



February 17, 2021

Honorable Senator William C. Smith, Jr.  
Chair, Senate Judicial Proceedings Committee  
Miller Senate Office Building, 2 East  
Annapolis, MD 21401

**Re: Testimony in SUPPORT of SB494 – Juveniles Convicted as Adults - Sentencing - Limitations and Reduction (Juvenile Restoration Act)**

Dear Chair William C. Smith, Jr. and Senate Judicial Proceedings Committee Members:

On behalf of the Council on American-Islamic Relations, I thank you for this opportunity to testify in strong support of Senate Bill 494 entitled Juveniles Convicted as Adults - Sentencing - Limitations and Reduction (Juvenile Restoration Act). CAIR is America's largest Muslim civil rights and advocacy organization.

According to the Campaign for Fair Sentencing of Youth, the United States is the only country that sentences children to die in prison by imposing life-without-parole sentences on individuals under the age of 18.<sup>1</sup> An estimated 250,000 minors are tried, sentenced and incarcerated in adult prisons annually in America - predisposing them to greater risk of suicide, and sexual and physical assault.

According to Human Rights for Kids' report published in 2020, Maryland is tied with five other states for being our country's worst offenders of juvenile justice.<sup>2</sup> This rating is a direct consequence of state lawmakers' failure to update antiquated laws and not impose sentences of life without parole on juvenile offenders.

It is past time to change that, and to enact legislation in the Maryland General Assembly that creates fair, age-appropriate sentencing for children. Children deserve second chances. They deserve a fair chance at redemption, and need to be provided a meaningful opportunity to demonstrate rehabilitation.

The United States Supreme Court's ruling on multiple cases supports this measure. According to the Sentencing Project, its 2012 ruling in *Miller v. Alabama*, its now mandatory for states and the federal government to consider the unique circumstances of juvenile defendants in determining individualized sentences.<sup>3</sup> In its 2016 decision in *Montgomery v. Louisiana*, the Supreme Court ensured that the decision would apply retroactively. A mandatory life sentence for juveniles without the possibility of parole isn't simply unethical; it is also unconstitutional.

At least 24 states and the District of Columbia have banned such a measure; in some other states, judges are not serving the sentence. It's time for Maryland to be added to that list. My

organization strongly and respectfully urges a favorable vote on SB494. Thank you for your consideration.

Sincerely,

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References:

1. Barry, Margaret. "Opinion: No Place for Redemption in Maryland's Criminal System." **Maryland Matters**. <https://www.marylandmatters.org/2020/12/30/opinion-no-place-for-redemption-in-marylands-criminal-system/> Accessed February 12, 2021.
2. Human Rights for Kids 2020 <https://humanrightsforkids.org/publication/2020-national-state-ratings-report/>. Accessed February 12, 2021.
3. Rovner, Josh. *Juvenile Life Without Parole: An Overview*. **The Sentencing Project**. <https://www.sentencingproject.org/publications/juvenile-life-without-parole/>. Accessed February 14, 2021.