have the same loving, strong family as I did growing up. He was verbally, physically, sexually, and emotionally abused as a child. By the time he was 18 he was in the Juvenile system for a few years and locked up on and off. At the ripe age of 22 (not likely 22 in his mind—I'm sure there's science to support this) he fatally shot 1 person and wounded another. Since then, he has been serving a life sentence in the Maryland Department of Corrections. There he works as a "blood spill" technician. His job description is to clean up after fights/stabbings etc...He makes \$1 a day. The average income for this role in Maryland based on Indeed is between \$18.44-\$42.05 per hour. They are now also using him to clean up other prisoners' feces and not just blood spill. My husband will be fifty years old in April. Fifty years old. The cost of his imprisonment to all has been far exceeded by any positives he may have received. He is at the point in his journey where all he wants to do is come home, be a husband and have a family. Whilst this does not change the heinous crimes he committed, when does it end? Regardless of wanted growth, maturity and aging out of crime, one cannot ignore that there is subconscious growth over the span of 28 years. His brain has fully developed, and he's been living in captivity since. Now, he walks the line, the balancing act. He wants to come home so he can help provide. So that he is not a drain on the system, society, or our family anymore. But what does that mean? That means he spends everyday trying to do right, stay out of trouble and prove that he is worthy of release. However, at the same time, he is still in captivity. He must conform; he must stay alive. That is the balancing act that he and so many other face on a daily basis. My husband and I are grateful we were given the opportunity to get married considering his incarceration, but I ask you, how would you feel if you were strip searched after your wedding? Your ring taken from you? Being stared at by 3 Correctional Officers as you struggle to say your vows without shedding tears for fear of someone seeing you vulnerable. Whilst many would say, you are lucky you got to get married. Yes, that is true, but I ask you, when is it enough? He is almost a 50-year-old man trying to share the scared tradition of marriage. Immediately reminded as he turned to walk around the corner of where he is. To give the right

only to take it away by the act of sheer embarrassment and humiliation. Unable to perform our religious traditions because the prison said no. My husband wants nothing more than to come home and take the burden of the house off me. That is all. To take care of me, start a business and pay his dues. He just needs the opportunity. He is not that same 22-year-old young man that went into prison 28 years ago. I know for myself; it took me until I was at least 25 to get into full on adult hood if not longer. I was just one of the lucky ones. I had a family that cared. Not all have that growing up. I think the mass imprisonment issue speak too that statement being true.

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 modifications¹. Maryland judges used to have the ability to review sentences, an important safety valve for extreme sentences, but this opportunity was eliminated with a rule change in 2004². Furthermore for more than 25 years, Maryland's parole system was not available to people serving life with parole sentences. Now, the Governor has finally been removed from the parole process, but this is not enough to remedy decades of wrongful denials which contributed to the bloated prison system and its extreme racial disparities.

This bill also has serious racial justice implications, given that of the 2,212 people serving life sentences in MD, 80% are Black³, a huge disparity when compared to the only 31% of Black Marylanders in the general population⁴. Shamefully, Maryland also leads the nation in sentencing young Black men to the longest prison terms, at a rate 25% higher than the next nearest state, Mississippi⁵.

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. For example, in the past 12 years since the Maryland Supreme Court held that improper jury instructions invalidated the life with parole sentences of 235 people, 96% have remained in the community without incident⁶. These individuals, 90 percent of whom are Black, spent an average of 40 years behind bars but could have been contributing to our communities decades earlier. 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 SB123**.

Thank you.

¹ Maryland Rule 4-345

² [Court of Appeals of Maryland Rules Order](#)

³ [MD DPSCS FY 2022 Q4 Inmate Characteristics Statistics](#) (2022)

⁴ [United States Census Data](#) (2021)

⁵ Justice Policy Institute [Rethinking Approaches to Over Incarceration of Black Young Adults in Maryland](#) (2019)

⁶ Justice Policy Institute [Fact Sheet: The Ungers](#) (2018)

William Mitchell Testimony.pdf

Uploaded by: William Mitchell

Position: FAV

Testimony for the Senate Judicial Proceedings Committee
February 1, 2024
SB 123 - Criminal Procedure - Petition to Reduce Sentence
FAVORABLE

My name is William Mitchell. I am a lifelong Marylander, a devoted son, a community activist, peer mentor, and a returning citizen. I write in support of Senate Bill 123, the Maryland Second Look Act.

In April 2023, after serving 18 years in prison, I was granted my release. I returned home to my community a changed man. I had entered prison as a 23 year-old, struggling with drug addiction and entangled in a life of crime. I was completely lost, looking for validation in all the wrong places. In the midst of a drunken, drug-induced argument with my wife, who was also an addict, I accidentally shot her in the hand and the leg. I was sentenced to 65-years incarceration for a combination of charges including attempted murder and a slew of gun charges.

Upon entering prison, things looked hopeless. It would have been easy to lean into this hopelessness. But, I did the opposite. I got sober and got a job. I found support within a network of men who had committed themselves to rehabilitation and growth through Christianity. I began a journey to better myself while inside. I took almost every course available to me. Many of them focused on personal growth, unlearning behaviors, and unpacking past decisions and thought patterns. Additionally, I delved deeper into my spiritual growth. I joined the church welcoming committee, the prayer team, and eventually led youth ministry. During my incarceration, I became a spiritual leader within the facility and a mentor to others. The church not only nourished my relationship with God, it allowed me to step into my own and find my purpose as a mentor and man of faith.

