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Date: January 30, 2024

To: Maryland House Judiciary Committee

Re: HB0317 - Criminal Procedure Post Conviction Review- Motion for Reduction of Sentence

Position: SUPPORT

Dear Distinguished Members of the Committee,

I spent 27 years with the Baltimore Police Department, rising from patrol officer to major. I am here to support HB 0317, which would allow prosecutors to initiate post-conviction reviews, as a speaker for the Law Enforcement Action Partnership (LEAP).

LEAP is a nonprofit group of police, prosecutors, judges, and other criminal justice professionals who speak from firsthand experience. Our mission is to make communities safer by focusing law enforcement resources on the greatest threats to public safety, addressing the root causes of crime, and working toward healing police-community relations.

The most important barrier I see to law enforcement reducing violent crime is the lack of cooperation of the community. Without communication from the community, we cannot prevent crime, and we cannot solve crime. Our detectives depend on information from witnesses to come up with leads, understand what happened, and close cases. We need the trust of community members in order to reduce violent crime.

Unfortunately, communities of color lose trust in the justice system when they see the [uneven treatment based on race](#) within the system. Research shows that after the murder of George Floyd, people became [less likely to call the police](#) to report gunshots. For example, the [U.S. Sentencing Commission](#) found that for the same

LawEnforcementActionPartnership.org

Formerly known as Law Enforcement Against Prohibition

crimes, black men have historically received significantly [longer sentences](#) than white men.

Maryland is no exception. Over 70% of the nearly 18,000 people in [Maryland's prisons](#) are Black, compared to about 30% of the [general population](#). Many of these people entered prison over a decade ago, with sentences that would have been much different if decided today.

Fortunately, Maryland legislators have an opportunity to regain trust by rectifying historical injustices in sentencing. Similar to new laws in California and four other states, HB 0317 would allow Maryland prosecutors to initiate case reviews. This legislation would allow the State's Attorney to review past cases and, if it serves the interest of justice, recommend a reduced sentence. These individual case reviews would contribute to restoring faith in the criminal justice system, which would in turn restore the police's ability to protect and serve.

Shortening unnecessarily long sentences would also reduce overcrowding, freeing up criminal justice resources to focus on those who really do pose a public safety risk. We must reserve our limited prison space for those who threaten our safety.

Having the opportunity for sentence review would also incentivize positive behavior in prison. If incarcerated people know their sentence could be shortened if they truly reform, more people in prison will focus on self-improvement and preparing to return to their family.

Allowing prosecutors to conduct post-conviction reviews is the right thing to do - for incarcerated individuals, for communities, and for Maryland's justice system. HB 0317 would improve public safety by building the community's trust in the criminal justice system, reducing overcrowding in prisons, and encouraging rehabilitation.

Many thanks for your time today and the opportunity to speak on this important issue.

Sincerely,

Major Mike Hilliard (Ret.)
Baltimore Police Department