



NAACP

Howard County Branch

#7020

BILL: HB 759/SB 162

**TITLE: Criminal Procedure - Motion to Reduce Duration of Sentence -
Repeal of Sentencing Date Limitation**

POSITION: SUPPORT

Greetings Members of the General Assembly:

On behalf of the Maryland State Conference NAACP, we write in strong support of SB162 / HB759 – a straightforward, common-sense fix to ensure fairness and constitutional compliance in Maryland’s sentencing review laws.

The Maryland State Conference NAACP was a strong and vocal supporter of the Juvenile Restoration Act (JRA) in 2021. We supported that legislation because it recognized a fundamental principle: children are different from adults and must be treated differently under the law. The JRA aligned Maryland with longstanding U.S. Supreme Court precedent acknowledging the diminished culpability of youth and their unique capacity for growth and rehabilitation. It also addressed profound racial disparities. At the time of its passage, Maryland ranked first in the nation for the proportion of Black youth serving life without parole, and nearly 87 percent of those immediately eligible for relief under the JRA were Black.

Our support for SB162 / HB759 is in that same vein.

Following passage of the JRA, the Maryland Second Look Act expanded judicial review to include certain individuals who were ages 18 to 24 at the time of their offense. While that reform aimed to promote fairness, it unintentionally created an inconsistency in access to sentencing review for some individuals who were under 18 at the time of their offense.

This gap has serious implications for Black residents of our State – and particularly for Black youth. Racial disparities remain embedded at every stage of the criminal legal system, from arrest to charging to sentencing. Black children are more likely to be transferred to adult court, more likely to receive

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harsher sentences, and more likely to serve extreme terms of incarceration. When inconsistencies exist in sentencing review laws, they disproportionately affect Black youth and their families. Failing to correct these disparities perpetuates inequity and undermines the progress Maryland has worked to achieve.

SB162 / HB759 is a measured and necessary correction. It does not guarantee release. It does not eliminate judicial discretion. Courts will continue to evaluate each case individually, considering public safety, accountability, victim impact, and demonstrated rehabilitation. This bill simply ensures that all individuals who were under 18 at the time of their offense have access to a meaningful opportunity for review consistent with the principles Maryland has already endorsed.

The Maryland State Conference NAACP views this legislation as a logical fix of an inadvertent error— not a shift in policy direction. When implementation reveals gaps that disproportionately impact Black youth, responsible governance requires action. SB162 / HB759 strengthens Maryland's commitment to age-appropriate sentencing, constitutional consistency, and racial equity under the law.

For these reasons, we respectfully urge a favorable report on SB162 / HB759. Should you require additional information, please do not hesitate to contact us.

Respectfully,

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