

**TESTIMONY ON SB291
MARYLAND SECOND LOOK ACT**

**Senate Judiciary Proceedings Committee
January 28, 2025**

SUPPORT

Submitted by: **Ngozi Lawal**

Chair Smith, Vice Chair Waldstreicher and members of the Judicial Proceedings Committee:

I, Ngozi Lawal, am testifying in support of SB291, the Maryland Second Look Act. I am submitting this testimony as an impacted family member of a currently incarcerated person serving a life sentence in Maryland and as an advocate of inmate rehabilitation and community safety. I kindly ask that all Maryland House of Assembly lawmakers capable of voting on this bill vote in favor of the bill's passage.

Passage of the Maryland Second Look Act would create a meaningful opportunity for sentence modification for incarcerated people after having served 20 years of their sentence. I firmly believe that those individuals who are able to demonstrate their growth and rehabilitation (e.g., through education, vocational training, and employment) such that they are no longer a threat to public safety, should have the opportunity for release.

My brother, Emeka Onunaku (Maryland Department of Corrections Number #267-778) has been incarcerated for first degree murder and has been serving a life sentence since 1996, a total of 28 years. Emeka is accountable for his wrongdoing; he has admitted, both in private as well as publicly, that he committed the killing and that it was heinous and horrible. It is worth noting that the murder victim broke-in and entered Emeka's home the day of the crime and that Emeka's infant daughter and the mother of the infant were in Emeka's home during this break-in and entry. Emeka had just turned 21 years old at that time. He is now 49 years old.

In addition to being accountable for his wrongdoing, Emeka has been improving himself and others in society. He completed his G.E.D. and graduated as valedictorian of his class. Also, during his time in prison, he completed multiple self-improvement programs. He has maintained a job for almost 10 years and has been infraction-free for over 10 years. However, appeals, post convictions, sentence modification requests have all been either denied or unanswered. Despite being behind bars, Emeka has undoubtedly contributed to society in a positive way. He has remained in his daughter's life over the 28 years and continues to be an active, present father. After I completed graduate school, he gave me step-by-step guidance on how to start my beauty business, a Color Me Beautiful franchise in Maryland, that I opened in 2006 and ran successfully until 2009. Along the way he provided me with insights on marketing, staff retention, financial management, and scaling that allowed me to open up my second store. I could not have become the **number one** selling franchise in the country in 2007 without his wisdom and intelligence. And now that I have two sons - ages 6 and 9 years old, he mentors them. His re-introduction to society would be non-violent and would result in a benefit to his community and society as a whole.

SB 291 is an important tool in making meaningful opportunities for release happen, as currently, incarcerated people in MD can only petition the Court for modification within 90 days of sentencing, severely limiting any potential sentence modifications¹. Maryland judges used to have the ability to review sentences, an important safety valve for extreme sentences, but this opportunity was eliminated with a rule change in 2004². Furthermore for more than 25 years, Maryland's parole system was not available to people serving life with parole sentences. Now, the Governor has finally been removed from the parole process, but this is not enough to remedy decades of wrongful denials which contributed to the bloated prison system and its extreme racial disparities.

This bill also has serious racial justice implications, given that of the 2,212 people serving life sentences in MD, 80% are Black³, a huge disparity when compared to the only 31% of Black Marylanders in the general population⁴. Shamefully, Maryland also leads the nation in sentencing young Black men to the longest prison terms, at a rate 25% higher than the next nearest state, Mississippi⁵.

Given the tendency for people to age out of crime and the very low recidivism rate for other individuals released from decades-long sentences, this decision is unlikely to negatively impact public safety. For example, in the past 12 years since the Maryland Supreme Court held that improper jury instructions invalidated the life with parole sentences of 235 people, 96% have remained in the community without incident⁶. These individuals, 90 percent of whom are Black, spent an average of 40 years behind bars but could have been contributing to our communities decades earlier. We know many more men and women serving decades-long sentences who have worked hard, hoping for their chance to reenter and succeed in their communities.

For these reasons, I encourage you to vote **favorably** on the **Maryland Second Look Act SB291**.

Thank you for your consideration,

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¹ Maryland Rule 4-345

² Court of Appeals of Maryland Rules Order

³ MD DPSCS FY 2022 Q4 Inmate Characteristics Statistics (2022)

⁴ United States Census Data (2021)

⁵ Justice Policy Institute Rethinking Approaches to Over Incarceration of Black Young Adults in Maryland (2019)

⁶ Justice Policy Institute Fact Sheet: The Ungers (2018)