

Testimony in support of SB 123: Criminal Procedure – Petition to Modify or Reduce Sentence (Maryland Second Look Act)

My name is Judith Lichtenberg. I am testifying on behalf of the [Maryland Alliance for Justice Reform](#) (MAJR), a nonprofit, all-volunteer organization of more than 2,000 Marylanders; I serve on its executive committee and the board. I have lived in Hyattsville since the early 1980s and am professor emerita of philosophy at Georgetown University. Since 2016, I've been teaching, tutoring, and mentoring at Jessup Correctional Institution (JCI), the DC Jail, and, most recently, Patuxent Institution—in colleges courses offered for credit by Georgetown University and the University of Baltimore.

Senate bill 123, which would allow a person to petition for a sentence modification if they have served 20 years in prison (with a few other qualifications), is a crucial step to reducing mass incarceration, saving taxpayers money, and achieving justice. Keeping people incarcerated for crimes they committed when young is particularly problematic. [We know](#) the brain does not reach maturity until a person is in their mid-twenties. And over the course of decades even those who committed crimes after 25 can change radically. Current practice is expensive not only in terms of the monetary costs of incarceration but also because of the tremendous waste of human resources that occurs when we lock people up for decades because of crimes committed so long ago.

Since 2016 I have taught well over a hundred students behind the walls. Many of them have been incarcerated since they were in their teens or twenties. Many have been locked up for more than 20 years. Most are very different people than they were when they committed their crimes. Most are people I believe are decent and trustworthy. I find it unconscionable that they will live out their days in prison no matter who they are today or how they have changed. The people I am thinking of 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.

According to the [Justice Policy Institute](#), "in 2017, the number of incarcerated individuals over 55 years old eclipsed 200,000, which is more than the entire prison population in 1970." Some states estimate that it costs four times as much to care for older prisoners as younger ones. The aggregate costs will balloon in the future unless we take action. Because people age out of crime by middle age, incarcerating them does not serve any counterbalancing public safety benefit.

Legislators have introduced [second look bills](#) in 25 states. In 2020 the District of Columbia adopted the Second Look Amendment Act, which allows those whose offenses occurred before they were 25 to petition for resentencing once they have served 15 years.

A right to petition for sentence modification is not, of course, a guarantee that modification will be granted. But there are [a variety of reasons](#)—rooted in justice, mercy, racial

inequities, wastefulness and inefficiency, and cost—to permit requests for sentence modification by prisoners who have served 20 years in prison.

On behalf of MAJR, I urge you to issue a favorable report on SB123.

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