

**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.