

TESTIMONY BY Tyrone Walker
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HOUSE BILL 409, “JUVENILE RESTORATION ACT”

DELEGATE LUKE CLIPPINGER, CHAIRPERSON

MARYLAND HOUSE JUDICIARY COMMITTEE

Thursday, January 21, 2021, 1:30 p.m.

Room 100, House Office Building

6 Bladen Street

Annapolis, MD 21401

Thank you, Chairperson Clippinger and other Committee members, for allowing me to testify at this hearing in support of Maryland’s Second Look Act.

I speak to these issues as someone who has been directly impacted by the criminal justice system and I am here today, testifying because of a second look mechanism in a neighboring jurisdiction. The Incarceration Reduction Amendment (IRAA) Act of Washington D.C., a provided me a second opportunity at life. The IRAA allows individuals whose crime occurred prior to their 18th birthday to apply for a resentencing hearing after having served 15 years in prison. One important note: The Justice Policy Institute urge this Committee to consider amending the Second Look Act to allow eligibility at 15 years, which is consistent with the IRAA and the recommendations of the American Legal Institute’s Model Penal Code. I speak for the many people in DC who have been released under IRAA and are now working and contributing to public safety in their community.

It would be an injustice for me to tell my story without recognizing the harms done to individuals and society. I cannot change the great tragedy that I committed, and the hurt that I caused that family to endure. From the depth of my being, I am sincerely apologetic for what I have done. I am fully and completely responsible for the actions I made. I made a terrible decision, I made the worse mistake of my life, and I have learned from it.

While I express my feelings towards the victims I hurt, I am not here today to receive any empathy or sympathy for the actions I took 26 years ago. I am here to educate the council that someone’s worst failing in their lives is not indicative of someone’s future action; and I am an example of an individual’s capacity to grow and mature.

I was born and raised in Washington, D.C. I was an uneducated, unstructured, foolish, immature, and a reckless 17-year-old in June 1992. I made one of the worse mistakes of my life. I didn't wake up nor was planning for that to happen that day, but I fired a gun that killed another human being. I was arrested on March 26, 1994.

Upon my arrest, I was placed at the D.C. jail as a 19-year-old. I still had not grasped the severity of my crime, and I was living in denial of what I had done. I was not able to understand that I was going to spend the remainder of my life in a prison cell.

While being housed there, it was clear that much of the population had similar backgrounds to myself, raised in a dysfunctional neighborhood surrounded by experiences of violence, drugs, and physical abuse. Most retained a child-like mind, full of impetuosity and immaturity.

I shared that because I was a codefendant in my case with my brother (who has since passed) who was 18 years old, and my cousin who was 21 years old. While growing up I never looked at either one of them of being adults in our relationship. We grew up in the same household, we slept in the same bed, we shared the same socks and had similar experiences with neighborhood discord. How we viewed the world, and our personal mental development were all the same, but how the justice system perceived us was significantly different. In this setting, there is no magical difference between me, a 17-year-old, my brother, an 18-year-old, and my cousin, a 21-year-old.

My rehabilitation was spent over the 9,019 days, or 24 years 8 months and 15 days, or 216,456 hours in prison for the crime that I take complete responsibility for. During that time, I spent it deliberately focused on becoming a better person, son, sibling, father, grandfather, community member and a better man for our society. I went through the early years of my life trying to find *the real me*. It was buried deep within me, but I didn't know how to bring him out and cultivate him in a nourishing way, so he remained lost to me until I met a mentor. Mr. Lucius F. McCoy-Bey Sr. taught me and encouraged me with his constant tutoring and mentoring for 2 years before he was released. He instilled in me a hope of a new life through increasing my capacity of knowledge, wisdom, and understanding. Through personal growth, dreams and aspirations could become a new tangible lifestyle.

Acting on the encouraging words of my mentor, I entered the education class with a vigor and drive to succeed. I earned my GED when I was 23 years old and continued to explore what I wanted to do with my life. I worked to navigate my way in the world even though I was in prison. Those moments of uncertainty were painful, but I kept pushing. At the age of 25, I enrolled in Allegheny College and earned a degree in business. After jump starting my life, I began reaching out to others who needed help growing in their education through tutoring those in GED course to simply learning how to read. To further my impact, I started many training programs for the aging prison population and a host of other programs for those in need of improving their lives. I took what I learned from my mentor and expanded it to as many individuals I could to be a better person in society, in and out of the prison.

After years of reconfiguring my life, I was eventually released on December 4, 2018 after my motion for IRAA was granted. I have continuously stayed the course of my rehabilitation by completing the Pivot Program at Georgetown University McDonough School for Business, this is an Entrepreneurship and Internship curriculum course offered to returning citizens in the District of Columbia. This model of programming is uniquely developed to those who wish to start their own business or provided the skills and opportunities to work in an existing business with livable wages. I entered this program the day I was released from D.C. Jail. When I reported to class, I had the outlook of being a better citizen for our community and I have excelled at making those changes a reality and showing all that my rehabilitation process reflects the man I have matured into. During that time, I was also an intern at the Justice Policy Institute. Since then, I have joined JPI full-time as an Associate, helping advocacy and research efforts to effectively change policy within the criminal justice system.

This reentry support has allowed me to smoothly reintegrate into the community in a meaningful way. However, this proposed Maryland legislation would limit reentry support to people like me, who were convicted as a juvenile. Everyone returning home after years of incarceration, regardless of their entering age, needs the types of wrap-around services in the community, that would allow for a successful transition. I urge the Committee to consider expanding reentry support to all individuals who benefit from a second look.

I am in support of the Maryland Second Look Act. Like myself, others in Maryland have gone through life in prison knowing that they have made a fatal mistake but have spent their time rehabilitating and rethinking their next steps. Give them the same opportunity to prove that they deserve to be back into society. Had IRAA not been passed in D.C., I would not be here right now. Second look legislation would permit individuals like me to reintegrate to society and allow for the resources allocated to their incarceration be devoted to efforts that would contribute to public safety in far more meaningful ways.

I would like to thank you in advance for your most valued time and kind consideration for hearing my testimony in support of passing the Maryland Second Look Act.