

**MARYLAND JUDICIAL CONFERENCE**  
**GOVERNMENT RELATIONS AND PUBLIC AFFAIRS**

Hon. Joseph M. Getty  
Chief Judge

187 Harry S. Truman Parkway  
Annapolis, MD 21401

**MEMORANDUM**

**TO:** Senate Judicial Proceedings Committee  
**FROM:** Legislative Committee  
Suzanne D. Pelz, Esq.  
410-260-1523  
**RE:** Senate Bill 976  
Criminal Procedure – Postconviction Review – Motion for  
Reduction of Sentence  
**DATE:** March 23, 2022  
(3/29)  
**POSITION:** Oppose, as drafted

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The Maryland Judiciary opposes Senate Bill 976, as drafted. The offered legislation adds to the § 8-111 of the Criminal Procedure Article and allows the State’s Attorney to file a motion for reduction of sentence at any time during the period of active incarceration recommending a lesser sentence if it is in the interest of justice.

The Judiciary opposes this bill because, at Criminal Procedure § 8-111(d), it requires courts to hold hearings on motions for reduction of sentences. The Judiciary generally opposes mandatory provisions that limit courts’ ability to control their dockets and limits judicial discretion. The decision to hold a hearing should be discretionary.

cc. Hon. Obie Patterson  
Judicial Council  
Legislative Committee  
Kelley O’Connor