

Support HB 323 - Second Look Act

MARYLAND ALLIANCE FOR JUSTICE REFORM

Working to end unnecessary incarceration and build strong, safe communities



TO: Chair Luke Clippinger and House Judiciary Committee

FROM: Phil Caroom, MAJR Executive Committee

DATE: February 4, 2020

Md. Alliance for Justice Reform ([MAJR-www.ma4jr.org](http://www.ma4jr.org)) supports HB 323 that would permit sentencing judges to consider possible modification of sentences under limited circumstances.

This is not a new concept that would throw the Maryland Judiciary into disarray. Quite the contrary, prior to a 2004 modification of Maryland Rule 4-345, Maryland judges could grant such relief. So, HB 323 simply would restore this discretion that judges previously could exercise throughout earlier Maryland court history. (See revisor's notes to Maryland Rule 4-345.)

SB 323 also is consistent with the policy of Maryland's Justice Reinvestment Act (JRA), permitting judges to grant retroactive reduction of sentences in recognition of new sentencing policies. Thus, Maryland courts, prosecutors, Public Defenders and other defense counsel have gained substantial experience in how to process a high volume of such requests.

Particularly, state prison population and expenses may be reduced via reductions for inmates with lower-risk status, in light of their aging, deteriorating health, and such individuals' self-rehabilitation achievements. These savings, as provided by JRA, would serve to provide more grant funding to assist with drug treatment, reentry and other rehabilitation programs for younger, higher risk offenders.

For all these reasons, Md. Alliance for Justice Reform (MAJR) urges a favorable report on HB 323.

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PLEASE NOTE: Phil Caroom offers this testimony for Md. Alliance for Justice Reform and not for the Md. Judiciary.