

## **Statement of Opposition to Maryland House Bill 853 (The Second Look Act)**

"We stand in firm opposition to House Bill 853, the 'Second Look Act.' This legislation, which proposes to allow for the potential reduction of sentences for individuals who committed crimes between the ages of 18 and 25, after serving 20 years, presents several critical concerns:

- **This Bill is Void of Clarity:**  
void of clarity due to ambiguous eligibility criteria, a lack of clear guidelines for judicial discretion, exclusions that create confusion about qualifying offenses, and potential misinterpretations by both supporters and opponents. These factors collectively contribute to uncertainty surrounding the implementation and impact of this legislation.
- **Compromising Victims' Rights:**
  - This bill disregards the enduring pain and trauma experienced by victims and their families. Reopening cases and potentially releasing offenders forces victims to relive their traumatic experiences, undermining their sense of justice and closure.
  - It creates a system where the focus shifts from the victims of crime to the perpetrators.
- **Lack of Clear Guidelines for Judges:**  
The bill empowers judges to consider various factors when deciding whether to modify a sentence, including personal growth, rehabilitation efforts, and victim statements. However, it does not provide clear guidelines or standards for judges to follow when evaluating these factors. This could result in inconsistent applications across different cases and jurisdictions, undermining the intended purpose of providing fair opportunities for sentence reconsideration.
- **Public Safety Risks:**
  - There are concerns that releasing individuals who have committed serious crimes, even after a period of incarceration, poses a potential risk to public safety.
  - Recidivism is a real concern. While some individuals may rehabilitate, there is no guarantee that all will, and the potential for re-offending remains.
- **Undermining the Judicial Process:**
  - Sentences are handed down by judges after careful consideration of the severity of the crime, the circumstances surrounding it, and the need to protect society. This bill undermines the integrity of the original sentencing process.

- It creates a system where sentences can be arbitrarily altered, potentially leading to inconsistencies and a lack of faith in the judicial system.
- **The emotional toll on victims families, friends and communities:**
  - Many victim's family members and friends feel like this bill devalues the life of the victim, with the potential for the person who committed the crime against their loved one to be released. This causes further trauma to those families.

We believe that while rehabilitation is important, it must be balanced with the need to uphold justice for victims and ensure public safety. Therefore, we urge the legislature to reject House Bill 853."

Key points that I have included in this statement, are the protection of victims rights, and the potential increase of danger to the public. I hope this information is helpful.

Sincerely yours,

Peter R. Radway, Sr. & Tina G. Radway