

HB0853_RichardKaplowitz_FAV

02/18/2025

Richard Keith Kaplowitz
Frederick, MD 21703-7134

TESTIMONY ON HB#0853 - POSITION: FAVORABLE
Criminal Procedure - Petition to Modify or Reduce Sentence (Maryland Second Look Act)

TO: Chair Clippinger, Vice Chair Bartlett, and members of the Judiciary Committee

FROM: Richard Keith Kaplowitz

My name is Richard Kaplowitz. I am a resident of District 3. I am submitting this testimony in support of/ HB#/0853, Criminal Procedure - Petition to Modify or Reduce Sentence (Maryland Second Look Act)

Maryland is facing a moral and racial justice crisis in our criminal justice system. Our incarceration rates reflect that bias against Black and Brown and low-income populations that occurs at every stage of our criminal legal system. From racial profiling by the police to arresting to sentencing the disproportionate effects fall on these groups. It is made visible by the 71% of the prison population in Maryland being Black, a rate that is twice the national average.

This bill makes the promise of criminal justice, rehabilitation, front and center in how we deal pragmatically with prisoners by offering incentives for good behavior. This bill will help create paths to the reduction of prison overcrowding and threats of violence in our prisons. Maryland can create meaningful avenues for release for Marylanders who have transformed their lives based on demonstrated rehabilitation. It offers prisoners with extreme sentences who have served at least two decades an opportunity to petition the court to modify or reduce their sentence and return them to their communities to make positive contributions within our communities.

The only path available for persons serving an extreme sentence to have that sentence reviewed is challenging the constitutionality of the conviction itself. Maryland removed the discretion of judges to review sentences which might be extreme in 2004. Parole and its administration is handicapped and restricting in ways that reflect a “lock them up” attitude. People lack due process rights and legal representation in parole hearings. This bill will let courts, with attendant legal rights for prisoners seeking parole, make decisions about release from extreme sentences under controlled criteria.

I respectfully urge this committee to return a favorable report on HB0853.