



Maryland Crime Victims' Resource  
Continuing the Missions of the Stephanie Roper Commission  
Email: [mail@mdcrimevictims.org](mailto:mail@mdcrimevictims.org) • Web Page: [www.mdcv.org](http://www.mdcv.org)  
Toll Free: 1-877-VICTIM 1 (1-877-842-8461)

**Headquarters**

1001 Prince George's Blvd  
#750  
Upper Marlboro MD  
20774  
301-952-0063 (phone)  
877-842-8461 (toll free)  
240-929-0526 (fax)

**Baltimore**

1 N Charles Street  
Suite 700  
Baltimore MD 21201  
410-234-9885 (phone)  
410-234-9886 (fax)

**Carroll; Howard;**

**Baltimore Counties**

Oakland Manor  
5430 Vantage Pt. Rd  
Columbia, MD 21044

**Eastern Shore**

**Frederick and**

**Montgomery Counties**

**Prince George's Family**

**Justice Center**

**(partnership)**

14757 Main Street  
Upper Marlboro, MD  
20774  
301-780-7767 (phone)

**Western Maryland**

59 Prospect Square  
#006  
Cumberland MD 21502

# Opposition to Senate Bill (SB) 291

## Introduction

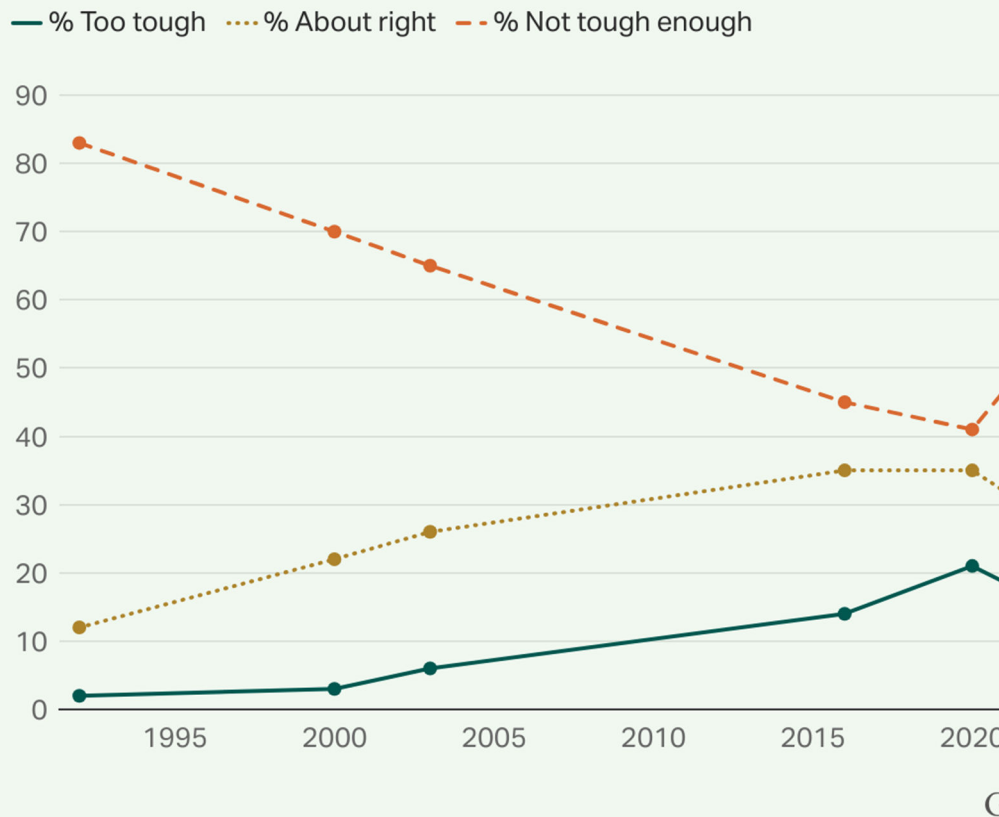
Senate Bill (SB) 291, which mandates new sentencing hearings for individuals who have been incarcerated for more than twenty years, is a contentious piece of legislation. It raises several significant concerns that warrant a thorough examination. This document outlines the primary arguments against the bill.

## Public Opinion

The public sentiment is clear: there is a strong opposition to allowing convicted criminals to request new sentencing procedures or to be released early from their sentences. This opposition is founded on the fear and discomfort that many citizens feel about the possibility of serious offenders being reintegrated into society prematurely. The notion of finality in sentencing brings a sense of security and justice to the public, which this bill threatens to undermine. A recent Gallup Research poll indicates the strong trend in public opinion toward the need for stronger sentencing.

## Americans' Calls for Tougher Criminal Justice System Increase

In general, do you think the criminal justice system in this country is too tough, not tough enough or about right in its handling of crime?



## Finality of Sentences

There is a critical need for finality in the sentences handed down to convicted criminals. This finality serves multiple purposes:

- **Public Assurance:** It reassures the public that justice has been served and that the societal order held as a systemic imperative, and is maintained.
- **System Integrity:** The justice system relies on the stability and predictability of its rulings to function effectively. It also relies on the cooperation of victims, who often must initiate investigations and charges, and who almost always are crucial witnesses. Diminishing

victims' satisfaction with outcomes and therefore diminishing victim participation has serious detrimental effects.

- **Victim Survivors' Well-being:** For those who have suffered due to the serious offenses, the finality of the sentence brings closure and a sense of justice. Reopening cases can retraumatize these individuals and disrupt their healing process. They are often afraid of the offender if he is released, whether a rational belief or not. Sometimes, they have been threatened by the offender, such as in courtroom encounters. Even if they are not afraid, they often are repulsed by the thought of encountering the murderer of their loved one in the grocery store, or the pharmacy, or at their child's school. Our society should account more for their peace of mind, their mental well-being, and their satisfaction. In the past three years, I have had two survivor families move from Maryland because of the callousness of releasing the murderer of their loved ones. These were wonderful people, excellent citizens, and taxpayers, and yet we lost them to bend over backwards for those who committed heinous acts against their loved ones.

## Existing Avenues for Sentence Reduction

Maryland already provides numerous mechanisms through which sentences can be reviewed and diminished. These include parole, clemency, pardon, a myriad of diminution credits, home detention programs, Special programs such as Patuxent Institution, appeals with free legal representation, post-judgment proceedings with free legal representation, and other judicial reviews. Introducing another layer of potential sentence modification is unnecessary and complicates an already comprehensive system. One client whose aging mother was brutally stabbed to death has been to court 23 times in order to ensure that her murderer remains incarcerated. It is heartless to have a system indifferent to imposing that cruelty on him. Please do not extend the cruelty by adding a 24<sup>th</sup>, 25<sup>th</sup>, and 26<sup>th</sup> occasion. Remember, if an applicant under this bill is unsuccessful in his or her bid to gain release, they may renew their demands every three years. Every three years would come another nightmare for our client, Brittony, who at age 8 slept peacefully with her mother in bed. Until someone stabbed her mother many times, causing her to bleed to death in Brittony's arms. Brittony is now in her mid-twenties and has gone to court many times already. She is aware that our bizarre

justice system will require her to have a lifetime more of appearances to relive and tell her horrors.

## Exclusion of Original Criminal Justice Personnel

Resentencing many years after the original sentence poses practical challenges. The original judge, prosecutor, and investigators, who were intimately familiar with the case, are likely no longer serving. This absence can lead to inconsistencies and a lack of continuity in the judicial process, which is detrimental to the integrity of the justice system. Our organization already represents crime victims in “second look” cases generated by the juvenile corollary to this bill. In many of those cases, we find that the offender presents a fantasy story about the original crime, knowing that the new judge will not be familiar with the facts, and will not engage in a new fact-finding hearing to dispute the fantastic allegations of the offender. Neither will the prosecutor be prepared to refute the facts in detail.

## Impact on Crime Victim Survivors

One of the most compelling arguments against SB 291 is the undue burden it places on the survivors of crime victims. These individuals have already endured significant trauma and should not be subjected to additional hearings that reopen old wounds. Key points include:

- **Fear and Retaliation:** Victim survivors often live in fear of the offender, worrying about potential retaliation if the offender is released. These fears, although sometimes perceived as inordinate, are genuine and must be compassionately acknowledged.
- **Emotional Toll:** Attending additional hearings means reliving the trauma, which can have severe emotional and psychological impacts on the survivors.
- **Injustice to Victims:** The original sentencing was a form of justice for the victims. Revisiting and potentially altering this sentence can be seen as an injustice to those who have already suffered immeasurably.

### Recidivism

Another critical concern regarding SB 291 is the issue of recidivism. The risk that individuals who have committed violent crimes may reoffend if

released prematurely poses a serious threat to public safety. It is a mathematical certainty that more crimes will be committed by at least some of those released. DPSCS statistics show a recidivism rate of 13% for released offenders older than 75. The rate increases the younger the age of the releasee. I remind you that all recidivism cannot be captured, because all crimes are not solved, and all guilty parties are not captured, tried, and convicted. Whenever you see a recidivism rate, you must know that the true figure is higher, there is a built-in error in that statistic.

Recidivism not only endangers the community but also undermines the justice system's role in protecting citizens. By allowing the possibility of reduced sentences, SB 291 increases the likelihood that repeat offenders will be back on the streets, potentially causing additional harm and suffering. Therefore, maintaining stringent sentencing measures is essential to deter further criminal behavior and to uphold the safety and security of society. According to the Public Defender's Office, there have been fifty-four releases from prison as a result of the 2021 Juvenile Restoration Act. While we have not yet tried to compile data on recidivism, there have already been two serious crimes committed by convicted murderers who were released. Please see the accompanying information regarding Byron Alton Bowie, Jr., a convicted murderer, whose crime after release was threatening to burn down a Frederick, Maryland townhouse with everyone inside. The event occurred around Thanksgiving, 2023. The Public Defender's Office secured his release under the Juvenile Restoration Act in May, of 2022. It took him all of eighteen months to be

caught for a new serious violent offense.

