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Juvenile Restoration Act Secures the Freedom of 23 Individuals in the First Year of its Implementation

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The Juvenile Restoration Act, which permits people who have served at least 20 years' incarceration for a crime that occurred when they were under the age of 18 to file a motion for reduction of sentence, went into effect on October 1, 2021. In a report released today, the Maryland Office of the Public Defender documents the success of the law in its first year.

To date, 36 motions for sentence reduction under the Juvenile Restoration Act have been decided by the Circuit Courts across Maryland. In 23 of those cases, courts reduced the sentence to allow for immediate release from prison. In four more cases, courts granted the motion in part and reduced the duration of the sentence, but the individual has more time to serve before being released.

[*The Juvenile Restoration Act: Year One – October 1, 2021 to September 30, 2022*](#) compiles data about the courts' decisions and provides five success stories of individuals who have been released under the law. It also includes background about the law, information about OPD's multidisciplinary representation model, and recommendations for building on the law's success.

“The Juvenile Restoration Act is predicated on research showing that most people who commit serious crimes as children eventually mature, become rehabilitated, and can be safely released,” noted Brian Saccenti, Director of OPD's Decarceration Initiative. “The first year of its implementation confirms that individuals who have served long sentences that were imposed when they were children can often be safely released from prison and become valuable members of their community. We hope that the Legislature will consider enacting similar laws for individuals who are over the age of 60 and those who were convicted of a crime that occurred when they were under the age of 25.”

OPD's Decarceration Initiative was established shortly after the passage of the Juvenile Restoration Act to coordinate the representation of indigent people eligible to file a motion for reduction of sentence under the Act, and to advocate for the adoption of similar “look back” provisions authorizing the reduction of sentences for other individuals who have served lengthy periods of incarceration.

“The Decarceration Initiative's collaborative and multidisciplinary approach – which includes in-house social workers and reentry specialists, as well as a wide array of community-based service providers working with public defenders, law clinics, and pro bono counsel -- has been a vital part of the Juvenile Restoration Act's success,” said Maryland Public Defender Natasha Dartigue. “Dedicated state funding for these services, which was not included in the law, is

critical to ensure the continued success of the law and the individuals and families impacted by it.

The Report, *The Juvenile Restoration Act: Year One – October 1, 2021 to September 30, 2022* is available on OPD’s website: www.opd.state.md.us.

In partnership with the University of Maryland Carey School of Law, OPD will be hosting a panel and reception commemorating the first year of the Juvenile Restoration Act. The event will take place at the law school on the evening of November 15, 2022.

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