

Greetings, Chair Clippinger, Vice Chair Bartlett, and Committee. For the record, I am Delegate Cheryl Pasteur, District 11A, regarding HB853 Petition to Reduce Sentence, not an easy bill, for to be human or of God compels us to care about our fellows and understand that to be human is to be imperfect, yet we hope to grow and change for the better.

The Second Look movement is a result of the U.S Supreme Court's decisions in *Graham v. Florida* in 2010 and *Miller v. Alabama* in 2012. In 2010, the Supreme Court in *Graham*, stated, "states must give youth a meaningful opportunity to obtain release based on demonstrated maturity and rehabilitation", speaking about the unconstitutionality of life without parole and excessive sentences for juveniles and emerging adults, later taking into consideration mitigating and transient factors of youth, called the "Miller factors". It's a means for legislators and the courts to look to judicial review, not an automatic judgement for freedom, but a "sentence review." Second Look is not a Maryland thing, albeit the state has used the law in the most biased and uneven racial context; the data supports that assertion. Second Look is the law in 21 red, blue, purple states based on each State's interpretation of the Supreme Court's findings and rulings from their state's Supreme Courts. (Connecticut, Delaware, Oregon, Florida, Washington, North Dakota, Colorado, California, Illinois, Minnesota, Iowa, Louisiana, Ohio, Michigan, Missouri, New Jersey, New York, North Carolina, Tennessee, Wyoming, the District of Columbia, and now, Oklahoma.**) In 2024, Senator Cory Booker and Rep. Dove introduced the Second Look Act of 2024 in Congress.**

Why the Second Look when we have a parole system, you ask? Existing parole systems around the country, including Maryland, are often ineffective at curtailing excessive sentences for several objective reasons. Around the country, legislators and the courts are looking to judicial review as a more effective means to reconsider an incarcerated person's fitness to reenter society. It is an opportunity to evaluate whether sentences imposed decades ago remain JUST under current sentencing policies and public sentiment. The incarcerated individual

may petition the court to reduce the sentence after twenty years if the petitioner has met several significant criteria. As a survivor, I appreciate concern for victims and loved ones. I know we each manage our pain, which never ends, differently, and that is why our voices are key factors in the review process. Second Look is not is a “get out of jail free card”. It is an assessment of the merit of the petition! If we trust the courts to sentence, trust them to review these cases.

For Maryland, it will begin to break a vicious cycle among our youth and of violence in our prisons. The LBC embraces this bill as imperative to human rights for all Marylanders and justice for African Americans.

I ask, first, to put away old thoughts, fears, and biases and get a vote for this bill, and second that it receives a vote of support.