Additionally, after realizing the impact of addiction in my own life, I decided to attend NA meetings. I attended these meetings for three years, eventually becoming the chairman of the group, leading meetings. After becoming the Chairman of the group, I decided to take a course from Stratford Career Institute on Drug and Alcohol Counseling. I earned a 4.0. I continued to counsel inmates through their recoveries. During COVID, when people were prevented from moving freely throughout the prison, I requested, and was allowed, to hold NA meetings on individual tiers to ensure that the pandemic did not derail peoples' recovery.

I began to examine my case – looking for potential routes for release. I knew that, if released, I would be a successful and productive member of society. I had committed myself to bettering my community inside prison walls. I knew I could do the same on the outside if given the

opportunity. I had some small victories along the way as I worked to secure my eventual release. I became an expert on pro se litigation, filing various motions in different jurisdictions. However, my sentence remained intact. I contacted lawyers around the state, building relationships and explaining the circumstances around my case. Additionally, I had made amends with my victim. My ex-wife – the victim in my case – had fully recovered and had written the judge asking for leniency. I rebuilt a friendship with her and helped her get sober, over the phone, from inside prison walls.

After many years, attorneys at Brown Law felt compelled to take my case on – pro bono. They knew that securing my release would be a daunting task. I had filed numerous motions and raised issues in multiple jurisdictions. The case was incredibly complicated. Finally, one of the attorneys working my case noticed a technical error in my sentence – one of my gun charges had been filed under the wrong statute, making my sentence on that count illegal. This error was enough to get me back into court. The judge agreed with our motion - my sentence on this count was illegal. We waited for the imposition of a new sentence.

Once the new sentence was handed down, I had 90 days to file a motion to reduce the sentence. We were able to present 15 letters from people who spoke of my accomplishments and growth in prison. In some instances, prison officials even endorsed my early release. Two of these letters, including a letter from the victim in my case, are included in my testimony submission. The judge agreed with our petition stating, “If William Mitchell did not deserve a sentence reduction, he did not know who did.” He reduced my sentence by 40 years, leaving a remaining term of 25 years. With diminution credits, this was the equivalent of time served. I was freed shortly after.

Since returning home, I have made good on my promise to better the community. I have spoken at events around the East Coast. I have spoken at recovery events through the group called All Paths. I have spoken at New Points Recovery Center in Bel Air Maryland. I'm also involved with Jesus Be Jumping Ministries. I have taught many Bible studies and I've gone out into the community to minister to those who are less fortunate. I also fed the homeless for Thanksgiving. I completed Peer Recovery Specialist training. I'm involved in numerous Criminal Justice reform groups. I have spoken on panels to educate others about the need for prison reform. I also speak as an adviser to Project 6, a non-profit which provides legal resources to those who do not have them. I have my drivers' license. I will begin my new job soon. I am a homeowner. I have also taken time to delve into positive hobbies, like rebuilding motorcycles. After never touching a motorcycle a day in my life, I was able to rebuild it from the ground up.

Under my conviction, I would have only been eligible for parole consideration after about 35 years. But, because of the technical errors with my original conviction, I was able to get a second look at my confinement. There are many, many people on the inside that I am confident are as fit for release as I was. However, without this law, they will have to wait decades before they can even make their case for parole. Life expectancy in prison is shorter than on the outside. Time is of the essence for incarcerated people. For each year lived behind bars, a person can expect to lose two years off their life expectancy. According to one study, five years in prison increased the odds of death by 78% and reduced the expected life span at age 30 by 10 years.¹

20 years in prison is more than enough time for an individual to rehabilitate themselves, grow, learn, and change. I have seen – and data supports- that rehabilitation is the norm, not the exception.² This is true across age categories but is especially true in populations serving longer sentences. In fact, those serving long sentences tend to recidivate at lower rates than those serving shorter sentences. Expanding opportunities for release not only benefits the state's decarceration initiatives, it creates safer prison environments and incentivizes good behavior while inside.

I ask that the committee consider my story and the stories of other returning citizens and submit a favorable report on SB 123.

¹ https://www.prisonpolicy.org/blog/2017/06/26/life_expectancy/

² https://dpscs.maryland.gov/publicinfo/publications/pdfs/2022_p157_DPSCS_Recidivism%20Report.pdf



Department of Public Safety and Correctional Services

DIVISION OF CORRECTION Eastern Correctional Institution

30420 REVELLS NECK ROAD • WESTOVER, MARYLAND 21890
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MEMORANDUM

STATE OF MARYLAND

LARRY HOGAN
GOVERNOR

BOYD K. RUTHERFORD
LT. GOVERNOR

ROBERT L. GREEN
SECRETARY

RACHEL SESSA
CHIEF OF STAFF

CHRISTINA LENTZ
ACTING
DEPUTY SECRETARY
ADMINISTRATION

VACANT
DEPUTY SECRETARY
OPERATIONS

CAROLYN J. SCRUGGS
ASSISTANT SECRETARY

TO: Whom it may Concern

FROM: MAJOR MATTHEW MITCHELL

DATE: JANUARY 4, 2023

RE: Mitchell, William #2115632 [Click here to enter text.](#)

FYI FOR YOUR APPROVAL RESPOND FORWARD HANDLE OTHER:

This letter is written in recommendation of Incarcerated Person Mr. William Mitchell #2115632. Mr. Mitchell has been incarcerated at ECI during my tenure at the Institution. During this time I have had numerous encounters and conversations with Mr. Mitchell for a variety of positive reasons and outcomes. Mr. Mitchell has exemplified his role at becoming a reformed human being. Mr. Mitchell has dedicated his time under incarceration not just for self-improvement but for improvement throughout the Institution. He has been influential in developing peer programs, facilitating peer improvement programs and bettering himself and his peers in order to return as a resourceful member of the community. Mr. Mitchell is adamant about his life on the outside of the Institution and his ability to continue that life on the outside and be a productive citizen to his neighborhood and society. Mr. Mitchell always portrays a positive attitude, is respectful and courteous to those around him, is jovial in his dealings with staff and always presents himself in an approachable manner. I have no inclinations of Mr. Mitchell's ability to interact within the community in a positive manner as a citizen of his peers while providing services to his community.

