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January 27, 2026

TO: The Honorable William Smith
Chair, Judicial Proceedings Committee

FROM: Tiffany Clark
Director, Legislative Affairs, Office of the Attorney General

RE: Senate Bill 162 – Criminal Procedure - Motion to Reduce Duration of Sentence - Repeal of Sentencing Date Limitation

The Office of the Attorney General (OAG) supports **Senate Bill 162 – Criminal Procedure - Motion to Reduce Duration of Sentence - Repeal of Sentencing Date Limitation**. SB 162 proposes to eliminate the October 1, 2021 effective date limitation in the Juvenile Restoration Act's sentence reduction provisions, ensuring consistent eligibility for all defendants who committed crimes while under age 18.

As Maryland's elected Chief Legal Officer, the Attorney General supervises and directs the legal business of the State. The OAG advises and represents State institutions, agencies, boards, commissions, and officials, while representing Maryland's interests in state and federal litigation. The OAG uses its authority to enforce the rule of law, protect Marylanders, and promote the public good.

This legislation directly supports our efforts to ensure fairness and consistency in Maryland's criminal justice system, particularly regarding sentencing opportunities for individuals who committed offenses as juveniles.

When the Juvenile Restoration Act (JUVRA) was enacted in 2021, it created two distinct pathways based on sentencing date. For defendants sentenced on or after October 1, 2021, courts were not required to adhere to mandatory minimums and were prohibited from imposing life without parole under § 6-235 of the Criminal Procedure Article. For defendants sentenced before that date, JUVRA established a sentence reduction mechanism under § 8-110 of the Criminal

Procedure Article available after the defendant had served at least 20 years. The date limitation making sentence reduction available only to juvenile defendants sentenced before October 1, 2021, was logical at the time because juvenile defendants sentenced after October 2021 would benefit from § 6-235's protections.

However, the passage of the Second Look Act in 2025 (2025 Md. Laws ch. 96) created an unintended incongruity. Under current law as established by the Second Look Act, defendants aged 18-25 at the time of their crime, regardless of their sentencing date, may seek a sentence reduction after serving 20 years under § 8-110. Yet defendants under age 18 who committed crimes after October 1, 2021 fall into a gap: they are excluded from the Second Look Act (which applies only to those over age 18) and from JUVRA's sentence reduction provisions (due to the date limitation). This results in the outcome that juvenile defendants now have fewer opportunities for sentence consideration than young adult defendants.

SB 162 corrects this inequity by removing the October 1, 2021 date restriction, ensuring that all defendants who were under 18 at the time of their offense have access to the sentence reduction process established by JUVRA. This creates appropriate parity with the Second Look Act's treatment of young adult defendants and reflects the General Assembly's recognition that individuals who commit offenses during adolescence warrant special consideration in sentencing.

We appreciate the General Assembly's work on this important issue and appreciate the opportunity to share our perspective. For the foregoing reasons, the Office of the Attorney General respectfully urges the Committee to give Senate Bill 162 **a favorable report**.

Cc: