

SB0291 Criminal Procedure – Petition to Reduce Sentence (Maryland Second Look Act)

Testimony of Giselle A. Mörch – Unfavorable

My name is Giselle A. Mörch, a resident in Montgomery County, Maryland. This written testimony is asking you to vote **unfavorable on SB0291**. As a victim from domestic violence and separate incident of gun violence, I ask you to please do not support a reduction in criminal sentencing.

My children and I have both been abused at the hands of my ex-spouse. He is serving a life sentence without eligibility of parole. If we were to know that he would be walking out in the community of law-abiding citizens, we would feel that our freedom to live and move around without being hurt, manipulated or harmed would diminish. We would be looking over our shoulders at every corner while he would be able to be free to cause havoc in our lives.

Also, being a survivor of gun violence with the murder of my only son and testifying in court at the hearings of the gun man, I feel safe knowing that he is still incarcerated. It is painful enough to live without my son and to know that the others involved are allowed to be released back into an already fragile society.

By fragile society, I am referring to the increase in violence, hatred, expressions of anger and harm to others, destruction of property, stealing and disregard and disrespect for all lives (human and or animals). Another example of this is on the 15th of this month my husband was involved in a car accident while driving to work on the beltway. A dump truck hit him from behind causing his passenger airbag to deplore. He was forced onto another lane where thank God he was not killed. The driver of the other vehicle did not stop but continued to drive off. Thankfully there was another vehicle that witnessed everything and stayed to make sure my husband was ok. My husband is blessed to be alive and as for his car it was towed to the junk yard.

His son and daughter-in-law were killed in a car accident in Maryland back in 2015 where the person behind the wheel did not serve any time for the killing of these two precious individuals who's three children have had to not have a father and mother in their lives. This person is out there living his life and these children have to grow up without parents. These children, my spouse and all connected to my stepson and daughter-in-law had hopes that we could have had a second chance to have them as well as my only son still back in our lives.

As a victim, to have a criminal return back out into the community is traumatizing on top of being traumatized by the hurt and harm that they had caused for them to be incarcerated in the first place. How do we know that this person(s) won't seek retribution since he/she has been incarcerated for several years? And faults the victim instead of blaming themselves.

It is a horrible ordeal for a victim to have to mourn the taking of a part of their lives. Then to have to appear in court, write victim impact statements, try to pick up the pieces in their lives, attend hearings-parole etc.. be penalized if unable to attend a hearing. How much trauma must we have to go through? Is there a reason why victims are treated like we're the cause when we are actually the effect of trauma done to our lives.

I believe that there is a difference between a second look when the person incarcerated is innocent of the crimes (wrong person arrested) vs. a person who committed the crime to be released back into society.

Are the judges, attorneys, family members safe when the criminal is now released? Will the criminal or their friends seek retribution on the judges etc..?

How is the criminal held accountable for the acts they committed? To say they served their time, please tell those of us whose loved one's lives have been taken and families destroyed.

Who is monitoring the criminal upon release? As I recall receiving a note from Public Safety and Commissioners office informing me that upon the release of a criminal connected in the death of my son, that their office is no longer involved. This led me to fighting for a bill that Gov Wes Moore signed into law last year. In this bill named after my son, *Maryland Crime Victims Resource Center* will assist the victim. It was a commonsense solution but if it was not brought to the attention of this body of legislatures other's would be receiving the same note from the Public Safety and Commissioners office. Can you imagine getting a note letting you know that a person who is responsible for the murder of your son will be released and if you fear for your life to contact the police as the Public Safety and Commissioners office will no longer be involved. So, to not be involved, who is involved to protect the victims who are always victims and tired of being treated as if we're the ones that did something wrong.

Who will be monitoring them? What happens when they're released back into society and something severe happens to the victim or someone else? There have been cases when the person is released and goes after to kill the victim to just have to be re-caught.

How will the incarcerated act when they know they got away with their wicked deed? How will they behave in a society where the atmosphere is already filled with people being rude and disrespectful?

There are too many times when people think it won't happen to them until it does. Preventive measures to ensure everyone in society is protected is the same as preventive care to make sure one does not come down with a sickness or dental conditions. A person who is incarcerated is given the time sentence for a reason. First, letting them know for your action there are reactions and consequences. Second, to give the victims some form of safety (not closure) but also a form of compassion. Third, the individual through time served will receive the wrap around care (mental health, therapy, life coaching skills, education or vocational training etc..) assisting them and whoever they might be in care of when re-entering a society that has changed while they have been incarcerated. Fourth, while the criminal is still serving their entire sentencing it allows the victims to not feel threaten and to go on with their lives as best as they can. All of these and more are important as the criminal has been in a controlled environment for a period of time and now they're back out in the world where they control their actions. Can they control their anger when someone cuts them off in traffic?

I see a lot of agencies have submitted their testimonies in supporting this bill. I ask you to please now consider the testimonies from victims in not supporting a measure to release a person with poor decision making and coping skills back into a society where people are driving recklessly,

robbing, murdering, etc.. The criminal had their second look when their consciousness told them not to do it, but they went ahead and did it anyway

If it was reversed as much as we love our loved ones and will fight for them if they do something wrong they are to pay the price for the actions. It is also knowing that you might not be able to afford the care in rehabilitation that they need but there getting it while incarcerated in a controlled environment. Yes, we all deserve a second chance but that should come when the time is completely served.

On behalf of victims I ask that you think twice about the second look and continue to be on the side of a victim instead of having a victim traumatized over and over again by someone else poor decisions that effects them.

When the government allows a criminal a second look and the criminal is granted access back into the community then it is only fair for the government to provide protection an resources for the victim and for the government to take responsibility towards and for the victim by providing the victim with free resources (medical, therapy, etc..)

Please vote **unfavorable on SB0291** and be on the side of victims instead on the side of the criminal.

Giselle A.Morch

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