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Evan Serpick
Baltimore, Maryland 21209



TESTIMONY ON HB 853 - POSITION: FAVORABLE

Criminal Procedure - Petition to Reduce Sentence (Maryland Second Look Act)

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

FROM: Evan Serpick, on behalf of Jews United for Justice (JUFJ)

My name is Evan Serpick. I am a resident of District 41 in Baltimore City. **I am submitting this testimony on behalf of Jews United for Justice in support of HB 853, the Maryland Second Look Act.** JUFJ organizes 6,000 Jews and allies from across Maryland in support of state and local social, racial, and economic justice campaigns.

Few ideas are more deeply ingrained in Jewish tradition and text than the idea of *teshuvah*, which translates as repentance or return. The Hebrew Bible is filled with stories of people making terrible mistakes. Each time, we are taught, there is an opportunity for repentance and return to the path of righteousness. Every year on Yom Kippur, Jews around the world atone for our sins and commit to *teshuvah*.

I hope that the General Assembly heeds this wisdom from the Jewish tradition and enshrines the right to a second chance in Maryland state law by finally passing the Second Look Act. The Second Look Act would allow people who have served at least 20 years in prison the opportunity to demonstrate their rehabilitation and receive a modified or reduced sentence. This rehabilitation-focused approach is preferred by crime victims by a 2-to-1 margin, according to the 2022 National Survey of Victims' Views.¹

This human-focused approach is not only a moral imperative, but a pragmatic one. It offers incarcerated people an incentive to maintain good behavior, helps reduce prison overcrowding, diminishes threats of violence, and ensures that people who have transformed over the years can positively contribute to their communities.

¹

<https://allianceforsafetyandjustice.org/wp-content/uploads/2022/09/Alliance-for-Safety-and-Justice-Crime-Survivors-Speak-September-2022.pdf>

In addition, incarcerated individuals in their 40s and beyond and those convicted of the most serious crimes have the lowest recidivism rates. This was demonstrated as a result of the 2012 Unger v. Maryland decision: about improper jury instructions, 192 people with life sentences, who had served an average of 40 years in prison, were released with community support. Since their release, less than 4 percent have returned to prison.² It's estimated that the release of these Marylanders saved taxpayers \$185 million. Maryland could save more than a billion dollars over the next decade by building on this positive experience and passing the Second Look Act.

Perhaps most importantly, the Second Look Act would help undo the damage of decades of racist and false narratives about Black criminality. Maryland incarcerates the highest percentage of Black people in the country – 71 percent of our prison population, more than twice the national average. Maryland also leads the nation in sentencing young Black men to the longest prison terms, at a rate 25 percent higher than the next nearest state, Mississippi.³ This legislation would ensure that sentences can be reviewed based on our current understanding of fairness and racial justice.

I respectfully urge this committee to return a favorable report on HB 853.

² <https://www.sentencingproject.org/app/uploads/2024/03/Maryland-Second-Look.pdf>

³

https://justicepolicy.org/wp-content/uploads/justicepolicy/documents/Rethinking_Approaches_to_Over_Incarceration_MD_press_release.pdf