



MARYLAND ALLIANCE FOR JUSTICE REFORM
Citizens working to reform criminal justice in Maryland



www.MA4JR.org

January 28, 2025

Testimony in support of SB 291: Criminal Procedure – Petition to Reduce Sentence (Maryland Second Look Act)

We are testifying on behalf of the Maryland Alliance for Justice Reform (MAJR), where we serve on its executive committee and co-chair its Behind the Walls Workgroup.

The Second Look Act would create an opportunity for incarcerated people to have their sentence reduced after decades of imprisonment. SB 291 reflects an emerging consensus among contemporary experts on criminal justice about the low recidivism rates of those who have served long sentences, the likelihood that they have transformed themselves, and the high cost of incarcerating aging prisoners. The bill would allow an individual who has served at least 20 years to apply to a judge for a reduction of sentence.

Those who can demonstrate their growth and rehabilitation and show that they are no longer a threat to public safety should have the opportunity for release. Currently, incarcerated people can only petition the court for modification within 5 years. Maryland judges used to have the ability to review sentences without this time limit, but this opportunity was eliminated in 2004.

This bill has serious racial justice implications. Of the more than 2,000 people serving life sentences in Maryland, 80 percent are Black—a huge disparity when compared to the 31 percent of Black Marylanders in the general population. Maryland also leads the nation in sentencing young Black men to the longest prison terms, at a rate 25 percent higher than the next most racially disparate state, Mississippi.

We know that people age out of crime and that those released from decades-long sentences have very low recidivism rates. Since the Maryland Supreme Court held 13 years ago that improper jury instructions invalidated the life with parole sentences of 235 people (in what is known as the [Unger cases](#)), 96 percent returned to the community without incident. These individuals, 90 percent of whom are Black, spent an average of 40 years behind bars; none had been paroled; their average age was 64.

We know many more men and women serving decades-long sentences who have worked hard, transformed their lives, and deserve the chance to reenter and succeed in their communities. It is unconscionable that they will live out their days in prison no matter

who they are today or how they have changed. These people do not present a threat to society; they are remorseful for their crimes; and they can and want to make valuable contributions to their communities.

A right to petition for sentence reduction does not, of course, guarantee that a reduction will be granted. But for many reasons—justice, mercy, racial inequities, wastefulness, and cost—sentence modification should be at least a possible outcome for prisoners who have served 20 years in prison.

On behalf of MAJR, we urge you to give a favorable report to SB 291.

Respectfully,

Judith Lichtenberg
Hyattsville, MD 20782
District 22
301.814.7120
jalichtenberg@gmail.com

Donna Rojas Thompson
Germantown, MD 20874
District 6
202.251.9202
dmrojas129@gmail.com

The Maryland Alliance for Justice Reform (MAJR) is a nonpartisan, all-volunteer organization of nearly 2,000 Marylanders who advocate for evidence-based legislative and policy changes to Maryland's correctional practices. MAJR thanks you for the opportunity to provide input on this legislation and urges the committee to give SB 181 a favorable report.