

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.

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