

I am writing in support of SB 291, the Second Look Act. In addition to my activities with criminal justice reform organizations, I work as a paralegal with criminal defense lawyers. In Maryland, when anyone is sentenced after being found guilty of a jailable offense, he or she can file a Motion for Modification of Sentence under Maryland Rule 4-345. The judge can review the sentence but must do so within five years of the sentencing date. This creates a problem for people with long sentences because a judge may not want to modify a long sentence after only five years.

In my mind, the Second Look Act provides an opportunity for those with lengthy sentences, who have spent years or even decades in prison, to come before a judge to have the sentence reviewed. Statistically, a person usually “ages out” of criminal behavior by a certain age. Rehabilitation can and does happen, and there are people in the prison system who are worthy of having their sentences reviewed, but who have no mechanism to do so. The Second Chance Act would allow a Court to look at the sentence and the progress of the individual, and make a determination if that person’s sentence should be modified.

In Maryland, rehabilitation is one of the goals of the criminal justice system. This bill if enacted would give judges the power to look at individuals on a case-by-case basis and determine if their sentence may have been excessive or if their rehabilitation makes the person a good candidate for a sentence reduction. Please vote yes on this bill as it is good public policy.

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