

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

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

FAVORABLE WITH AMENDMENTS

Submitted by: **Donald J. Bovello**

March 21, 2025

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

I, **Donald J. Bovello**, who was previously incarcerated for over 35 years, have been released over 2.5 years and have been successful in my transition to society and release via the Juvenile Reinvestment Act, **am testifying in support of HB 853, the Maryland Second Look Act**. I am submitting this testimony as a **member of the Second Look Coalition, supporter of MAJR and MD Cure. I am a registered voter in Maryland Legislative District 31.**

Your committee has heard me testify on the Correctional Ombudsman bill and Restrictive Housing. When I advocate for these important issues involving criminal justice, I do so from a base of personal knowledge and experience. Via the JRA I received my second look, leaving behind some of those who mentored me into becoming the man I am today. If not for their guidance and wisdom, I would not be free, married, a member of a church, a full-time employee, a registered voter.

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 can personally attest to the racial disparities in Maryland prisons.

I urge you to vote **favorable with amendments**. As the current bill language stands, it excludes individuals who may have been over-sentenced for an offence another individual received a lesser sentence. Further, the brain science which has been accumulated over the last several decades shows that full brain development does not occur until around age 25 years.

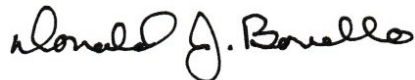
The Juvenile Restoration Act, which HB 853 builds upon, *banned* Life Without Parole (LWOP) for minors sentenced as adults and gave individuals convicted as adults for crimes committed under 18 the chance to request a sentence reduction after serving 20 years, including those originally sentenced to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

This is not an easy way out:

- *The judge must already consider the nature of the offense and a person's age at the offense during a Second Look hearing, and they will weigh those factors when deciding if they merit a sentence reduction.*
- *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.*
- *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.*
- *The Act would require the judge to consider the victim's input, should the victim or the victim's representative choose to offer a statement. Victims, too, prefer, by 2 to 1, a criminal legal system that focuses more on rehabilitating people who commit crimes than punishing them.*

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

Thank you,



Donald J. Bovello

Constituent, Legislative District 31