

MARYLAND PRISONERS' RIGHTS COALITION

TESTIMONY – SUPPORT
JUVENILE RESTORATION ACT- HB409
HEARING DATE: 1/21/21 @ 1:30PM

Chair Clippinger, Vice Chair Attebeary, and Judiciary Committee Members

Thank you for the opportunity to voice our **SUPPORT** for HB409.

As you are all aware, HB409 strives to bring Maryland in line with recent U.S. Supreme Court rulings and twenty-four other states and jurisdictions, including Virginia, West Virginia, and the District of Columbia, that have passed similar legislation abolishing life without the possibility of parole for children.

This legislation would put Maryland in line with her neighbors by not just abolishing the sentence of Juvenile Life Without Parole (JLWOP) but also by permitting a person who was convicted of a crime committed while the person was a minor to file a motion for a sentence reduction after serving at least 20 years, is not a danger to the public, and the interests of justice are served by a sentence reduction. This legislation would also require the reviewing court to consider the particular characteristics of youth in accord with *Miller v. Alabama*, 567 U.S. 460 (2012), when determining whether to grant a sentence reduction to a person who was a child at the time the crime was committed.

The MPRC fully supports HB409, because as research has shown, children do not have the cognitive development in decision making that an adult over the age of 28 has. Their decisions very often impulsive and malleable. Their grasps of consequences is at best infantile. Just think about your children – nieces – nephews, how they react/respond to various challenges, distresses, or situations. Do their actions mirror how you would respond to those same situations? Additionally, research has found that the criminal justice system disproportionately incarcerates brown and black children as a whole. Currently, Maryland has over 300 juveniles who are serving life sentences. This has to stop! This bill offers our juveniles an opportunity for correction, an opportunity to receive a second chance, and an opportunity to work towards a sustainable goal. Most of all it would offer them hope. This legislation does not absolve our young people of their crimes, nor does it minimize the consequences. Rather, as stated, it allows the opportunity for correction.

By not allowing any meaningful second chance to our incarcerated youth, our communities will continue to pay incredible amounts in both human and financial costs. We must pass this legislation and offer a second chance!

For these reasons, we urge this committee to pass HB409!