# Murderer Who Threatened To Torch Maryland Townhouse Sentenced For Arson, Probation Violation

A firebug who violated the terms of his probation on a murder conviction is going to spend the rest of his life in prison after setting fire to a Maryland townhouse during a dispute last year.



Trump Threatens 25% Tariffs After Colombia Turns Back Migrants From US

Byron Alton Bowie  
Photo Credit: *Frederick Police Department*

 Zak Failla    09/18/2024 10:15 a.m.

Byron Alton Bowie, Jr., who was convicted of murder in 1992, was sentenced to 30 years in prison following an arson incident in Frederick last year when he threatened to "burn everything down and kill everyone inside," authorities announced.



Neighbors said that there was an altercation involving Bowie in November 2023, who was locked out of a townhouse, and he was then spotted on the back deck shouting threats, then using a deck chair in an attempt to break a glass door to get inside.

The incident was first reported shortly before 9:15 p.m. on Friday, Nov. 24 2023,, in the 2200 block of Waller House Court in Frederick.

When officers from the Frederick Police Department responded to the home, they found the back door broken on the deck, and there was smoke pouring out of the townhouse, prompting a call to Frederick County Fire and Rescue Service personnel.

Firefighters were able to knock down the flames while officers evacuated other nearby townhouses connected to the burning home. An adult and child were also assisted by the Red Cross following the fire.

The second case is that of convicted murderer Keith Curtis. We are in the early stages of investigating the details of this matter, but it appears that Mr. Curtis was convicted of murder and sentenced to life in 1995. He murdered a beloved Johns Hopkins University professor who suffered from Parkinson's Disease. He was released apparently in 2019, and quickly violated probation, earning a return to prison for four months. His release was earned through another "innovative" release program that is misused by many to exact a resentencing.

His new offense, according to news reports, was robbing a former co-employee at gunpoint. The co-worker was working at the cash register of an Ace Hardware Store. Curtis gained one hundred dollars in the robbery.

## **Convicted Killer Gets Harsh Sentence For Armed Robbery Of Parkinson's Patient In Maryland**

A Baltimore man with a chilling past as a convicted murderer has been handed a 20-year sentence after robbing a former co-worker suffering from Parkinson's disease at gunpoint.





ACE Hardware Store, located at 601 Homestead St. in Baltimore

Photo Credit: *Google Maps street view*



[Zak Failla](#)

01/14/2025 1:11 p.m.

Keith Curtis, 57, who served time for the brutal 1995 killing of a retired Johns Hopkins professor, was sentenced to 20 years for robbery and firearm possession by a Baltimore City judge, who went 10 years beyond the sentencing guidelines, authorities announced.

The decision was based on Curtis' violent history and failure to reform, the Baltimore City State's Attorney's Office said.

The November 2023 robbery that landed Curtis back behind bars was reported at ACE Hardware on Homestead Street in Baltimore, where Curtis had previously worked.

Prosecutors say Curtis confronted a former coworker at the register, lifted his shirt to reveal a handgun, and demanded the victim open the cash register.

The victim, who recognized his assailant, struggled to comply due to Parkinson's disease; however, Curtis, undeterred, told him he had "30 seconds" to open the drawer.

Curtis eventually made off with less than \$100.

Weeks later, during a search of Curtis' home, investigators said that Baltimore police recovered a loaded handgun, which he was barred from possessing due to his prior conviction.

"It is evident that (Curtis) did not reform during his prior incarceration and continued to wreak havoc in our communities," State's Attorney Ivan Bates said. "This lengthy sentence is what he deserves for his repeated violent behavior."

Curtis was previously convicted of first-degree murder in 1995 for beating William H. McClain, a retired professor, to death during a robbery on McClain's front porch in Oakenshawe.

He will serve the first 10 years of his sentence without the possibility of parole.

"I hope that he uses this next period of incarceration to reflect on whether the contents of a cash register were truly worth sacrificing his freedom," Bates added.

The average person cannot help but be stricken by the cheap price tag that the State of Maryland has placed on the lives of the two victims in these examples. The other "takeaway" from these stories is that violent recidivism is an inevitable result of these programs, at some level.

## Conclusion

In conclusion, Senate Bill (SB) 291 presents numerous drawbacks that outweigh its intended benefits. The public's desire for stability, the critical need for finality in sentencing, the many existing avenues for sentence

reduction, the practical challenges of excluding original vital criminal justice participants, and the undue burden on crime victim survivors collectively make a compelling case against this legislation. Perhaps the strongest reason not to enact this is the additional crimes and victims that will inevitably be committed by those released. It is imperative to prioritize the well-being of the public, the integrity of the justice system, and the compassion due to victims over the potential benefits of SB 291. PLEASE VOTE UNFAVORABLY ON SB 291

Kurt W. Wolfgang  
Executive Director – For All Victims