



MARYLAND ALLIANCE FOR JUSTICE REFORM

Citizens working to reform criminal justice in Maryland



TESTIMONY ON HB 853 MARYLAND SECOND LOOK ACT

Senate Judicial Proceedings Committee
March 25, 2025

FAVORABLE WITH AMENDMENTS

Submitted by Judith Lichtenberg, on behalf of the Maryland Alliance for Justice Reform (MAJR)

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

I am testifying on behalf of the Maryland Alliance for Justice Reform (MAJR) in support of HB 853, the Maryland Second Look Act. I am submitting this testimony as a member of the executive committee of MAJR, as a member of the board of PREPARE (which helps incarcerated people prepare for parole), and as a professor who has taught college courses in philosophy for the last nine years at Jessup Correctional Institution, Patuxent Institution, and the DC Jail.

Passage of the Maryland Second Look Act would create a meaningful opportunity for sentence modification for incarcerated people who have served 20 years of their sentence. We believe that after having served decades of incarceration, all people should have the opportunity to demonstrate their growth and rehabilitation. Moreover, recidivism rates are very low for those released from decades-long sentences, including for violent crime. This became evident when the Ungers, 200 Marylanders serving life sentences, were released after the landmark case *Maryland v. Unger*; they have had a less than 4% recidivism rate. Especially because incarcerating people gets more expensive as they age, releasing people after they've served 20 years would also save the state millions of dollars.

I am grateful for the opportunity this bill creates for those who would be eligible for a second look. However, to effect real progress and justice, more is needed. Maryland leads the nation in sentencing young Black men to the longest prison terms—including life without parole sentences (LWOP)—at a rate 25% higher than the next nearest state, Mississippi. As the current bill stands, it excludes some very deserving people who are serving LWOP sentences, were over 24 at the time of their offense, or were incarcerated for a sex offense. To bring these people into the scope of the bill, I urge you to vote “favorable with amendments.”

The Second Look Act does not guarantee that an incarcerated person who meets the formal requirements will have their sentence reduced. And the judge would be free—indeed is required—to consider the nature of the offense and many other factors when deciding if the prisoner merits a sentence reduction.

Among other things, the Act would require the judge to consider input from the victim or the victim's representative if they choose to offer a statement. According to *Crime Survivors Speak*, a report by the Alliance for Justice and Safety, by a margin of 2 to 1 "victims prefer increased investments in community supervision, such as probation and parole, over more investments in prisons and jails."

For all these reasons, I urge you, on behalf of MAJR and myself, **to vote favorably with amendments** on the Maryland Second Look Act HB 853.

Thank you.

Sincerely,

Judith Lichtenberg
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