
TESTIMONY IN SUPPORT WITH AMENDMENTS ON HOUSE BILL 853

Maryland Second Look Act
Senate Judicial Proceedings Committee
March 25, 2025

Social Work Advocates for Social Change (SWASC) strongly supports HB 853, the Maryland Second Look Act, as originally introduced, which allows Marylanders who have been incarcerated for 20 years or more to apply for resentencing. Second look policies establish a process for the critical reexamination of sentences for people currently serving extreme sentences of incarceration, and provide the opportunity for people with few other options for release to return to their communities. SWASC strongly believes that people who have demonstrated growth and rehabilitation should have this opportunity to petition for release from prison and contribute to their communities.

HB 853 will improve safety for all Marylanders. There is broad evidence that long prison terms run counter to public safety. Recidivism rates for people who have been released after decades of incarceration are low, and rates are lowest for those with the most serious convictions.¹ Further, incarceration is disruptive and harmful to individuals and their broader communities. Neighborhoods that lose a large number of members to incarceration may see increases in crime because of the loss of these community ties.² Prison itself can be so destabilizing that it increases the likelihood of future crime.³ **Enacting the Second Look Act would potentially save the state significant money in the cost of incarceration, which could be invested in community-based programs that foster health and safety for all Marylanders.**

HB 853 promotes racial equity and justice. People sentenced to ten years or longer make up over two-thirds of the prison population in Maryland, and nearly 20 percent of people incarcerated in Maryland are serving a life or virtual life sentence, one of the highest rates in the nation.⁴ Punitive sentencing policies have resulted in deeply racially disproportionate impacts: nearly eighty percent of people sentenced as emerging adults who have served ten or more years in prison in Maryland are Black, the highest rate in the country.⁵ The Second Look Act is a critical step toward addressing these racial disparities and providing relief from inequitable sentencing practices.

¹ The Sentencing Project, *Second Look Laws Are an Effective Solution to Reconsider Extreme Sentences Amidst Failing Parole Systems* (2024). <https://www.sentencingproject.org/fact-sheet/second-look-laws-are-an-effective-solution-to-reconsider-extreme-sentences-amidst-failing-parole-systems/>

² Vera Institute of Justice, *A new paradigm for sentencing in the United States* (2023). <https://vera-institute.files.svdcn.com/production/downloads/publications/Vera-Sentencing-Report-2023.pdf>

³ Vera Institute of Justice (2023).

⁴ The Sentencing Project, *Still life: America's increasing use of life and long-term sentences* (2023). <https://www.sentencingproject.org/reports/still-life-americas-increasing-use-of-life-and-long-term-sentences/>

⁵ Justice Policy Institute, *Rethinking approaches to over-incarceration in Maryland* (2019). https://justicepolicy.org/wp-content/uploads/justicepolicy/documents/Rethinking_Approaches_to_Over_Incarceration_MD.pdf

HB 853 builds on Maryland's efforts to address the harms and injustices of long-term incarceration. Maryland's Juvenile Restoration Act (JRA) of 2021 enacted second look legislation for people who were convicted as minors.⁶ After the first year of implementation, none of the people released under the JRA were charged with a new crime or found to be in violation of their conditions of release.⁷ The Maryland Second Look Act is a natural expansion of this policy that has already been safely implemented.

HB 853 centers rehabilitation over continued punishment, recognizing the diverse perspectives of survivors of harm. Policymakers in Maryland and across the U.S. have begun to recognize that change is necessary to promote community well-being and safety. Many victims of crime are also aligned with reforms that address excessive sentences: victims prefer methods of accountability through options outside of just prison by a margin of 3 to 1.⁸ Extreme sentencing also does not improve the well-being of survivors of violent crime.⁹ Further, existing services for victims are often inadequate and exclusionary.¹⁰ Investing money saved on the cost of incarceration in programs that promote safety, healing, and support for victims will help to improve these services. By allowing resentencing for those who have demonstrated rehabilitation, HB 853 offers a vital opportunity to foster safer and healthier communities for all Marylanders.

HB 853 will align Maryland with other states and national organizations recommending and adopting second look legislation. Second look laws are recommended by many national expert organizations.¹¹ In passing HB 853, Maryland can join Connecticut and the District of Columbia in implementing second looks laws that allow people sentenced as adults to petition for resentencing, aligning with these expert recommendations.¹²

As the current bill language stands, many people would be unnecessarily excluded from consideration for resentencing based on their age at conviction or sentence type. The exclusions are not based on assessment of individual rehabilitation or readiness to return to the community. Categorical exclusions like these severely limit the impact of needed reforms and willfully ignore research on the ineffectiveness of incarceration as a response to violence.¹³ **Social Work Advocates for Social Change urges a favorable report with amendments - that revert the bill to its original posture - on HB 853.**

Social Work Advocates for Social Change is a coalition of MSW students at the University of Maryland School of Social Work that seeks to promote equity and justice through public policy, and to engage the communities impacted by public policy in the policymaking process.

⁶ Equal Justice Initiative, *Maryland bans life without parole for children* (2022). <https://eji.org/news/maryland-bans-life-without-parole-for-children/>

⁷ Maryland Office of the Public Defender, *The Juvenile Restoration Act: Year One - October 1, 2021 to September 30, 2022* (2022).

https://opd.state.md.us/_files/ugd/868471_e5999fc44e87471baca9aa9ca10180fb.pdf

⁸ Alliance for Safety and Justice (ASJ), *Crime Survivors Speak 2022: National Survey of Victims' Views on Safety and Justice* (2022).

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

⁹ Sered, D. (2019). *Until We Reckon*, The New Press.

¹⁰ Office for Victims of Crime, *Vision 21: Transforming Victim Services: Final Report* (2013).

https://ovc.ojp.gov/sites/g/files/xyckuh226/files/media/document/Vision21_Report.pdf

¹¹ The Sentencing Project, *The Second Look Movement* (2024). <https://www.sentencingproject.org/app/uploads/2024/05/Second-Look-Movement.pdf>

¹² The Sentencing Project (2024).

¹³ Jones, A., *Reforms Without Results: why states should stop excluding violent offenses from criminal justice reforms* (2020). Prison Policy Initiative. <https://www.prisonpolicy.org/reports/violence.html>