The Honorable Judge Emory Plitt
20 Courtland St
Bel Air, MD 21014

Dear Judge Plitt:

Last year I was contacted by the attorneys representing William Mitchell. They explained to me that William would be requesting a hearing in which he could possibly have his sentence reduced, and they wanted to know how I felt about this. That is why I am writing this letter.

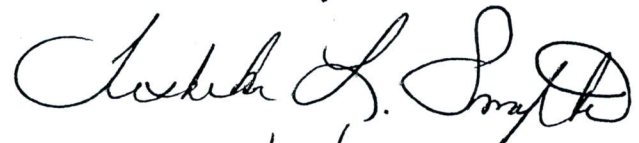
With almost eight years having passed since William was convicted of crimes against me, I have had a lot of time to think about what happened and the punishment rendered to him. As you know, your Honor, I have battled with drug addiction. Everything negative that has ever happened to me has involved drugs and alcohol. While battling with my own addiction, I have realized that the cliché of a "second chance" is not a realistic thing. In order to arrest my addiction, I needed at least ten to fifteen second chances, but it was when I truly hit rock bottom that I was able to change. While going through this transition stage in my life, I contacted William myself. After speaking to him, it was obvious that William has made the decision to change for himself. He actually encouraged me to strive for greatness, to seek God, and to continue forward on the road to recovery. Repeatedly, William has expressed his remorse for what he accidentally did to me. During the trial, I had testified that my right arm was numb and unusable. Since that time, I have regained all feeling and complete mobility and use of my arm.

I bring all this to your attention, your Honor, so you can weigh whether or not you will give William the opportunity to return to society in the near future. As the victim in this case, I am satisfied with the time that William has served, and it is my request that you would show him mercy and drastically reduce his sentence or set him free. We are all guilty of something, but once we repent and change our ways, we should have a shot at a new life.

Thank you for your time, your Honor. If you should need to reach me, William's attorneys have my current contact information.

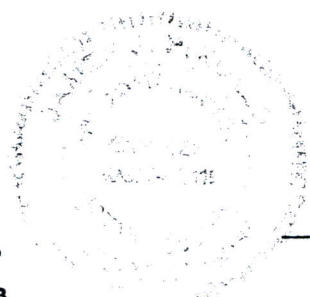
Sincerely,

Tesheka L. Smythe



5/11/12

James Pirolo 5/11/2012
NOTARY



James J. Pirolo
Notary Public
#2011082400003
Commission expires 8/24/15

SB123_FAV_Amanuel .pdf

Uploaded by: Yanet Amanuel

Position: FAV



**Testimony for the Senate Judicial Proceedings Committee
February 2, 2024**

**SB 123 – Criminal Procedure – Petition to Reduce Sentence
(Maryland Second Look Act)**

FAVORABLE

YANET AMANUEL
PUBLIC POLICY
DIRECTOR

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DIRECTORS
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PRESIDENT

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SHELLEY
EXECUTIVE DIRECTOR

ANDREW FREEMAN
GENERAL COUNSEL

The ACLU of Maryland supports SB 123, which would allow individuals in prison a second chance to petition the court to modify or reduce their sentence after serving at least 20 years of their term, and if at least three years have passed since the court previously decided any petition for reconsideration.

The need for a comprehensive Second Look Act in Maryland is evident. Maryland incarcerates the highest percentage of Black people in the country, at 71 percent of our prison population, more than twice the national average. Shamefully, Maryland also leads the nation in sentencing young Black men to the longest prison terms, at a rate 25 percent higher than the next nearest state – Mississippi.¹

The status quo does not afford meaningful opportunities for release.

Due to the devastating “lock them up and throw away the key” mentality from the last thirty years that led to harsh changes to law and policy, the only way for someone in Maryland serving an extreme sentence to have their sentence reviewed is by challenging the constitutionality of the conviction itself. For many years, Maryland judges retained an ability to review sentences, ensuring an important safety valve for extreme sentences, but this process was eliminated by a rule change in 2004.² Similarly, for more than a quarter of a century, Maryland's parole system was not available to lifers, contributing to the bloated prison system and its extreme racial disparities. Although the Governor has finally been removed from the parole process, this is not enough to remedy decades of wrongful denials. Unlike court hearings, parole is not a judicial hearing, people have almost no due process rights, and no legal representation to prepare a strong presentation. There is no other way to obtain review of the sentence after serving decades of time. Thus, currently the legal system incentivizes people serving extreme sentences to challenge the conviction and avoid ever conceding guilt because doing so might jeopardize any future chance. As a result, people who have been harmed by serious crimes may never hear an explanation or expression of the remorse the person

¹ <https://justicepolicy.org/research/policy-briefs-2019-rethinking-approaches-to-over-incarceration-of-black-young-adults-in-maryland/>

² <https://www.courts.state.md.us/sites/default/files/import/rules/rodocs/ro-rule4-345.pdf>

feels. A “Second Look” provision would change this dynamic ensuring that people are able to express their genuine remorse and maintain focus on their transformation without worrying that conceding guilt would eliminate any hope of resentencing.

