

NICOLE A. WILLIAMS, ESQ.
Legislative District 22
Prince George's County

DEPUTY MAJORITY WHIP

Judiciary Committee

Chair, Public Safety Subcommittee

Vice Chair, Prince George's
County House Delegation



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THE MARYLAND HOUSE OF DELEGATES
ANNAPOLIS, MARYLAND 21401

February 7, 2023

The Honorable Delegate Luke Clippinger

Chairman of the House Judiciary

Committee 6 Bladen Street, Room 101

Annapolis, Maryland 21401

House Bill
330

Good afternoon, Chair Clippinger, Vice Chair Moon, and the members of the House Judiciary Committee. I am Delegate Nicole Williams of District 22, and I will be testifying in favor of **House Bill 330**, also known as **Post Conviction Review - Motion for Reduction of Sentence**. This legislation allows the State's Attorney a clear legal mechanism to file a motion to reduce a sentence of an incarcerated individual if a lesser sentence is in the best interest of justice. According to For the People, an organization committed to criminal justice reform, the law ensures a system of checks and balances by vesting judges with the ultimate decision. Victims would be notified of any resentencing proceedings and afforded all rights as stated in the Maryland Codes for criminal procedure. We are aware of the proposed amendments from the MCASA regarding adding the ability of the victim to submit a new victim impact statement or for the court to review a previously submitted victim impact statement and we are in favor of the proposed amendment.

Maryland taxpayers pay about \$54,000 per year for each person who is incarcerated – well above the national average. Reducing the prison population would allow these funds to be redirected toward more long-term solutions to crime like education, workforce development, housing, and drug treatment.

This bill will allow the state's attorney of the jurisdiction, in which the criminal case

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and sentencing took place, to ask the court to consider a reduced sentence if they believe it would be in the best interest of the individual and society as a whole and provide a statutory framework for this process to hopefully avoid the concerns that have been recently raised regarding the reduction of the conviction of Adnan Syed.

This bill will offer incarcerated individuals a second chance once they have proven that they pose little to no risk of perpetuating future violence. Multiple factors must be taken into consideration when petitioning the court, such as an inmate's disciplinary record and record of rehabilitation, any evidence that shows that age or time served has lessened the likelihood of future violence, *and* whether or not an individual's circumstances have changed since the inmates' original conviction. This legislation removes people from the prison system once they have demonstrated long periods of "good behavior" and it will help many people of color have a second chance at a better life after prison since they are incarcerated at a more disproportionate rate. This also incentivizes positive behavior if inmates know their sentence can be shortened if they truly reform, so more people will try to work for a better life and prepare for a return to life outside prison.

This is not a decision that would be made lightly, but one made with the best interests of everyone in mind and approved by a Judge. Incarceration has a devastating effect on an individual, their family, and their community. If someone has made an effort to change and better themselves during their period of incarceration, it would be an injustice not to revisit their original sentence and rob them of a chance at a brighter future.

For these reasons, I urge this committee to give a favorable report on House Bill 330.

Sincerely,

Nicole A. Williams, Esq.

Delegate Nicole A. Williams, Esq.