



February 2, 2024

SB 389

Criminal Procedure - Incarcerated Seniors - Motion to Reduce the Duration of a Sentence

Senate Judicial Proceedings Committee

Position: FAVORABLE

The Maryland Catholic Conference offers this testimony in support of Senate Bill 389. The Catholic Conference is the public policy representative of the three (arch)dioceses serving Maryland, which together encompass over one million Marylanders. Statewide, their parishes, schools, hospitals and numerous charities combine to form our state's second largest social service provider network, behind only our state government.

Senate Bill 389 would allow a prison inmate who is at least 60 years of age and has served at least 20 years of a sentence to file a motion for reduction of their sentence. Upon that motion, a court must conduct a hearing on the matter. In the event that the evidence presented by both the inmate and the state, if any, shows within judicial discretion that the inmate is not a danger to society and that the interest of justice will be better served by a reduced sentence, the motion may be granted.

In *A Catholic Perspective on Crime and Criminal Justice* (2000), the United States Conference of Catholic Bishops stated: "We believe that both victims and offender are children of God. Despite their very different claims on society, their lives and dignity should be protected and respected. We seek justice, not vengeance. We believe punishment must have clear purposes: protecting society and rehabilitating those who violate the law."

The Catholic Church roots much of its social justice teaching in the inherent dignity of every human person and the principals of forgiveness, redemption and restoration. Catholic doctrine provides that the criminal justice system should serve three principal purposes: (1) the preservation and protection of the common good of society, (2) the restoration of public order, and (3) the restoration or conversion of the offender. Thus, the Church recognizes the delicate balance between public safety, protecting the common good, and the rehabilitation of the incarcerated.

The Conference submits that this legislation seeks to embody these principals and purposes. Older inmates who have served much of their sentence should be entitled to a hearing, wherein a judge may determine in their discretion whether the inmate's rehabilitative path warrants an end to their incarceration. Senate Bill 389 would restore hope for elderly offenders seeking to reincorporate themselves into society, where they can be cared for by the community as opposed to behind bars. For these reasons, we urge a favorable report on Senate Bill 389.