



March 28, 2022

Senator William C. Smith, Jr.  
Chair, Senate Judicial Proceedings Committee  
2 East  
Miller Senate Office Building  
Annapolis, Maryland 21401

**Re: Support for SB 976 (Patterson) – Prosecutor-Initiated Resentencing**

Dear Senator Smith:

On behalf of For The People, I write today in strong support of SB 976 (Patterson), which would grant State's Attorneys discretion to initiate criminal cases for resentencing if it is in the interest of justice.

As a former prosecutor, I drafted the nation's first Prosecutor-Initiated Resentencing (PIR) law in California (AB 2942), which then served as a model for Washington State, Oregon, and Illinois — all of which have since passed PIR laws. Like the four existing PIR laws, SB 976 would provide State's Attorneys an additional tool to carry out their duty of administering justice both at the time of sentencing and after. Some sentences that were reasonable and appropriate during sentencing may no longer be just today, given changes in sentencing practices and research now known around [adolescent brain development](#) and the [relatively low risk of recidivism for elderly people](#). SB 976 would give State's Attorneys discretion to look back at such sentences on a case-by-case basis.

As SB 976 is discretionary, each elected State's Attorney can choose to opt in or opt out of conducting PIR in their county. Each State's Attorney can make the decision that is in the best interest of the community they were elected to serve. SB 976 includes a system of checks and balances to ensure a thorough and methodical review process for each case. After a careful review of the case, the State's Attorney would have discretion to motion the court for resentencing, but the court would hold the authority to make the final decision. SB 976 also guarantees the victim's rights to be notified of the hearing and to have their voices heard.

California's PIR Law is now entering its fourth year of implementation. About a dozen District Attorneys (out of 58) in California have opted in to using the law; others have simply opted out. District Attorney Offices implementing PIR include Riverside, San Diego, and Yolo Counties, demonstrating the wide range of counties — large, small, medium, rural, urban — with prosecutors from across the political spectrum. Since the law took effect in 2019, about 100 people have been resentenced and released, which speaks to the extremely careful and methodical review process for each case.

SB 976 would result in state savings by eliminating costs of incarcerating people who no longer pose a risk to public safety, and it would give State's Attorneys an additional tool to ensure that justice prevails. For these reasons, For The People strongly supports SB 976 (Patterson) and encourages the Committee to report favorably on this important bill.

Respectfully,

Hillary Blout  
Founder/Executive Director, For The People