



Council on American-Islamic Relations

CAIR Office in Maryland

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January 30, 2025

Honorable Chair William Smith, Jr.
Senate Judicial Proceedings Committee
2 East Miller Senate Office Building
Annapolis, MD 21401

Re: Testimony Favorable for SB291 Maryland Second Look Act

Dear Chair Smith and Members of the Judicial Proceedings Committee:

On behalf of the Maryland office of the Council on American-Islamic Relations (CAIR), I thank you for this opportunity to testify in strong support of Senate Bill 291, the Maryland Second Look Act. CAIR is America's largest Muslim civil rights and advocacy organization.

This legislation offers an essential opportunity to advance justice, reduce inequity, and ensure that Maryland's criminal justice system reflects principles of fairness, redemption, and human dignity. The Second Look Act recognizes that people grow, mature, and change over time. By allowing individuals who have served significant periods of incarceration—20 years or more—to petition for a reduction in their sentence, this bill creates a fair and balanced mechanism for re-evaluating sentences through the lens of rehabilitation, public safety, and the interests of justice.

Why This Legislation Is Needed

In our work at CAIR Maryland, we have witnessed firsthand how communities of color, particularly Black and brown individuals, have borne the brunt of mass incarceration and excessively punitive sentencing practices. This issue is deeply relevant to our organization, as many American Muslims, who are disproportionately people of color, experience systemic discrimination and biases within the criminal justice system.

SB 291 is a vital step in addressing:

1. **Over-incarceration and Racial Disparities:** Maryland's prison population disproportionately consists of individuals from marginalized communities. By offering a second chance to those who have demonstrated rehabilitation and growth, the bill helps rectify inequities within our justice system.
2. **Aging Prison Populations:** Many individuals serving long sentences have aged into their senior years and no longer pose a danger to society. Research consistently shows that older incarcerated individuals have the lowest recidivism rates.
3. **The Importance of Rehabilitation:** Sentences should reflect both accountability for crimes and recognition of a person's capacity to transform. SB 291 ensures that individuals who have demonstrated maturity, taken steps to rehabilitate, and are no longer a risk to public safety can be given a second chance to contribute positively to society.

Key Provisions CAIR Supports

We strongly endorse the following provisions of SB 291:

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- The requirement for a hearing ensures that decisions are made thoughtfully and transparently.
- The consideration of factors such as age, trauma, and rehabilitation efforts reflects a nuanced understanding of the circumstances surrounding incarceration.
- The rebuttable presumption for individuals over 60 or who have served 30 years or more acknowledges empirical evidence that these individuals are rarely a danger to public safety.^{1,2,3}
- The prohibition on using limited access to rehabilitative programs or claims of innocence against petitioners ensures fairness for those who face systemic barriers during incarceration.

As a faith-based organization, we are guided by the principles of mercy, forgiveness, and justice. Islam teaches us to believe in the potential for human beings to change and reform. The Second Look Act embodies these values by providing an avenue for redemption and second chances. Moreover, supporting this legislation sends a powerful message to those incarcerated and their families: Maryland values rehabilitation, believes in fairness, and is committed to restorative justice. For the families impacted by incarceration, this bill represents hope—hope that their loved ones can rejoin society and contribute meaningfully.

We urge the members of this committee to pass SB 291 and make Maryland a leader in criminal justice reform. By adopting the Second Look Act, the General Assembly will ensure that our justice system is more humane, equitable, and reflective of our shared values. Thank you for your time and consideration.

Respectfully,

Zainab Chaudry, Pharm.D.
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Resources:

1. The Sentencing Project (2019): U.S. Prison Population Trends 1997-2017: Massive Buildup and Modest Decline

- This report highlights that **recidivism rates decline dramatically with age**.
- Individuals **released at age 60 or older** have a recidivism rate of **less than 5%**, compared to younger individuals who reoffend at much higher rates.
- The study attributes this decline to the **aging-out effect** in criminology, where older individuals no longer engage in risky or impulsive behaviors.
- The report argues that long-term incarceration of elderly individuals is an unnecessary financial burden on taxpayers without significant public safety benefits.

2. U.S. Department of Justice, Bureau of Justice Statistics (2016): ["Recidivism of Prisoners Released in 30 States"](#)

- This long-term study tracked individuals released from state prisons over a **9-year period**.
- It found that **older individuals had the lowest recidivism rates**.
- Among those **over age 50**, only **7% were re-arrested** within three years of release, compared to nearly **50% of younger individuals**.
- The study supports policy changes that favor **early release mechanisms** for elderly incarcerated individuals, given their minimal risk to public safety.

3. Columbia University's Justice Lab (2015): ["Aging in Prison: Reducing Elder Incarceration and Promoting Public Safety"](#)

- This report examines the **financial and moral costs** of incarcerating aging individuals.
- It found that individuals who **served 20+ years** or were incarcerated at a young age and aged into their 50s and 60s had **exceptionally low recidivism rates**.
- The report argues that **rehabilitation efforts are more effective than continued incarceration** for elderly individuals.

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- It also highlights the **disproportionate health care costs** associated with elderly prisoners, which could be reduced through compassionate release policies.

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