



Testimony before the House Judiciary Committee

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HB0323 – Criminal Procedure – Petition to Modify or Reduce Sentence (Maryland Second Look Act)

February 4, 2020

Please accept this statement in support of HB0323.

Thank you for the opportunity to provide testimony on this bill. My name is Keith Wallington and I am with the Justice Policy Institute and a resident of Prince George County, Maryland.

I am here today in support of HB0323 to allow individuals a meaningful opportunity for release through the courts for people serving long sentences in Maryland.

Often on these types of bills the legislature hears how traumatic this is for crime survivors to keep coming back to courts or before the parole board, but too often the victim's perspective is as just a desire to have harsher punishment, longer sentences and limited opportunities for release. The reality is that there are a range of perspectives of those who have been harmed by crime. What we know – including from public opinion research about the views of crime victims -- is that a lot of those who are harmed by crime do not see incarceration or excessively long sentences as the only way, or even the best way forward. Also, too often when the victim's perspective is heard you are not hearing from people like me and my colleague Tyrone Walker -- black men who have experienced harm directly or through our family experiences-- who the data shows are disproportionately crime survivors. I come to this issue as an advocate and also someone who has been touched very directly by the justice system, having lost a brother to gun violence and experiencing the impact of his loss and my family's interaction with the justice system.

As a crime survivor I want to see accountability and complete healing. We go through different phases of grief and many of us get to a point where we want to see offenders get the treatment needed as part of our healing journey. By "complete" I mean all parties involved. What gives me comfort as a crime survivor is knowing that the person who harmed my family is getting the treatment needed to ensure no one else relives my experience.

As a crime survivor I want to see accountability. With accountability comes opportunity for treatment for all parties involved. From my perspective, once a person has been held accountable and received the proper rehabilitation then I support them having meaningful opportunity to return to their communities and families. That doesn't mean that person would automatically be released, only that they would be given a meaningful chance to show they can be safely returned to the community. Much of my experience as a crime survivor aligns with a poll of other crime survivors done by the Alliance for

Safety and Justice (ASJ). In a national survey of crime survivors of victims of violent and nonviolent crimes (including rape and murder):

- Fifty-four percent of crime survivors prefer spending on prevention and rehabilitation programs and only 6% prefer spending on prisons and jails.
- Sixty percent of crime survivors think we should be focused on rehabilitation rather than punishment.
- By a margin of nearly 3 to 1, victims believe that prison is more likely to make people commit crimes than to rehabilitate them.
- Victims overwhelmingly prefer investments in new safety priorities, such as education, job creation, mental health treatment, at-risk youth programs, drug treatment, and community supervision, over spending on prisons and jails.
- Sixty-one percent of victims prefer shorter prison sentences and spending on prevention and rehabilitation, whereas only 25 percent prefer long prison sentences as a response to crime.
- Seventy percent of victims prefer holding people who commit crimes accountable through other mechanisms beyond just prison.
- These statistics are true across the political spectrum – 93 percent of Democrats, 84 percent of Republicans, and 90 percent of Independents agree that it is more important to invest in schools and education over prisons and jails.

Traditional justice system responses have put so much emphasis on punishment that any crime survivor input outside of advocating for harsher punishment is too often muted. As a crime survivor, I agree that the best way to deal with someone who causes harm is to ensure that person receives the treatment they need, increasing the likelihood that no one else is harmed. I like many crime survivors want accountability, but we also want to have a say in what accountability looks like. I also appreciate that many crime survivors who have unmet treatment needs end up causing harm. This is particularly defined among the most victimized demographic, young black males. We know that black males are disproportionately victims of crime, but black males are underrepresented in crime survivor policy circles.

On behalf of myself and the Justice Policy Institute, I support HB0323 to allow meaningful opportunities for release for individuals who have caused harm but have shown they have been held accountable and changed to the point that they are not currently a risk to public safety.