Equally important, in the immediate aftermath of a serious harm, passions are high and it may be difficult for a sentencing judge to determine a person’s capacity for change. In contrast, many years later, a judge can assess an individual’s growth, progress and rehabilitation behind bars based on their *actual* track record. Further, Maryland’s prison system is filled with Black people who were excessively sentenced or denied parole based on “superpredator” mythology. A broad “second look” provision ensures that, decades after the crime, sentences can be reviewed based on our understanding of fairness and racial justice. Thus, SB 123 represents a vital step towards justice, especially for those who may have encountered bias in their interactions with law enforcement, the courts, or corrections.

SB 123 increases accountability in the criminal justice system.

Bias in Maryland’s criminal justice system against indigent defendants and people of color has been widely documented at every stage: from the initial arrest to sentencing. For eligible individuals who may have faced this bias by law enforcement, the courts, or corrections, this bill would lead to more just outcomes by taking a second look to ensure their sentences were correctly decided. For members of the public who already distrust the justice system, it would provide additional assurance that the state is taking steps to recognize and correct past instances of bias and is committed to ensuring that people in its custody receive fair treatment. A second look would catch these instances of bias without reducing time served for those whose sentences were determined incorrectly.

SB 123 will lead to safer prison environments.

The potential opportunity for individuals to reduce their sentences is a compelling incentive to comply with facility rules and maintain good behavior. Good conduct credits are a behavioral incentive and a means of reducing prison overcrowding.³ This in turn lowers the threat of violence and other risks and challenges that inmates, correctional officer, and staff face inside correctional facilities.

Numerous studies have consistently shown that the peak ages for violent crime tend to be in the late teenage years and twenties, followed by a sharp decrease throughout one’s mid-to late-twenties.

People age out of crime.

The research conducted by the Sentencing Project, titled "Left to Die in Prison: Emerging Adults 25 and Younger Sentenced to Life without Parole," reveals a noteworthy decrease in the number of individuals receiving a life

³ *Stouffer v. Staton*, 152 Md. App. 586, 592 (2003).

sentence without parole (LWOP) after their early twenties.⁴ This pattern aligns with established age-crime theories, which demonstrate a substantial decline in the likelihood of engaging in violent crimes, including murder, as individuals age. Numerous studies have consistently shown that the peak ages for violent crime tend to be in the late teenage years and twenties, followed by a sharp decrease throughout one's mid-to late-twenties.

Additionally, the study highlights that individuals convicted of violent offenses exhibit remarkably low rates of recidivism. Recent Bureau of Justice Statistics studies on 400,000 individuals released in 30 states in 2005 emphasize that, despite high re-arrest rates overall, those convicted of violent offenses are less likely to be re-arrested within three years for any offense compared to their nonviolent counterparts.⁵ This underscores the potential for rehabilitation and successful community reintegration among individuals who have committed violent acts.

All the available evidence we have in Maryland also supports the fact that people serving extreme sentences are the least likely to reoffend. In the 12 years since the Maryland Supreme Court held that improper jury instructions invalidated the life with parole sentences of 235 people, 96% have remained in the community without incident.⁶ These young adults, 90 percent of whom are Black, spent an average of 40 years behind bars but could have been contributing to our communities' decades earlier. In the last two years, the dozens of people to return to the community through parole or the Juvenile Restoration Act have shown similarly compelling success rates.

The Maryland General Assembly has recognized the need to reform the justice system and allow incentives for better behavior.

By passing the Justice Reinvestment Act, “ban the box,” Juvenile Restoration Act and expungement bills, the Maryland General Assembly has repeatedly recognized the need and expressed the desire to provide individuals in the justice system with second chances. This bill would not release anyone from their responsibility for their crime. It would simply provide to those who meet the eligibility requirements the small gesture in this bill’s title: a second look.

For individuals who have grappled with past mistakes, SB 123 extends a lifeline—a chance to showcase their personal growth and rehabilitation throughout their time behind bars. It represents hope to the disproportionately Black families who have been the “collateral damage” of our current broken system.

⁴ www.sentencingproject.org/reports/left-to-die-in-prison-emerging-adults-25-and-younger-sentenced-to-life-without-parole/

⁵ <https://bjs.ojp.gov/content/pub/pdf/18upr9yfup0514.pdf>

⁶ <https://justicepolicy.org/research/reports-2018-the-ungers-5-years-and-counting-a-case-study-in-safely-reducing-long-prison-terms-and-saving-taxpayer-dollars/>

For the foregoing reasons, we urge a favorable report on SB 123.

AMERICAN CIVIL
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FOUNDATION OF
MARYLAND

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MARYLAND

SB123 - Second Look Act (1) (002).pdf

Uploaded by: Jill Carter

Position: FWA



THE SENATE OF MARYLAND
Annapolis, Maryland 21401

**Testimony of Senator Jill P. Carter
In Favor of SB 123 – Criminal Procedure – Petition To Reduce
Sentence
Before the Judicial Proceedings Committee
On February 1st 2024**

Mr. Chairman, Vice Chair, and Members of the Committee:

I come before you today in support of Senate Bill 123. This bill gives incarcerated persons, who have served at least 20 or more years of their sentence, the opportunity to petition the court to reduce or modify their sentence.

