

Testimony in support of SB771: Criminal Procedure – Petition to Modify or Reduce Sentence (Maryland Second Look Act)

My name is Judith Lichtenberg. I have lived in Hyattsville/University Park since the early 1980s and am professor emerita of philosophy at Georgetown. Since 2016, I've been teaching, tutoring, and mentoring at Jessup Correctional Institution (JCI); a year or two later I began doing the same at the DC Jail. I'm on the executive committee of the [Maryland Alliance for Justice Reform](#) (MAJR).

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 like and trust a great deal. 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 feel great remorse for what they did; and they can make valuable contributions to their communities.

This bill, which would allow a person to petition for a sentence modification if they have served 20 years (with a few other qualifications), is a crucial step in reducing mass incarceration and achieving justice. Keeping people incarcerated for crimes they committed when young is particularly problematic. [We know](#) that 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 costly in terms of the tremendous waste of human resources that occurs when we lock people up for decades and decades because of crimes committed so long ago.

The number of prisoners 55 or older [grew 280% from 1999 to 2016](#). Some states estimate that it costs four times as much to care for older prisoners as younger ones. 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, inefficiency, ineffectiveness, and cost—to permit requests for sentence modification by prisoners who have served 20 years in prison.

I urge you to issue a favorable report on SB771.

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