

THE SENTENCING PROJECT
RESEARCH AND ADVOCACY FOR REFORM

Limited Duration of Criminal Careers

“Criminal careers are of a short duration (typically under 10 years), which calls into question many of the long-term sentences that have characterized American penal policy.” – Alex Piquero, et al.

From Juvenile Delinquency to Adult Crime: Criminal Careers, Justice Policy, and Prevention. Oxford University Press. 2012.



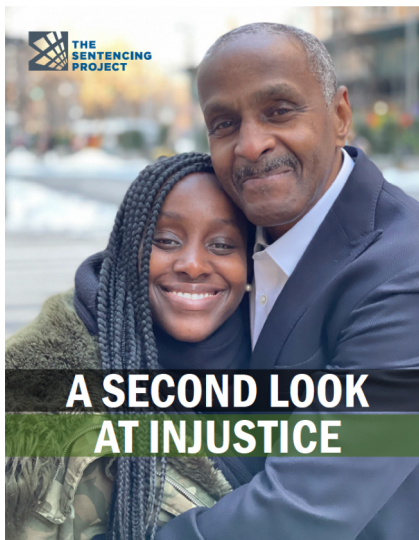
Booker and Bass: Federal Second Look Bill



“There comes a point where you really have to ask yourself if we have achieved the societal end in keeping these people in prison for so long.” - Sen. Booker



Second Look Reforms



- DC’s Second Look Amendment Act (2020)
- New York State’s Elder Parole bill would allow people aged 55 and older who have served 15 or more years in prison to receive a parole hearing
- California’s 2018 law (Assembly Bill 2942) allows district attorneys to initiate resentencings



Prosecutorial Support

JOINT STATEMENT ON SENTENCING SECOND CHANCES AND ADDRESSING PAST EXTREME SENTENCES

April 2021

“We urge our state legislatures and the federal government to adopt measures permitting prosecutors and judges to review and reduce extreme prison sentences imposed decades ago and in cases where returning the individual to the community is consistent with public safety and the interests of justice.”



American Law Institute's Model Penal Code

Youth should be eligible for sentence modification within 10 years of imprisonment, and their maximum sentence be limited to 20-25 years.

For everyone 18 and older:

“The legislature shall authorize a judicial panel or other judicial decisionmaker to hear and rule upon applications for modification of sentence from prisoners who have served 15 years of any sentence of imprisonment.”



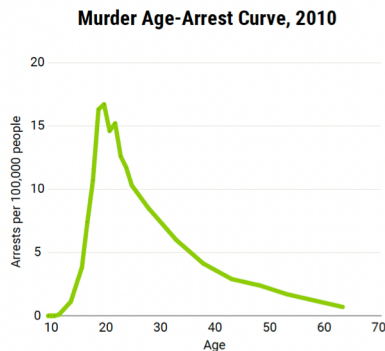
American Law Institute's Model Penal Code

“The prospect of [evolving norms](#), which might render a proportionate prison sentence of one time period disproportionate in the next, is a small worry for prison terms of two, three, or five years, but is of great concern when much longer confinement sentences are at issue.... [I]t is unsound to freeze criminal punishments of extraordinary duration into the [knowledge base of the past](#).”



1. Criminological Foundation

- People age out of crime and recidivism declines with age



“The Ungers”: nearly 200 Maryland lifers who gained their freedom through the courts



1. Criminological Foundation

- People age out of crime and recidivism declines with age
- Long sentences have a limited deterrent effect

“Increases in already long prison sentences, say from 20 years to life, do not have material deterrent effects on crime.” – Daniel Nagin

Reduce Prison Populations By Reducing Life Sentences. *Washington Post*. 2019.



1. Criminological Foundation

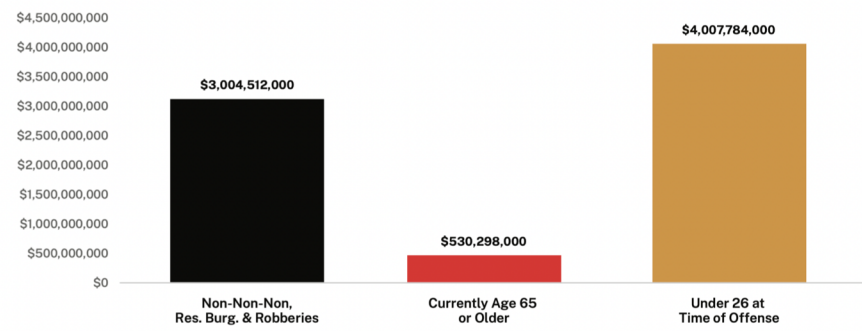
- People age out of crime and recidivism declines with age
- Long sentences have a limited deterrent effect
- Long sentences divert resources from effective investment in public safety



Projected Savings in California

Safely releasing people from prison allows the state to divert millions of dollars from prison spending toward reentry services and other community needs.

Figure 5: California's Spending Next Year, by Various Categories



For the People (2021). Prosecutor-Initiated Resentencing: California's Opportunity to Expand Justice and Repair Harm.



2. Victims Are Not Monolithic

“NVRDC believes that in order to fully support communities who have experienced violence, we must evaluate all [the root causes of crime that affect crime victims and defendants alike](#)—poverty, lack of access to education, lack of safe housing, institutional racism, and other systemic biases.” - Network for Victim Recovery of DC

3. Racial Equity



Marshall Project