Maryland has a mass incarceration problem that is made abundantly clear when you look at the numbers. We hold the unfortunate distinction of having the highest percentage of Black people in our prison system, at 71 percent of our prison population, which is more than twice the national average. The documented bias against Black, Brown, and low-income individuals is pervasive throughout every stage of Maryland's criminal legal system, from racial profiling by police to arrest and sentencing.

Maryland's prison system is filled with Black people who were excessively sentenced or denied parole based on "superpredator" mythology. The devastating "lock them up and throw away the key" mentality from the last 30 years led to harsh changes to law and policy. One detrimental consequence is that individuals in Maryland serving exceptionally long sentences can only seek a sentence review by

challenging the constitutionality of their conviction. In the past, Maryland judges had the authority to review sentences, serving as a crucial safeguard against excessively harsh sentences. Unfortunately, this process was eliminated with a rule change by the Standing Committee on Rules of Practice and Procedure in 2004. For more than 25 years, individuals serving life sentences with the possibility of parole were excluded from Maryland's parole system, contributing to the bloated prison system and its pronounced racial disparities. While the Governor's removal from the parole process is a step forward, it falls short of rectifying decades of unjust denials. SB 123 ensures that, decades later, sentences can be reviewed based on our current understanding of fairness and racial justice.

Frequently, it is asserted that those serving life sentences are inherently "the worst of the worst." While I understand why this sentiment exists, my personal experience contradicts it. I have encountered an exceptional community of individuals serving life sentences, predominantly Black men and women, who have often lived through devastating experiences of their own, and who have lived every day with the harm they caused to others. Within the confines of prison, they have worked to organize, educate one another, and share insights with those beyond the walls—insights that might have steered them away from incarceration. These individuals have shed tears over the consequences of their actions, initiated anti-violence initiatives, sought ways to engage with youth from their neighborhoods, and attempted to mentor younger family members through phone calls and prison visits.

Furthermore, many of the people who have been released from extreme sentences in recent years are building public safety. They work with young people, working in peer recovery programs, and developing small businesses. They provide support to their families, all while navigating a new world. They are strengthening their families and their communities with their presence and positive contributions.

Research consistently reveals a significant decrease in recidivism rates among people released from prison in their 40s and beyond. In

fact, people convicted of the most serious offenses have the *lowest* recidivism rates. In Maryland, this was vividly demonstrated by the “Ungers,” so named for the *Unger v. Maryland* decision. As the Justice Policy Institute explains, in 2012, the Maryland Court of Appeals held that improper jury instructions invalidated the life with parole sentences of 235 people.³ As of 2019, 192 of them had been released. Most were young adults when they were sentenced and had spent an average of 40 years behind bars. Almost 90 percent were Black, even though only 18 percent of Maryland’s population was Black when they were sentenced. Since their release, less than 4 percent have returned to prison.

Additionally, according to the Governor's Office for Children, incarceration overall costs Maryland taxpayers approximately \$38,000 per inmate annually. Approximately \$300 million each year is spent on incarcerating people from Baltimore City alone. Continuing to keep individuals who pose no risk to the public incarcerated hurts taxpayers and benefits no one. Maryland could save more than a billion dollars over the next decade by building on this positive experience.

This is not an auto-release option from prison, or a get-out-of-jail-free card, but the bill rather builds on the Juvenile Restoration Act of 2021, which allows for people who have served 20 years for a crime they committed while a minor to petition for a reduction in their sentence. For Marylanders who have grappled with past mistakes, this bill extends a lifeline – a chance to showcase their personal growth and rehabilitation throughout their time behind bars. It represents hope to the disproportionately Black families who have been the “collateral damage” of our current broken system. And it sends a powerful message: that the state is actively acknowledging and rectifying past instances of bias and committing to equitable treatment for all those in its custody.

My Fellow Senators, I urge this committee to give a favorable report on SB 123.

Respectfully,

Jill P. Carter

SB123 - Second Look Act.pdf

Uploaded by: Jill Carter

Position: FWA



THE SENATE OF MARYLAND
Annapolis, Maryland 21401

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Sentence
Before the Judicial Proceedings Committee
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Maryland's prison system is filled with Black people who were excessively sentenced or denied parole based on "superpredator" mythology. The devastating "lock them up and throw away the key" mentality from the last 30 years led to harsh changes to law and policy.

One detrimental consequence is that individuals in Maryland serving exceptionally long sentences can only seek a sentence review by challenging the constitutionality of their conviction. In the past, Maryland judges had the authority to review sentences, serving as a crucial safeguard against excessively harsh sentences. Unfortunately, this process was eliminated with a rule change by the Standing Committee on Rules of Practice and Procedure in 2004. For more than 25 years, individuals serving life sentences with the possibility of parole were excluded from Maryland's parole system, contributing to the bloated prison system and its pronounced racial disparities. While the Governor's removal from the parole process is a step forward, it falls short of rectifying decades of unjust denials. SB 123 ensures that, decades later, sentences can be reviewed based on our current understanding of fairness and racial justice.

Frequently, it is asserted that those serving life sentences are inherently "the worst of the worst." While I understand why this sentiment exists, my personal experience contradicts it. I have encountered an exceptional community of individuals serving life sentences, predominantly Black men and women, who have often lived through devastating experiences of their own, and who have lived every day with the harm they caused to others. Within the confines of prison, they have worked to organize, educate one another, and share insights with those beyond the walls—insights that might have steered them away from incarceration. These individuals have shed tears over the consequences of their actions, initiated anti-violence initiatives, sought ways to engage with youth from their neighborhoods, and attempted to mentor younger family members through phone calls and prison visits.

