

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

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

**FAVORABLE WITH AMENDMENTS**

Submitted by: Michele Kennedy-Kouadio

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

I, Michele Kennedy-Kouadio, **am testifying in support of HB 853, the Maryland Second Look Act.** I am submitting this testimony as a mother of a son, wrongly charged, convicted and sentenced to 40 years. He has survived 8 years so far in a Maryland prison. This bill would be a welcome opportunity to allow him to rejoin his family and me before he perishes in a Maryland prison. Also, I am an active member of the Maryland Alliance for Justice Reform (MA4JR) and MD CURE.

I firmly believe that after having served decades of incarceration, all individuals in Maryland prisons should have the ability to demonstrate their growth and rehabilitation, and with an attorney present. In contrast, the current parole system does not allow the person in prison to have a representative or a lawyer present at the hearing before the commissioner and the release rate when first eligible for a parole hearing is under 10 percent for immediate release.

Although this bill creates an opportunity for some—to affect real change, more is needed. Maryland leads the nation in sentencing young Black men to the longest prison terms, which includes Life Without Parole Sentences, (23% of Maryland's prison population are life sentences). Another 30% are seeing sentences between 20-50 years. DPSCS has neglected urgent staffing needs (30% understaffed according to AFSCME and the independent Moss report) and deteriorating prison facilities conditions (insufficient cooling during extreme heat and security apparatus that are non functional) are not able to safeguard staff and 16,000 people in Maryland prisons.

I urge you to vote **favorable with amendments.** The bill in its current form would exclude many deserving individuals from receiving an opportunity for a second look. I have come to know other justice reform advocates whose loved ones were sentenced for life without parole or were 25 or older at the time of the offense—their loved ones have transformed their lives or were found guilty and sentenced long term in a flawed system.

Anyone who has served 20 years and has met criteria including transformed behavior and posing no danger to public safety should have an opportunity for a judicial review.

The Juvenile Restoration Act (JRA), which HB 853 builds upon, banned Life Without Parole (LWOP) sentences for minors and gave those under 18 convicted as adults the chance to request a sentence reduction after serving 20 years, even if they were sentenced to LWOP. 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>1</sup>.

Also, (1) whether an LWOP sentence is imposed depends significantly on the jurisdiction and who was in office at the time, leading to jurisdictional disparities in Maryland (2) Women and criminalized survivors are much more likely to be older when they commit an offense. Limiting the age for second look will disproportionately exclude criminalized survivors, and (3) 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.

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

Thank you,

Michele Kennedy-Kouadio

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<sup>1</sup> Martha Lally & Suzanne Valentine-French [Lifespan Development: A Psychological Perspective](#) (2025)