



## Access to Parole for Individuals Sentenced to Life as a Minor

Vote YES to SB60 (Locke) / HB318 (Hope)

- In 2020, Virginia passed SB103 in response to the U.S. Supreme Court cases of *Miller v. Alabama* (2012) and *Montgomery v. Louisiana* (2016) which found juvenile life sentences to be unconstitutional. Virginia law, under SB130, grants parole eligibility to juvenile offenders after they serve 20 years. Virginia has created applicable parole processes for this population but very few individuals have been released.
- There are many people in prison serving long sentences for childhood conduct.
  - As of January 2025, there are 81 incarcerated individuals in Virginia who are serving life sentences for offenses they committed as children.
  - As of January 2025, there are 221 juveniles incarcerated in Virginia who have served more than 20 years and are eligible for parole hearings.
  - Since 2020, only 2 Virginia juveniles serving life sentences have been released on parole.
- Children are different from adults, and they should not be punished too harshly for childhood conduct.
  - Psychological studies and research on criminology have shown that effectively everyone involved in criminal conduct eventually ages out of their criminal behavior, and most do so during early adulthood.
    - Evidence of personal development and maturation in incarcerated juvenile offenders is illustrated by changes away from youthful transient features such as impulsivity, susceptibility to peer pressure, and an incomplete capacity for judgment.
- Incarcerating individuals beyond the point they pose any meaningful public safety risk requires the state to shoulder the costs associated with aging prison populations. Furthermore, keeping juvenile offenders in prison effectively removes them from the workforce during what would be their most productive years.
- By statutorily outlining parole procedures the entire parole process in Virginia will be more effective.
  - Since SB130 was passed in 2020, parole grant rates have declined from 11.8% in 2020, to 0.6% in 2024.
    - This decline in parole grant rates can be attributed to administrative delays and changes regarding the parole board.
  - Parole hearing guidelines were submitted to the Governor in August of 2022, but such rules have yet to be approved.
- Making the process for parole of juvenile offenders sentenced to life more effective is essential in promoting meaningful opportunities for release.
  - When parole is meaningful incarcerated individuals have an incentive to engage in education and rehabilitative programming and maintain positive behaviors while investing in personal growth.
  - Meaningful parole considerations support rehabilitative ideals while avoiding potential lawsuits that would challenge decision-making criteria in parole processes and procedures.