Furthermore, many of the people who have been released from extreme sentences in recent years are building public safety. They are now elders working with young people, working in peer recovery programs, and developing small businesses. They provide support to their families, all while navigating a new world. They are strengthening their families and their communities with their presence and positive contributions.

Research consistently reveals a significant decrease in recidivism rates among people released from prison in their 40s and beyond. In fact, people convicted of the most serious offenses have the *lowest* recidivism rates. In Maryland, this was vividly demonstrated by the “Ungers,” so named for the *Unger v. Maryland* decision. As the [Justice Policy Institute](#) explains, in 2012, the Maryland Court of Appeals held that improper jury instructions invalidated the life with parole sentences of 235 people.³ As of 2019, 192 of them had been released. Most were young adults when they were sentenced and had spent an average of 40 years behind bars. Almost 90 percent were Black, even though only 18 percent of Maryland’s population was Black when they were sentenced. Since their release, less than 4 percent have returned to prison.

Additionally, according to the Governor's Office for Children, incarceration overall costs Maryland taxpayers approximately \$38,000 per inmate annually. Approximately \$300 million each year is spent on incarcerating people from Baltimore City alone. Continuing to keep individuals who pose no risk to the public incarcerated hurts taxpayers and benefits no one. Maryland could save more than a billion dollars over the next decade by building on this positive experience.

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My Fellow Senators, I urge this committee to give a favorable report on SB 123.

Respectfully,

Jill P. Carter

James Watkins Testimony.pdf

Uploaded by: Olivia Spaccasi

Position: FWA

Testimony for the Senate Judicial Proceedings Committee
February 1, 2024
SB 123 - Criminal Procedure - Petition to Reduce Sentence
Favorable w/ Amendments

My name is James Watkins. I am writing to you in reference to the Maryland Second Look Act. I am currently incarcerated, serving a suspended life sentence with 45 years incarceration and 5 years probation. I have been incarcerated for 15 years, since Nov. 22, 2008. I was 20 years old at the time of my sentencing. I am 36 now. This is my first time incarcerated. At the time of my arrest, I was in college, pursuing a Business Administration degree. The night I was arrested, I was protecting my pregnant sister from her boyfriend and his friends, who had surrounded her truck.

I strongly support the Second Look Act, but would ask the Committee to consider potential amendments to allow those who have served 15 years to petition the court for a sentence modification or have diminution credits factored into the 20 year requirement. I speak for both myself and many others who were under 25 at the time of their sentencing and have served 15 years in prison. At the time of our sentencing, we were kids. Research shows that the brain is not fully developed at this age. We could not even buy liquor or go to a 21+ club. But the court deemed that we were old enough to be sentenced to spend half of our lives in prison. Additionally, the environments we were brought up in carried significant adversity.

We made mistakes. However, the majority of us are truly apologetic and remorseful for the pain, torture, and the hurt our mistakes caused to the families of our victims, particularly the kids. However, does this one mistake make our lives worthless? For decades, through the prison industrial complex, America has recycled people in and out of the prison system, driven by a lock'em up and throw away the key mentality. What good has this done?

A lot of us that were under 25 at the time of our sentencing are not the same person we were when we were first incarcerated. Ask yourself: At 40 years old, are you the same person, in thinking, actions, and words, that you were at 20? None of us are done growing and evolving in life. It takes experience, self-awareness, and the understanding that growth takes work. As a society we understand that, everyday, no matter your age, we are all constantly working on ourselves. So, when thinking about those who have committed crimes under the age of 25, shouldn't this same understanding - that people grow and evolve - apply? There are so many of us that have seen what's important and have put in the effort to work on ourselves with as few tools as we are given while incarcerated.

I am asking for a second chance. Please do not allow a simple mistake, fueled by ignorance, deny people like me from having a life. Most of us have spent half our lives in prison, raising our kids from inside these walls. We have lost family members and friends during our incarceration. Many of us have crafted plans for our future. We have put together plans to build businesses and help our communities. We are working to build sustainable legacies for ourselves. Prison has been great in that sense. But, what else can we do when we are offered so little inside.

Many of us have unsuccessfully tried to reduce our sentences. One person contacted a social worker, who put together a 44-page mitigation report. It was overwhelmingly impressive. A State's Attorney's office even noted how impressive it was. But the individual was told to try again in a couple of years. I went up for parole in February 2023. I checked every box and demonstrated my growth to the board. Even though I was a great candidate for parole, they felt as though I needed to serve out my sentence.

I am not a threat to society, to my kids, to anyone. I and others are begging for a second chance. Please give us a chance. You will not be disappointed. I have given the system 15 years of my life. I am 36 now. Please give me a chance at life.

