
TESTIMONY IN SUPPORT OF SENATE BILL 291

Maryland Second Look Act *Senate Judicial Proceedings Committee* January 30, 2025

Social Work Advocates for Social Change (SWASC) strongly supports SB 291, the Maryland Second Look Act, which will allow Marylanders who have been incarcerated for 20 years or more to apply for resentencing. Second look policies allow for critical reexamination of sentences for people currently serving extreme sentences of incarceration, and provide the opportunity for people with few other options for release to return to their communities. **SWASC strongly believes that people who have demonstrated growth and rehabilitation should have this opportunity to petition for release from prison and contribute meaningfully to their communities.**

SB 291 will improve safety for all Marylanders. There is broad evidence that long prison terms run counter to public safety. Recidivism rates for people who have been released after decades of incarceration are low, and rates are lowest for those with the most serious convictions.¹ Further, incarceration is disruptive and harmful to individuals and their broader communities. Neighborhoods that lose a large number of members to incarceration may see increases in crime because of the loss of these community ties.² Prison itself can be so destabilizing that it increases the likelihood of future crime.³ **Enacting the Second Look Act would also have the potential to save the state significant money in the cost of incarceration that could be invested in community-based programs that foster health and safety for all Marylanders.**

SB 291 promotes racial equity and justice. People sentenced to ten years or longer make up over two-thirds of the prison population in Maryland, and nearly 20 percent of people incarcerated in Maryland are serving a life or virtual life sentence, one of the highest rates in the nation.⁴ These punitive sentencing policies have resulted in deeply racially disproportionate impacts: nearly eighty percent of people sentenced as emerging adults who have served ten or more years in prison in Maryland are Black, the highest rate in the country.⁵ The Second Look Act is a critical step toward addressing these racial disparities and providing relief from inequitable sentencing practices.

¹ The Sentencing Project, *Second Look Laws Are an Effective Solution to Reconsider Extreme Sentences Amidst Failing Parole Systems* (2024). <https://www.sentencingproject.org/fact-sheet/second-look-laws-are-an-effective-solution-to-reconsider-extreme-sentences-amidst-failing-parole-systems/>

² Vera Institute of Justice, *A new paradigm for sentencing in the United States* (2023). <https://vera-institute.files.svdcn.com/production/downloads/publications/Vera-Sentencing-Report-2023.pdf>

³ Vera Institute of Justice (2023).

⁴ The Sentencing Project, *Still life: America's increasing use of life and long-term sentences* (2023). <https://www.sentencingproject.org/reports/still-life-americas-increasing-use-of-life-and-long-term-sentences/>

⁵ Justice Policy Institute, *Rethinking approaches to over-incarceration in Maryland* (2019). https://justicepolicy.org/wp-content/uploads/justicepolicy/documents/Rethinking_Approaches_to_Over_Incarceration_MD.pdf

SB 291 builds on Maryland's efforts to address the harms and injustices of long-term incarceration. Maryland's Juvenile Restoration Act (JRA) of 2021 enacted second look legislation for people who were convicted as minors.⁶ After the first year of implementation, none of the people released under the JRA were charged with a new crime or found to be in violation of their conditions of release.⁷ The Maryland Second Look Act is a natural expansion of this policy that has already been safely enacted and implemented.

SB 291 centers rehabilitation over continued punishment. Policymakers in Maryland and across the U.S. have begun to recognize that the rise of mass incarceration has caused significant harm, and that change is necessary to promote community well-being and safety. Maryland must take steps to correct the extreme sentencing of the past and present. Second look policies are one such option for immediate relief for people serving extreme sentences. Victims of crime are also aligned with reforms that address excessive sentences: 60 percent of crime victims prefer shorter prison sentences and more spending on rehabilitative services over lengthy incarceration and victims prefer methods of accountability through options outside of just prison by a margin of 3 to 1.⁸ By allowing resentencing for those who have demonstrated rehabilitation and readiness for release, SB 291 offers a vital opportunity to foster safer and healthier communities for all Marylanders.

SB 291 will align Maryland with other states and national organizations recommending and adopting second look legislation. Second look laws are recommended by many national expert organizations including the American Law Institute, the Fair and Just Prosecution Network, and the National Association of Criminal Defense Lawyers.⁹ In passing SB 291, Maryland can join Connecticut and the District of Columbia in implementing second looks laws that allow people sentenced as adults to petition for resentencing, aligning with these expert recommendations.¹⁰

Social Work Advocates for Social Change urges a favorable report on SB291.

Social Work Advocates for Social Change is a coalition of MSW students at the University of Maryland School of Social Work that seeks to promote equity and justice through public policy, and to engage the communities impacted by public policy in the policymaking process.

⁶ Equal Justice Initiative, *Maryland bans life without parole for children* (2022).

<https://eji.org/news/maryland-bans-life-without-parole-for-children/>

⁷ Maryland Office of the Public Defender, *The Juvenile Restoration Act: Year One - October 1, 2021 to September 30, 2022* (2022).

https://opd.state.md.us/_files/ugd/868471_e5999fc44e87471baca9aa9ca10180fb.pdf

⁸ Alliance for Safety and Justice (ASJ), *Crime Survivors Speak 2022: National Survey of Victims' Views on Safety and Justice* (2022).

<https://allianceforsafetyandjustice.org/wp-content/uploads/2022/09/Alliance-for-Safety-and-Justice-Crime-Survivors-Speak-September-2022.pdf>

⁹ The Sentencing Project, *The Second Look Movement* (2024).

<https://www.sentencingproject.org/app/uploads/2024/05/Second-Look-Movement.pdf>

¹⁰ The Sentencing Project (2024).