



BILL: House Bill 759

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

DATE: February 13, 2026

POSITION: SUPPORT

COMMITTEE: House Judiciary Committee

CONTACT: Fair and Just Prosecution, Lisa Hamer, Senior Policy & Advocacy Counsel

Chair Bartlett, Vice-Chair Davis, and members of the House Judiciary Committee:

I write on behalf of Fair and Just Prosecution to express our **SUPPORT for House Bill 759**. FJP, a project of the Tides Center, is a national organization that brings together elected prosecutors as part of a nonpartisan network of leaders committed to improving public safety and promoting justice. FJP works with a new generation of prosecutors from all across the country who are committed to a justice system grounded in fairness, compassion, and fiscal responsibility. The leaders we work with hail from over 60 jurisdictions — urban, suburban, and rural alike — and they collectively represent nearly 20 percent of our nation’s population.

FJP encourages state and local leaders to examine their criminal legal system’s practices and consider policies that create a fairer approach to criminal justice. We support measures that provide opportunities for parole review and other second-look mechanisms for revisiting and mitigating lengthy sentences in cases where returning an individual to their community is consistent with public safety and the interests of justice. This is especially important in cases of children and youth sentenced to long prison terms, given their unique developmental status and incredible capacity for change and rehabilitation.

SB 162 is a simple bill that ensures fundamental fairness and compliance with the U.S. Constitution in sentencing review. Too many members of our communities are growing old in prisons. They are serving sentences they received for crimes they committed before the age of majority when their brains were not fully developed and their capabilities of regulating emotions, exercising control, evaluating risks and consequences, and making decisions were diminished.¹ Many of them are now transformed adults who can safely return to our communities and deserve the opportunity for a second chance.

¹ See, e.g., Laurence Steinberg, *Risk Taking in Adolescence: What Changes, and Why?*, 1021(1) *Annals of the New York Academy of Sciences*, 51-58 (2006), <https://nyaspubs.onlinelibrary.wiley.com/doi/10.1196/annals.1308.005>.

As fully described in our [issue brief](#) focusing on young adults in the criminal legal system, FJP believes it is important to implement parole review and resentencing tools for youth and young adults. There have been reforms passed in several jurisdictions that acknowledge the social and neurological development status of youth and young adults by providing them opportunities for early parole.

Many prosecutors whom FJP works with encourage and support legislative second look mechanisms² and have implemented changes within their offices to provide sentencing modification opportunities.³ Research we co-led found remarkable public support for resentencing opportunities for people serving lengthy sentences.⁴ In states and jurisdictions where changes in the law allow for the release of people previously sentenced to extreme prison terms, research has shown low recidivism rates and positive outcomes for communities.⁵ This has proven especially true for youth: a study of a sample of former juveniles sentenced to life who have been released found the rate of recidivism to be a mere 1.14 percent.⁶ Today, many of those individuals positively serve their communities as youth mentors, substance abuse counselors, re-entry specialists, and directors of violence intervention programs.⁷

² See Becky Feldman, *The Second Look Movement: A Review of the Nation's Sentence Review Laws*, The Sentencing Project (May 2024) <https://www.sentencingproject.org/reports/the-second-look-movement-a-review-of-the-nations-sentence-review-laws/>.

³ See, e.g., Marco Poggio, *Minnesota Joins Prosecutor-Led Resentencing Law Movement*, Law 360 (Jun. 2023), <https://www.law360.com/articles/1680599/minnesota-joins-prosecutor-led-resentencing-law-movement>; The Brooklyn District Attorney's Office, *Brooklyn District Attorney Eric Gonzalez Announces Dedicated Post-Conviction Justice Bureau that Will Include Parole and Clemency Unit, Sealing Unit and Nationally Recognized Conviction Review Unit* (Apr. 2019), <http://www.brooklynda.org/2019/04/17/brooklyn-district-attorney-eric-gonzalez-announces-dedicated-post-conviction-justice-bureau-that-will-include-parole-and-clemency-unit-sealing-unit-and-nationally-recognized-conviction-review-unit/>; District Attorney of New York County (Manhattan), *Post-Conviction Justice Unit*, <https://manhattanda.org/pcju/>; Philadelphia District Attorney's Office, *Conviction Integrity Unit*, <https://phillyda.org/safety-and-justice/investigations/conviction-integrity-unit-ciui/>; Denver District Attorney's Office Policy, Sentencing Review Policy & Protocol, <https://www.denverda.org/wp-content/uploads/2024/08/0805Sentencing-Equity-Policy-updated-June-2024.pdf>.

⁴ *Policies & Polling on Reducing Excessive Prison Terms*, Data for Progress et al., (Feb. 2020) <https://www.filesforprogress.org/memos/reducing-excessive-prison-sentences.pdf>.

⁵ Human Rights Watch, *I Just Want to Give Back; The Reintegration of People Sentenced to Life Without Parole*, (Jun. 2024) https://www.hrw.org/sites/default/files/media_2023/06/usa_lwop0623.pdf.

⁶ Philadelphia DAO, *New Study Finds 1% Recidivism Rate Among Released Philly Juvenile Lifers*, The Justice Wire (Apr. 2020), <https://medium.com/philadelphia-justice/new-study-finds-1-recidivism-rate-among-released-philly-juvenile-lifers-607f19d6d822>.

⁷ Human Rights Watch, *I Just Want to Give Back; The Reintegration of People Sentenced to Life Without Parole*, (Jun. 2024) https://www.hrw.org/sites/default/files/media_2023/06/usa_lwop0623.pdf.

Last session, the Maryland Second Look Act expanded the judicial review mechanism previously enacted under the Juvenile Restoration Act to include certain individuals who were ages 18 to 24 at the time of their offense. This laudable change in the law created a legal and logical inconsistency, where individuals ages 18 to 24 receive an opportunity for review while individuals under 18 do not. For example, if a 15-year-old child and 24-year-old individual were arrested today as co-defendants, the 24-year-old would receive sentence review after 20 years while the 15-year-old youth would not. This discrepancy in the law must be addressed to fulfill the purpose and goal of Maryland's Juvenile Restoration Act and Second Look Act and to ensure that Maryland law complies with the spirit and lessons of United States Supreme Court jurisprudence addressing juvenile sentencing.⁸

SB 162 is a common-sense, straightforward technical fix to ensure these disparities don't exist. A meaningful opportunity for review should be available to all children under 18, regardless of when they were convicted and sentenced.

We urge a favorable reporting on House Bill 759. Thank you for your serious consideration of this legislation.

Sincerely,

Lisa Hamer
Senior Advocacy & Policy Counsel
Fair and Just Prosecution

⁸ See, *Graham v. Florida*, 560 U.S. 48 (2010) and *Miller v. Alabama*, 567 U.S. 460 (2012).