James Watkins #362529|3026914
18701 Roxbury Road
Hagerstown, MD 21746

sb123.pdf

Uploaded by: Linda Miller

Position: UNF

MARYLAND JUDICIAL CONFERENCE
GOVERNMENT RELATIONS AND PUBLIC AFFAIRS

Hon. Matthew J. Fader
Chief Justice

187 Harry S. Truman Parkway
Annapolis, MD 21401

MEMORANDUM

TO: Senate Judicial Proceedings Committee
FROM: Legislative Committee
Suzanne D. Pelz, Esq.
410-260-1523
RE: Senate Bill 123
Criminal Procedure – Petition to Reduce Sentence
DATE: January 18, 2024
(2/1)
POSITION: Oppose

The Maryland Judiciary opposes Senate Bill 123. The Judiciary generally opposes mandatory provisions that limit the courts' ability to control their dockets and limits judicial discretion. The decision to hold a hearing should be discretionary. This bill would intrude on the Judiciary's ability to manage its own affairs. In addition, the requirement of mandating multiple hearings on a petition would be an additional burden to the court's current docket structure. The procedures contemplated by the bill also duplicate and circumvent existing postconviction remedies available through the courts and available by way of parole.

cc. Hon. Jill Carter
Judicial Council
Legislative Committee
Kelley O'Connor

SB 123 Criminal Procedure-Postconviction Review-Mo

Uploaded by: Scott Shellenberger

Position: UNF

Bill Number: SB 123

Scott D. Shellenberger, State's Attorney for Baltimore County

Opposed

WRITTEN TESTIMONY OF SCOTT D. SHELLENBERGER,
STATE'S ATTORNEY FOR BALTIMORE COUNTY,
IN OPPOSITION OF SENATE BILL 123
CRIMINAL PROCEDURE – POSTCONVICTION REVIEW – MOTION FOR
REDUCTION OF SENTENCE

I write in opposition to Senate Bill 123, Criminal Procedure – Postconviction Review – Motion for Reduction of Sentence that adds yet another post-conviction review to an already long list of post-conviction remedies that will force victims to court and prevents any finality to a criminal case.

Right after a jury or Judge finds a Defendant guilty, Maryland law currently permits numerous ways for a Defendant to challenge his conviction and sentence. Here are the current rights:

1. Motion for new trial
2. Motion to modify or reduce sentence (motion can be held for five years)
3. If the modification is based upon illegal sentence, fraud, mistake or irregularity, there is no time limit
4. Three Judge panel to reduce or modify
5. Appeal to the Court of Special Appeals
6. Ask for appeal to the Supreme Court
7. Post-Conviction (sometimes they get more than one)
8. Writ of Corum Nobis
9. Writ of Habeas Corpus
10. Writ of Actual Innocence
11. Motion to vacate judgement (passed last year)
12. Post-Conviction DNA testing
13. The parole system which can review a sentence more than once.

Based on the above list, this Bill will add yet another post-conviction remedy.

When does it end for victims of crime?

When can I look at the victim of a crime and say it is over?

It never ends and this bill will add one more event over which the Victim has no control.

The only thing different about this Bill is that the State's Attorney would have the power to request the reduction. Even when it is the State that is granted the power it is still a lack of finality for the victim and /or their family.

This type of power even when given to the State challenges the appropriateness of what a likely prior State's Attorney did and a prior judge imposed.

I urge an unfavorable report.

Sentence reduction - senate testimony - 2024 - SB

Uploaded by: Lisae C Jordan

Position: INFO



Working to end sexual violence in Maryland

P.O. Box 8782
Silver Spring, MD 20907
Phone: 301-565-2277
Fax: 301-565-3619

For more information contact:
Lisae C. Jordan, Esquire
443-995-5544
www.mcasa.org

Testimony Regarding Senate Bill 123
Lisae C. Jordan, Executive Director & Counsel
February 1, 2024

The Maryland Coalition Against Sexual Assault (MCASA) is a non-profit membership organization that includes the State's seventeen rape crisis centers, law enforcement, mental health and health care providers, attorneys, educators, survivors of sexual violence and other concerned individuals. MCASA includes the Sexual Assault Legal Institute (SALI), a statewide legal services provider for survivors of sexual assault. MCASA represents the unified voice and combined energy of all of its members working to eliminate sexual violence. If the Committee chooses to move forward on SB123, we urge the Judicial Proceedings Committee to amend Senate Bill 123 to ensure greater victim participation.

Senate Bill 123

Crime Victim Participation in Proceedings Regarding Sentence Reduction

Senate Bill 123 creates a process for reduction of sentences on motion after a person has served 20 years incarceration. A motion may be renewed every 3 years thereafter up to 3 times total if filed by the inmate and at any time if filed by the State's Attorney.

MCASA appreciates the provisions incorporating crime victim rights laws requiring notice to a victim. We note that Criminal Procedure §11-403 also clearly provides a victim with the right to be heard at a sentencing disposition hearing and that "sentencing disposition hearing" is defined to include "alteration of a sentence" so would encompass the hearing contemplated by SB123.

However, it could inflict significant trauma on a rape victim to participate in person and, conversely, if a victim does not object to the reduction, it is onerous to require personal appearance.

We therefore urge the Committee to permit a victim to submit victim impact statement and to require the Court to consider the statement, including previously filed statements.

On page 2, amend lines 29-31 as follows:

(3) (1) NOTICE OF THE HEARING UNDER SUBSECTION (D) OF THIS SECTION SHALL BE GIVEN TO THE VICTIM OR THE VICTIM'S REPRESENTATIVE AS PROVIDED IN §§ 11-104 AND 11-503 OF THIS ARTICLE.

(II) A VICTIM MAY SUBMIT A VICTIM IMPACT STATEMENT REGARDING PROPOSED SENTENCE REDUCTION

(III) THE COURT SHALL CONSIDER ANY VICTIM IMPACT STATEMENT FILED IN THE CASE AT THE TIME OF SENTENCING OR UNDER THIS SUBSECTION.

