



February 9, 2024

The Honorable Luke Clippinger
Chair, Judiciary Committee
Room 101, House Office Building
Annapolis, Maryland 21401

The Honorable J. Sandy Bartlett
Vice Chair, Judiciary Committee
Room 101, House Office Building
Annapolis, Maryland 21401

Dear Chair Clippinger and Vice Chair Bartlett,

I would like to express my full support for *House Bill 724 - Criminal Procedure - Petition to Reduce Sentence (Maryland Second Look Act)*.

I believe in second chances. Almost exactly a year ago today, I created the Bipartisan Second Chance Task Force with my fellow Congressional colleagues in an effort to promote policies that will improve reentry outcomes and reduce employment barriers for returning citizens. Many times, especially in regards to our often racially-unjust criminal justice system, a “second chance” comes in the form of a “second look.”

The Maryland Second Look Act would create a meaningful opportunity for sentence modification for incarcerated people after having served 20 years of their sentence. I firmly believe that those individuals who are able to demonstrate their growth and rehabilitation, such that they are no longer a threat to public safety, should have the opportunity for release.

Currently, incarcerated people in Maryland can only petition the Court for modification within 90 days of sentencing, severely limiting any potential sentence modifications after they’ve served and worked to be rehabilitated for a significant amount of their sentence. In the past, Maryland judges had the ability to review sentences, an important safety valve for extreme sentences, but that ability was eliminated with a rule change in 2004, further limiting the opportunity for those incarcerated to receive an adjusted sentence through a fresh look.

Additionally, for more than 25 years, Maryland’s parole system was not available to people serving life with parole sentences, and while the General Assembly was finally able to remove the Governor from the parole process in 2021, that is not enough to remedy decades of wrongful denials which contributed to the bloated prison system and its extreme racial disparities.

Given the tendency for people to age out of crime and the very low recidivism rate for other individuals released from decades-long sentences, this decision is unlikely to negatively impact public safety. This has been seen with the “Ungers”, 200 Marylanders serving life sentences, who were released after the landmark case *Maryland v Unger*, who have a less than 4% recidivism rate. We know many more men

and women serving decades-long sentences who have worked hard, hoping for their chance to reenter and succeed in their communities.

This bill has serious racial justice implications - in a state where 31% of the general population is Black, 80% of the 2,212 people serving life sentences in Maryland are Black. Shamefully, Maryland also leads the nation in sentencing young Black men to the longest prison terms, at a rate 25% higher than the next nearest state, Mississippi. It is time to do more to address these racial disparities by creating the opportunity to give the sentences of those incarcerated for more than 20 years a second look.

I strongly urge this committee to give *House Bill 724 - Criminal Procedure - Petition to Reduce Sentence* the highest consideration.

Sincerely,

A handwritten signature in blue ink, appearing to read "David Trone", written in a cursive style.

David Trone
Member of Congress