



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.

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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,

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