

**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)