



**NATASHA DARTIGUE**  
PUBLIC DEFENDER

**KEITH LOTRIDGE**  
DEPUTY PUBLIC DEFENDER

**ELIZABETH HILLIARD**  
DIRECTOR OF GOVERNMENT RELATIONS

## POSITION ON PROPOSED LEGISLATION

**BILL: House Bill 759 – Criminal Procedure – Motion to Reduce Duration of Sentence  
– Repeal of Sentencing Date Limitation**

**FROM: Maryland Office of the Public Defender**

**POSITION: Favorable**

**DATE: February 13, 2026**

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The Maryland Office of the Public Defender respectfully requests that the Committee issue a favorable report on House Bill 759.

House Bill 759 is a technical fix to an inconsistency in Criminal Procedure Article § 8-110. That section authorizes individuals who have been imprisoned for at least 20 years for a crime that occurred when they were under 25 years of age to file a motion for reduction of sentence.

At present, the statute allows individuals who were at least 18 but not yet 25 years old at the time of the crime to file a motion regardless of when they were sentenced, but allows individuals who were under 18 years old at the time of the crime to file a motion *only if they were sentenced before October 1, 2021*. House Bill 759 eliminates this inconsistency by removing the language requiring that minors must have been sentenced before October 1, 2021, to be eligible to file a motion.

This sentencing-date restriction indefensibly and perversely treats people who were minors at the time of the crime *worse* than people who were young adults. It incentivizes people who were young adults when the crime occurred to rehabilitate themselves by giving them hope that a judge will one day take those efforts into account and reduce their sentences, but it provides no such incentive – and no such hope – to people who are sentenced today for crimes that occurred when they were under the age of 18. House Bill 759 merely eliminates this inconsistency and gives minors convicted as adults the same positive incentives and hope as the statute presently gives eligible young adults.

**For these reasons, the Maryland Office of the Public Defender urges this Committee to issue a favorable report on House Bill 759.**

**Submitted by: Maryland Office of the Public Defender, Government Relations Division**

**Authored by: Brian Saccenti & Lila Meadows**  
**Decarceration Initiative**  
**Maryland Office of the Public Defender**  
**brian.saccenti@maryland.gov**  
**lila.meadows@maryland.gov**