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MAYOR

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HB0853

February 18, 2025

TO: Members of the House Judiciary Committee

FROM: Nina Themelis, Director of Mayor's Office of Government Relations

RE: House Bill 853 - Criminal Procedure - Petition to Reduce Sentence (Maryland Second Look Act)

POSITION: Support

Chair Clippinger, Vice Chair Bartlett, and Members of the Committee, please be advised that the Baltimore City Administration (BCA) respectfully requests a **favorable** committee report on House Bill (HB) 853.

HB 853 authorizes incarcerated individuals convicted of a crime to petition for a reduced sentence subject to certain conditions in the circumstance that the individual can prove in a hearing that they have rehabilitated and do not pose a danger to the public. These conditions include serving in excess of 20 years of a sentence, not having made a petition within five years, and not having made more than three petitions to reduce sentence. Additionally, after serving an excess of 30 years or being above 60 years of age, HB 853 sets a rebuttable presumption in the aforementioned petitions that the defendant is not a danger to the public.

HB 853 marks a momentous step toward rehabilitative justice and ameliorating systemic inequities for Black Marylanders found in the state's criminal justice system. Notably, as of fiscal year 2023, the percentage of Maryland's incarcerated population who were black was 72.4%, the highest of any state and over double that of the national average. This is despite Black Marylanders representing less than one-third the total state population. Additionally, nearly 8 in 10 people who have served 10 years or more and were sentenced between the ages of 18-24 are Black. As a result, Black Marylanders have been disproportionately burdened with excessive sentencing and punitive incarceration. HB 853 would help to relieve over-incarceration and incentivize rehabilitation efforts among convicted individuals so they may one day reintegrate as contributing members of society.

For the above reasons, the BCA respectfully requests a **favorable** committee report on HB 853.