



February 13, 2023

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

Re: Support for SB 295 (Sydnor) – Prosecutor-Initiated Resentencing

Dear Senator Smith,

On behalf of For The People, I write today in strong support of SB 295 (Sydnor), which would grant State's Attorneys discretion to initiate criminal cases for resentencing if it is in the interest of justice.

For The People is a national organization that leads implementation of Prosecutor-Initiated Resentencing across the country. Our Founder/Executive Director Hillary Blout is a former prosecutor who drafted and secured the passage of the nation's first Prosecutor-Initiated Resentencing (PIR) law in California (AB 2942), which then served as a model for other states that proposed the law. Four additional states have passed the law—Washington State, Oregon, Illinois, and Louisiana—and seven other states have proposed the law, ranging from Texas to Massachusetts. Like the five existing PIR laws, SB 295 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 295 would give State's Attorneys discretion to look back at such sentences on a case-by-case basis.

As SB 295 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 295 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 295 guarantees the victim's rights to be notified of the hearing and to have their voices heard.

In the past four years of implementation, about two dozen prosecutors across the country have opted in to using the law; others have simply opted out. Prosecutors' offices implementing PIR include a wide range of counties—large, small, medium, rural, urban—with prosecutors from across the political spectrum. In the last four years of implementation, approximately 630 people have been resentenced and released, which speaks to the extremely careful and methodical review process for each case.

SB 295 would help eliminate costs of incarcerating people who no longer pose a risk to public safety and allow critical taxpayer dollars to be redirected toward more effective crime-reducing activities, and it would give State's Attorneys an additional tool to ensure that justice prevails. For these reasons, For The People strongly supports SB 295 (Sydnor) and encourages the Committee to report favorably on this important bill.

Respectfully,

May Lim
National Policy Manager, For The People