

## TESTIMONY ON SB318

Senate Judicial Proceedings Committee  
February 1, 2024

### OPPOSE UNLESS AMENDED

Submitted by: **Magdalena Tsiongas**

Chair Smith, Vice Chair Waldstreicher and members of the Judicial Proceedings Committee:

**I, Magdalena Tsiongas, am testifying in opposition of SB 318.** I am submitting this testimony as the family member of an incarcerated person serving a life sentence.

Second chances are vitally important, and currently, sentence modifications are severely limited as incarcerated people in MD can only petition the Court for modification within 90 days of sentencing<sup>1</sup>. Unfortunately, this bill does not go far enough to address this limitation, as it would only allow for the State's Attorney to ask the Court for a sentence modification, and not the individuals serving the sentence. This would, in practice, limit the cases that would be considered for sentence modification only to those counties that have a sympathetic prosecutor willing to ask for sentence modifications, rather than allowing a judge to decide which individuals from any county are worthy of a sentence modification. For my own family member, who was sentenced in a conservative county, and for thousands of others across the state, they would never be afforded the opportunity for sentence review, because of the politics of their State's Attorney.

Importantly, Maryland judges used to have the ability to review sentences, an important safety valve for extreme sentences, but this opportunity was eliminated with a rule change in 2004<sup>2</sup>. There continues to be great need for legislation that creates the opportunity for sentence modification for those who have demonstrated rehabilitation. Second Look for all legislation, such as SB 123, would do just that. Second chances should be based on the individual merit of those individuals who have contributed decades to their growth and rehabilitation, and not limited merely by who their State's Attorney is.

For these reasons, I encourage you to **oppose SB 318 unless amended to include the ability for individuals to petition for sentence modification themselves.**

Thank you.

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<sup>1</sup> Maryland Rule 4-345

<sup>2</sup> [Court of Appeals of Maryland Rules Order](#)