

BILL: House Bill 759

FROM: Maryland Office of the Public Defender (MOPD) Innocence Project Clinic at the University of Baltimore School of Law

POSITION: Favorable

DATE: February 13, 2026

The MOPD Innocence Project Clinic at the University of Baltimore School of Law respectfully requests that the Committee issue a favorable report on House Bill 759.

I am a member of the faculty and Director of the MOPD Innocence Project Clinic at the University of Baltimore School of Law, and an assistant public defender. I am writing to urge the Committee to issue a favorable report on House Bill 759. The MOPD Innocence Project Clinic is a partnership between the Maryland Office of the Public Defender and the University of Baltimore School of Law. The MOPD Innocence Project Clinic represents wrongfully convicted individuals in legal challenges to their convictions and sentences. As an assistant public defender, I have also had the privilege of representing juvenile lifers, and more recently those who are eligible to seek release under the Second Look Act.

House Bill 759 makes a simple fix to correct an inconsistency in existing law. The Juvenile Restoration Act, codified in Criminal Procedure Article § 8-110, allows an individual who was under 18 years of age at the time of the offense to petition the court for a reduction of sentence based on demonstrated rehabilitation after having served at least 20 years' incarceration. The current statute allows an individual who was a minor at the time of the offense to file such a petition only if the sentence was imposed prior to October 1, 2021, the date that the Juvenile Restoration Act took effect. House Bill 759 removes this requirement so that people convicted as minors have the same opportunity to seek resentencing as eligible individuals who were between 18 and 25 at the time of the offense. Without this fix, the law paradoxically affords worse treatment to those individuals convicted as minors.

This fix is also important to avoid unfair inconsistencies when a court has granted postconviction relief to correct a legal error in a sentence on a later date. In such a case where the court corrected an error in sentencing after 2021, current law arbitrarily bars relief for that individual under the Juvenile Restoration Act.

House Bill 759 continues a policy that has proven successful. To understand that the Juvenile Restoration Act works, we only need to look as far as the remarkable narratives of

personal transformation of those granted release.¹ Indeed, studies of juvenile lifers released after lengthy sentences show notable achievements and low rates of rearrest.² This correction in the statutory language also brings Maryland in line with neighboring jurisdictions, including Washington, D.C., that similarly recognize the wisdom of taking a second look at lengthy sentences imposed upon youth.³

When I first began working with juvenile lifers, I was immediately struck by their personal drive to succeed and roles they had taken on in prison. Many served as mentors and tutors for fellow inmates enrolled in college or GED programs, or staffed the law library. They were entrusted by prison staff to oversee the sewing shops that make uniforms for correctional workers and the metal furniture workshops that supply state office buildings. Anyone who has had the good fortune to cross paths with former juvenile lifers, as I have, knows that when these individuals leave prison they bring home their remarkable drive to succeed. Many have become advocates for their communities, substance abuse counselors, and credible messengers to youth. They are working hard to make their communities stronger and safer.

For these reasons, I request this Committee to issue a favorable report on House Bill 759.

Submitted by: Maryland Office of the Public Defender, Innocence Project Clinic at the University of Baltimore School of Law

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¹ “The Juvenile Restoration Act: Year One –October 1, 2021 to September 30, 2022, Maryland Office of the Public Defender, October 2022, available at https://opd.state.md.us/files/ugd/868471_e5999fc44e87471baca9aa9ca10180fb.pdf.

² “Life after life: Recidivism among individuals formerly sentenced to mandatory juvenile life without parole,” Sbeglia C, et.al. J Res Adolesc. 2025 March 35(1), <https://pmc.ncbi.nlm.nih.gov/articles/PMC11758475/>.

³D.C. Code Ann. § 24-403.03(a)(2023) (permitting a reduction of sentence for a crime committed before the defendant’s 25th birthday after having served 15 years upon a finding that the defendant is not a danger to the community and the interests of justice warrant modification).