



Dr. Tricia E. Downing

October 24, 2024

Written Testimony

Re: Maryland Second Look Act SB 0291

To : Judicial Proceedings Committee

My name is Dr. Tricia Downing and I moved to Anne Arundel County. Over the last 2 years, I have become affiliated with Maryland Alliance for Justice Reform and the Maryland Second Look Coalition. SB 291 will provide an opportunity for incarcerated citizens to be re-evaluated for resentencing after serving a term of 20 years without further infraction or 25 years with time off for good behavior called the "Maryland Second Look Act." I am aware that our corrections system is overburdened, resource poor and is not able to correct much but to isolate people who are permanently deemed defective. Our current system also prevents potentially productive people who have outgrown their maladaptive behavior from the opportunity to be re-evaluated for re-sentencing.

This bill is not meant to determine guilt or innocence, but to provide a steppingstone for rehabilitated people to have another chance to appeal their sentence in the appropriate court. I believe that there are certain reasons that an incarcerated person should **not** be released, like lack of insight (in the clinical psychology sense of the word) into their crime, continued affiliation with "pro-crime" entities (like gangs who demand loyalty, or outside influences that encourage criminal behavior as a way of life) or true uncorrectable psychopathic nature. The addition of the Bill will not be addressing the crime itself but the current and past mitigating factors (age at time of crime, current support system, job/job training while incarcerated, formal and informal activity participation while incarcerated and lack of infraction or victim impact to name a few).

When considering the "Maryland Second Look Act" I would like you to consider many things, but I will limit my focus to these 3,.



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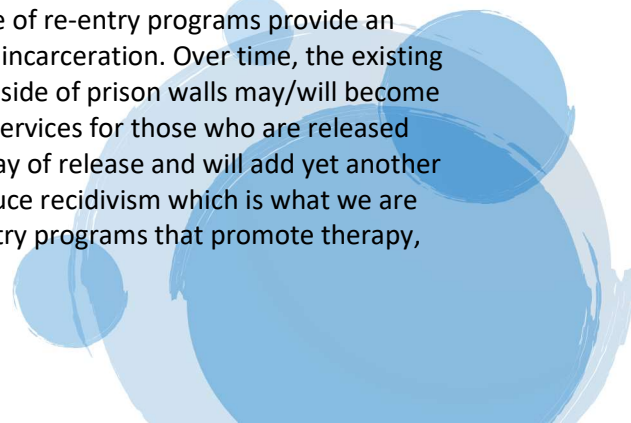
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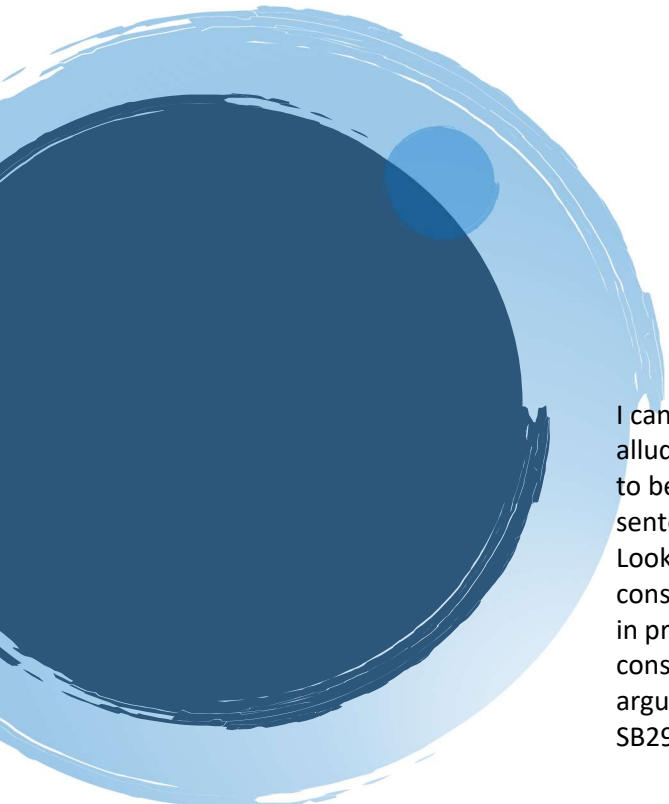


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- **The financial cost to Maryland:** Using the data from 2022, the average monthly cost to house a straight forward individual in prison is \$4970 which amounts to \$1,031,712,360 per year. Non-profit organizations provide "guardrails" through the existing re-entry programs and services that are available in Anne Arundel County and Greater Maryland that reduce recidivism rates. Even if the state funded financial assistance by the way of SNAP (food stamps) at \$130 per month when a citizen is initially released as part of their re-entry program, the financial burden on the state is decreased by a non-negligible amount. After release, the citizens will enter a re-entry program geared to move the citizen toward being a tax paying member of society thus adding to Maryland's tax revenue. Geriatric/hospice incarcerated citizens with medical problems (who may be eligible for re-sentencing by other means) will be given the opportunity to be re-evaluated, removing further medical costs to the State of Maryland's Department of Corrections. This may allow for actual corrective measures for those with shorter sentences.
- **Age of incarceration:** 20 years ago, there was much to be understood and discovered about the human brain. Just like the study of neurology matured, it has been shown that the human brain and its cognitive pathways mature continuing well into a person's 40's and 50's. That means that a person's problem solving skills have the potential to evolve as well. You may have heard the phrase, "Necessity is the mother of invention." People who are stripped of access to things/inventions that make life easier outside of prison are tasked with improvising and becoming inventive with the little that they obtain while in the prison system. Problem solving skills will be vastly different in an incarcerated person 20 years after incarceration just as it would be in citizens who are not incarcerated. (I have references if you'd like them.)
- **Returning Citizens:** Some people will eventually be released due to completion of their sentence and not everyone utilized or had available opportunities like programs and jobs while incarcerated. Considering this, the use of probation/parole in conjunction with the use of re-entry programs provide an alternative to long term incarceration. Over time, the existing programs inside and outside of prison walls may/will become galvanized, placing the services for those who are released regardless of the pathway of release and will add yet another "guardrail" that will reduce recidivism which is what we are trying to correct. Re-entry programs that promote therapy,





substance abuse programs, education and employment guidance strengthen Maryland's communities which would be impacted by those who have not been exposed to productive corrective measures while incarcerated.

I can go on, but I'd like you to *actually* read and take this to heart. As I alluded to above, the complete process is not simple and will need to be tailored to give each eligible individual an opportunity for re-sentencing if warranted. What *is* simple is that the "Maryland Second Look Act" will provide the "on ramp" for those who *should* be considered and are otherwise left to live a life of institutionalization in prison after their post-conviction options are spent. While you are considering what I said above, also consider that there are practical arguments that outweigh the opposition which will not be overlooked. SB291, Second Look Act, should be passed.

Regards,

Dr. Tricia Downing.

