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Date: March 26, 2025

Re: SB 321 - Second Look Act

Position: SUPPORT

To: Senate Majority Leader Stewart-Cousins and Assembly Speaker Carl Heastie

Dear Senate Majority Leader Stewart-Cousins and Assembly Speaker Carl Heastie,

My name is Cheryl Morris and I am a retired Deputy Superintendent of Program Services at the New York State Department of Corrections, as well as a board member for the Law Enforcement Action Partnership (LEAP). Thank you for the opportunity to express my strong support for the Second Look Act, which would allow people who are incarcerated to petition for resentencing, and allow judges to revisit and reduce sentences. I believe this legislation would rebuild trust in the justice system, reduce unnecessary incarceration, and encourage rehabilitation.

LEAP is a nonprofit group of police, prosecutors, judges, and other criminal justice professionals who speak from firsthand experience. Our mission is to make communities safer by focusing law enforcement resources on the greatest threats to public safety and working toward healing police-community relations.

The criminal justice system is built on the public's trust and belief in its legitimacy. When civilians lose faith that the system is truly operating in the interest of safety and justice, they may hesitate to report crimes, speak to law enforcement, or participate in criminal proceedings. The resulting lack of collaboration with law enforcement is one of the greatest barriers to safety in our country today.

Unfortunately, communities of color lose trust in the justice system when they see [uneven treatment based on race](#). Research shows that after the murder of George Floyd, for example, people became [less likely to call the](#)

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[police](#) to report gunshots. Black men have historically received significantly [longer sentences](#) than white men and [almost half of people serving life sentences are Black](#). New York is no exception. Nearly 75% of people in [New York's prisons](#) are Black or Brown. Many of these people entered prison over a decade ago, with sentences that would have been much different if decided today.

Fortunately, New York legislators have an opportunity to regain trust by rectifying historical injustices in sentencing. The Second Look Act would allow people to demonstrate to a judge that they have changed after years in prison or that, given changes to laws during their incarceration, their sentence is no longer appropriate. This legislation would allow New Yorkers who are incarcerated to petition for resentencing after they have served 10 years, or over half of their sentence if it is longer than a decade. These second look proceedings would be heard by a different judge than the initial sentencing judge and the right to counsel would be guaranteed at every stage. New Yorkers who demonstrate rehabilitation or who would have received a different sentence under current laws would have a chance to return to their families and communities.

It is time for New York to follow Illinois, Louisiana, Maryland, Oregon, and the District of Columbia in passing legislation that allows judges to review sentences and act in the best interest of safety and justice based on the circumstances.

Through this process, the Second Look Act would reduce unnecessary incarceration, allowing our limited resources to be focused on the greatest threats to public safety. New York currently spends an average of [\\$115,000 a year, or over \\$315 a day, to incarcerate just one person](#). We should not be spending taxpayer dollars to incarcerate people who have rehabilitated and are not a threat to public safety, or who would not be in prison under current law.

Creating opportunities for sentence review would also incentivize positive behavior in prison. If incarcerated people know that demonstrating their rehabilitation can help them earn a reduced sentence, they will have more reason to focus on self-improvement and preparing for life after prison.

Allowing judges to revisit and reduce sentences is the right thing to do - for incarcerated individuals, for communities, and for New York's justice system. The Second Look Act would improve public safety by rebuilding police-community trust, reducing unnecessary incarceration, and encouraging rehabilitation.

Thank you for the opportunity to share my perspective in support of this important legislation.

Respectfully,

Deputy Superintendent Cheryl Morris (Ret.)
NYS Department of Corrections
Albany, New York

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