

COMPARISON OF 2024 BILLS THAT MODIFY ISRB ACCESS

IN THE 2024 LEGISLATIVE SESSION THERE ARE THREE BILLS THAT WOULD IMPACT ISRB ACCESS FOR YOUNG PEOPLE GIVEN LONG SENTENCES.

BILL	HB 1325 (HACKNEY)/SB 5451 (FRAME)	HB 1383 (HACKNEY)	HB 1396 (GOODMAN)
WHAT DOES THIS BILL DO?	It makes an incremental change to ISRB review for young people by increasing the age limit from 18 to the evidence-based age of 25.	It provides an opportunity for people given long sentences before the age of 18 to go before the ISRB at the age of 24, the age at which they will soon be transferred from DCYF custody to DOC custody.	It allows sentencing courts to impose either a life without the possibility of parole sentence or an indeterminate minimum 25 year to life sentence with ISRB review for people convicted of aggravated murder between the ages of 18 and 21. It requires the courts to impose an indeterminate 25 year to life sentence with ISRB review for people convicted of aggravated murder at 16 and 17 years old.
WHO WOULD THIS IMPACT?	Any person given a 15+ year determinate sentence before the age of 25 would have the opportunity to go before the ISRB after either 15 years for all crimes except aggravated murder, and after 25 years for aggravated murder. Currently, people given 20+ year sentences before the age of 18 can go before the ISRB after either 20 or 25 years depending on their conviction.	People who were under 18 at the time of their crime, were sentenced as adults, and have sentences that will continue after their 24th birthdays. For example, if a person was 17 at the time of their crime and received a 25-year sentence, they will have the opportunity to go before the board after 7 years, at the age of 24. If a person was 14 and received a 15-year sentence, then they will go before the board after 10 years at the age of 24, etc.	Any person given a life without the possibility of parole sentence for aggravated murder between the ages of 18 and 21. This would not impact people who received <i>de facto</i> life sentences for other crimes. This would also impact 16- and 17-year-olds with aggravated murder convictions.
IS RELEASE GUARANTEED?	No. The ISRB reviews a person's individual case and circumstances to determine if the person is safe to return to the community. If the board does not recommend return, then the person may reapply after a certain number of years. At any review, release is not guaranteed.	No. The ISRB reviews a person's individual case and circumstances to determine if the person is safe to return to the community. If the board does not recommend return, then the person may reapply after a certain number of years. At any review, release is not guaranteed.	No. For 18- to 21-year-olds the sentencing court may impose a life without the possibility of parole sentence if it finds that there are no mitigating factors in the case. For those who receive an indeterminate sentence, the ISRB reviews a person's individual case and circumstances to determine if the person is safe to return to the community. If the board does not recommend return, then the person may reapply after a certain number of years. At any review, release is not guaranteed.
DOES THIS BILL ADDRESS FAIRNESS AND RACE EQUITY?	Yes. This bill takes meaningful steps towards addressing massive racial disparities in the sentencing of young adults. For example, there are currently more Black people serving <i>de facto</i> life sentences as young adults than white people. It would also make state law more consistent with the growing national understanding, based on brain science, that this younger population should be uniquely considered in the criminal legal system.	Yes. Youth of color are disproportionately impacted by the criminal legal system.	There are concerns about fairness and race equity with regard to this bill. Due to the adultification of youth of color, sentencing courts may be more likely to sentence young people of color to life without the possibility of parole than their young white counterparts. In addition, it is unfair to provide relief for people given life sentences but not people serving <i>de facto</i> life sentences, which disproportionately impact youth of color.