

**TESTIMONY ON HB 853
MARYLAND SECOND LOOK ACT**

**Senate Judicial Proceedings Committee
March 25, 2025**

FAVORABLE WITH AMENDMENTS

Submitted by: **Ann Duncan**

Chair Smith, Vice Chair Waldstreicher and members of the Judicial Proceedings Committee:

I, Ann Duncan am testifying in support of HB 853, the Maryland Second Look Act. I am submitting this testimony as Executive Director of the Goucher Prison Education Partnership (GPEP). In this capacity I work with approximately 130 incarcerated students, many of whom would be directly impacted by this act. Goucher students at Maryland Correctional Institute for Women (MCIW) and Maryland Correctional Institute Jessup (MCI-J) work towards their B.A. degree while also working full-time, saving money to send home to families, and acting as mentors and leaders in their institutions. As a teacher and as Executive Director in GPEP I have seen first-hand the transformation that these individuals have gone through in their education and the deep desire they have to get back home and make a positive impact in their community. Those who have returned home show what this looks like – we have former students working towards graduate degrees, serving on the Governor's Lived Experience Committee, working for the Vera Institute for Justice, and Edu Trust, running their own businesses, starting families, and working as community organizers. None of them have returned to prison.

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 after having served decades of incarceration, all individuals should have the ability to demonstrate their growth and rehabilitation.

I am grateful for the opportunity this bill creates for those who would be eligible for a second look under this bill. However to affect real change, more is needed, as Maryland leads the nation in sentencing young Black men to the longest prison terms, which includes Life Without Parole Sentences, at a rate 25% higher than the next nearest state, Mississippi.

I urge you to vote **favorable with amendments**. As the current bill language stands, it excludes many of our students who are serving life without parole, individuals over 24 at the time of their offense and individuals incarcerated for a sex offense. I think in particular of our female students who, statistics show, are more likely to have committed crimes as the result of experienced trauma and abuse and, as a result, more likely to have committed crimes at older ages. I think also of students with sex offense crimes and life sentences who have demonstrated just as much rehabilitation and change as those with other crimes and sentences. I firmly believe we should trust our judges to consider all relevant factors, as this Act requires, and make a fair judgment and not unnecessarily limit who will be given this opportunity.

The Juvenile Restoration Act, which HB 853 builds upon, banned Life Without Parole (LWOP) for minors sentenced as adults and gave individuals convicted as adults for crimes committed under 18 the chance to request a sentence reduction after serving 20 years, including those originally sentenced to LWOP as minors. Excluding LWOP from the Second Look process while

allowing it under the JRA just doesn't make sense. Research consistently shows that brain development continues into the mid-to-late 20s, with the prefrontal cortex, the part responsible for decision-making, among the last to fully mature. Emerging adults still share many of the same risk factors as youth, such as increased impulsivity, greater risk-taking, poor decision-making, and difficulty with long-term thinking.

For these reasons, I encourage you to vote **favorably with amendments** on the **Maryland Second Look Act HB853**.

Thank you.