

TESTIMONY ON HB 853  
MARYLAND SECOND LOOK ACT

Senate Judicial Proceedings Committee  
March 25, 2025

FAVORABLE WITH AMENDMENTS

Submitted by: India Creek

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

I, India Creek, am testifying in support of HB 853, the Maryland Second Look Act. I am submitting this testimony as an impacted family member.

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<sup>1</sup>.

I urge you to vote favorable with amendments.

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<sup>2</sup>There are very low recidivism rates for individuals released from decades-long sentences, including for violent crime. This has been seen with the Ungers, 200 Marylanders serving life sentences, who were released after the landmark case Maryland v Unger, who have a less than 4% recidivism rate<sup>3</sup>. Whether a life without parole sentence is imposed depends significantly on the jurisdiction and who was in office at the time, leading to jurisdictional disparities in Maryland.

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

Thank you

India Creek

District 8

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<sup>2</sup>Martha Lally & Suzanne Valentine-French [Lifespan Development: A Psychological Perspective](#) (2025)  
Justice Policy Institute [Rethinking Approaches to Over Incarceration of Black Young Adults in Maryland](#) (2019).

<sup>3</sup>Justice Policy Institute [Fact Sheet: The Ungers](#) (2018)

Alliance for Safety and Justice: [Crime Survivors Speak 2022: National Survey Of Victims' Views On Safety And Justice](#) (2022)