

JOANNE C. BENSON  
Legislative District 24  
Prince George's County

Budget and Taxation Committee  
Education, Business and  
Administration Subcommittee

Pensions Subcommittee  
Chair, Rules Committee

*Joint Committees*

Audit and Evaluation Committee

Children, Youth, and Families

Ending Homelessness

Fair Practices and  
State Personnel Oversight

Joint Committee on Pensions



James Senate Office Building  
11 Bladen Street, Room 201  
Annapolis, Maryland 21401  
410-841-3148 · 301-858-3148  
800-492-7122 Ext. 3148  
Fax 410-841-3149 · 301-858-3149  
Joanne.Benson@senate.state.md.us

THE SENATE OF MARYLAND  
ANNAPOLIS, MARYLAND 21401

Testimony of Senator Joanne C. Benson

SB 771: Criminal Procedure – Petition to Modify or Reduce Sentence (Maryland Second Look Act)

Good afternoon, Chair Smith, Vice-Chair Waldstreicher, and esteemed members of The Judicial Proceedings Committee. I am here to present SB771, The Maryland Second Look Act.

With 2 million people confined in the US correctional facilities, the United States currently leads the world in the incarceration of its citizens. The Maryland Second Look Act will aid prison reform by providing deserving individuals a chance to be high functioning members of society. The bill will allow for people in the prison system to be able to modify their sentence and be given a second chance; a chance that no one else would be given.

Additionally, during the past 40 years, jail populations have grown by 500%. The majority of this increase is explained by changes in laws and practices utilized for sentencing, NOT changes in crime rates. The second look act is giving people in prison a second chance at life to become a contributing member of society. The prefrontal cortex is the part of the brain who's sole function is to control impulses and make good decisions but its not fully developed until the age of 25. There is a large percentage of teens who are incarcerated and spend the rest of their lives in jail. The Maryland Second Look Act ensures the fairness of the imprisonment system in the State of Maryland.

The intent of this legislation is to make it possible for someone who is currently serving a sentence to request a court modification or reduce their sentence under certain circumstances. For the petitioner to have the choice to seek appeal after their conviction, they must first have completed both accompanying impediments. The first part of the impediment is to have served 20 years of the sentence without the utilization of diminution credits, and the second part is to have the equivalent of a 25-year sentence with the utilization of diminution credits. Under this measure, the offender's appeal of a sentence change or reduction will be allowed to be opposed by the victim of the crime or a representative of the victim of the crime. In conclusion, this bill will guarantee that we maintain fair practices and just sentencing in our courts systems.

Thus, I respectfully urge the committee to issue a favorable report for SB771.