**The Maryland Coalition Against Sexual Assault urges the
Judicial Proceedings Committee to Amend Senate Bill 123**

2024-02-01 SB0389 & SB0123 (Support in Concept).pd

Uploaded by: Tiffany Clark

Position: INFO

CANDACE McLAREN LANHAM
Chief Deputy Attorney General



CHRISTIAN E. BARRERA
Chief Operating Officer

CAROLYN A. QUATTROCKI
Deputy Attorney General

ZENITA WICKHAM HURLEY
Chief, Equity, Policy, and Engagement

LEONARD HOWIE
Deputy Attorney General

ANTHONY G. BROWN
Attorney General

PETER V. BERNS
General Counsel

STATE OF MARYLAND
OFFICE OF THE ATTORNEY GENERAL

February 1, 2024

TO: The Honorable Will Smith, Jr.
Chair, Judicial Proceedings Committee

FROM: Tiffany Johnson Clark
Chief Counsel, Legislative Affairs, Office of the Attorney General

RE: Senate Bill 389 – Criminal Procedure – Incarcerated Seniors – Motion to Reduce the Duration of a Sentence and Senate Bill 123 Criminal Procedure – Petition to Reduce Sentence (**Support in Concept**)

The Office of the Attorney General (OAG) writes in support of affording rehabilitated incarcerated individuals an opportunity to modify their sentence, which holds the potential to address mass incarceration and promote a more just criminal justice system. The OAG also believes that expanded eligibility for such “second looks” should be supported by the careful balancing of factors that enhance fairness and rehabilitation, while also weighing the importance of public safety and victims’ rights. Indeed, it is our commitment to developing well-researched, comprehensive, and consensus strategies for eliminating mass incarceration that prompted Attorney General Anthony Brown to create the Maryland Equitable Justice Collaborative (MEJC), in partnership with the Public Defender of Maryland, academic partners from the University of Maryland system, and representatives from over 40 local government agencies and community organizations, including impacted individuals. Thus, while the OAG’s endorsement of any particular “second look” approach is premature, we fully support the goal of providing mechanisms for the modification of sentences, and we applaud the General Assembly’s efforts in this regard.

Mass incarceration is one of this country's most destructive symptoms of systemic racism. Maryland has the shameful distinction of locking up the largest percentage of Black men and women in the country—72.4%—even though Black people make up only 31.7% of the State's population.¹ Black men in particular are serving the longest sentences, making up nearly 8 in 10 Marylanders who are imprisoned ten years or more.² These disparities point to systemic issues within the criminal justice system that demand comprehensive reform.

One such reform currently being evaluated by MEJC are “second look” proposals. Data suggests that the recidivism rate for individuals released from sentences over 30 years is significantly lower than individuals released from sentences less than 30 years and that recidivism rates tend to decrease as individuals age.³ The *Unger* case, a 2012 Supreme Court of Maryland Decision that resulted in the release of over 200 long-sentenced individuals, provides a valuable case study. The *Unger* cohort was comprised of individuals with an average age of 64 years and an average length of incarceration of 39 years. The *Unger* group experienced a 3% recidivism rate, a fraction of Maryland's overall recidivism rate of 40%.⁴

Consistent with these lessons, several bills have been introduced which increase opportunities for incarcerated individuals to modify their sentence. Senate Bill 123 allows an incarcerated individual who is serving a term of confinement to petition a court to reduce the sentence if the individual has served at least 20 years of the individual's term of confinement. Senate Bill 389, in comparison, allows an incarcerated individual who is at least 60 years old and has been imprisoned for at least 20 years to file a motion to reduce the duration of the individual's sentence. Both bills acknowledge incarcerated individuals' capacity for personal growth and rehabilitation, offering a chance for those who have demonstrated positive change to reintegrate into society.

Notably, both bills allow a court to modify a sentence of an incarcerated individual if it concludes that the individual is not a danger to public safety and that the interests of justice warrant a sentence modification. In its analysis, the court would consider a number of factors, including the nature of the crime, the history and characteristics of the individual, a statement from the victim or the victim's representative, evidence of rehabilitation, compliance with rules of the institution, participation in educational programs, family and community circumstances at the time of the offense, and health assessments conducted by a health professional.⁵ As you weigh these eligibility factors, the OAG would urge the Committee to also consider whether the court's decisions should be subject to appellate review.⁶

¹ <https://dpscs.maryland.gov/publicinfo/publications/pdfs/Inmate%20Characteristics%20Report%20FY%202022%20Q4.pdf>; <https://www.census.gov/quickfacts/fact/table/MD/RHI225222#RHI225222>

² https://justicepolicy.org/wp-content/uploads/2022/02/Rethinking_Approaches_to_Over_Incarceration_MD.pdf

³ https://dpscs.maryland.gov/publicinfo/publications/pdfs/2022_p157_DPSCS_Recidivism%20Report.pdf

⁴ <https://gocep.maryland.gov/wp-content/uploads/Unger-Presentation-JRAOB.pdf>

⁵ SB0123 also instructs a court to factor in the individual's age at the time of the offense, while SB0389 encourages a court to consider the age at the time of filling the petition.

⁶ We note, for example, that the law is silent as to whether the sentence modification decisions authorized by the Justice Reinvestment Act (2016) and the Juvenile Restoration Act (2022) are appealable, resulting in significant litigation in State courts.

We cannot solve the crisis of mass incarceration solely by preventing wrongful convictions, revisiting criminal penalties, or otherwise preventing individuals from being jailed. Longstanding inequities currently existing in our prisons demand that our efforts also include “second look” and other strategies for releasing rehabilitated individuals who no longer pose any threat to public safety with the support necessary to ensure their successful reentry into our communities.

cc: The Honorable Chris West
The Honorable Jill Carter
Committee members