

**Testimony *in Support of House Bill 853***  
**Criminal Procedure - Petition to Reduce Sentence (Maryland Second Look Act)**

To: House Judiciary Committee

From: Anna O'Shea, Student Attorney, Decarceration Initiative Clinic, University of Maryland Francis King Carey School of Law (admitted to practice pursuant to Rule 19-220 of the Maryland Rules Governing Admission to the Bar)

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I am a student attorney in the Decarceration Initiative Clinic at University of Maryland Francis King Carey School of Law. The Decarceration Initiative Clinic represents individuals serving long sentences in post-conviction matters. In this clinic, I have come across the most extraordinary adult offenders serving life without parole sentences. I learn from these clients, I relish in their wisdom, and I am continually amazed by their benevolence. Because of this, I support House Bill 853, which would allow any incarcerated individual to file a petition to reduce their sentence if the individual has served at least 20 years of their sentence and at least 5 years have passed since the court decided any previous petition filed by the individual.

In August 2024, I began working with a client who grew up in West Baltimore with his siblings, mother, and abusive father. The client took most of his father's psychological and physical torture because he tried to protect his mother from enduring the same. When my client was only in elementary school, his father poured an entire fifth of liquor down his throat as a punishment and left him unconscious, soiled in his own urine on the floor. As my client grew up, so did his father's rage, and when he was in high school, his father fired off a shotgun in the home, and the pellets ricocheted and struck my client's face.

When my client finally moved out of his family home and into the streets of Baltimore, he sought an escape. He found that escape in crack cocaine, becoming severely addicted at first use. As a young man who went from his abusive household into the streets of West Baltimore during the height of the crack cocaine epidemic, my client was the prime candidate to become a pawn in crack cocaine's game. Crack controlled his every move for the next ten years as he underwent stints of homelessness and became unable to hold down a job. He was directionless, only following paths that took him fastest to crack.

Over the next few years, his addiction spiraled out of control. During the peak of his addiction, he was high and committed a senseless murder to obtain more crack. The act was horrific, which is a truth that he recognizes the most. However, the crime was undoubtedly crack induced. Even his sentencing judge and prosecuting attorney vocalized that but-for crack cocaine, he would not have committed the crime. He had never engaged in violence before this night and has never engaged in violence during his long incarceration afterward.

His addiction was a disease, enhanced by many influences including his abusive childhood, that destroyed many lives, including his victim's and his own. However, he beat that addiction. He has not used any drugs since the night of the crime and maintains a near-perfect

prison record. He has spent his entire incarceration period—almost 10,000 days—remorseful and dedicated to rehabilitation. He is proof that one violent act does not make someone violent. He is proof that one violent act does not make a person irredeemable.

House Bill 853, the Second Look Act, means believing in second chances and believing in second chances credits everyone with the possibility of redemption. My client is deserving of a second chance and as capable of redemption as those serving lesser sentences. He has proved that reality, and other individuals serving life without parole sentences have proved it too. The clients we represent in clinic are proof that they are more than the worst things they've done and that their sentence reflect the arbitrariness and cruelty of our legal system, not that they are beyond redemption. Second chances cannot be selective. A second chance is meaningless if one person is told they get a second chance while another is told they only had one chance. For those reasons, I respectfully urge your support for House Bill 853 for all incarcerated individuals and its passage without any exceptions for those serving life without parole sentences.