

Maryland Criminal Defense Attorneys' Association



MD House of Delegates -Judiciary Committee

March 26, 2021 1:00pm

Hearing on SB 494 “Juvenile Restoration Act”

MCDAA POSITION: SUPPORT

Brief bill explanation: This bill authorizes a court, when sentencing a minor convicted as an adult, to impose a sentence less than the minimum term required under law. When sentencing juveniles, a court is prohibited from imposing a sentence of life imprisonment without the possibility of parole or release. The bill also authorizes an individual who was convicted as an adult for an offense committed when the individual was a minor to file a motion with the court to reduce the duration of the sentence; the bill establishes related procedures. The bill limits the reconsiderations. The Senate amended version adds a duty for the prosecutor to contact and invite the victims to the resentencing.

MCDAA position: The MCDAA respectfully recommends passing the Senate version. MCDAA supports legislation that addresses and fixes problems in the way juveniles are sentenced under Maryland law. This measure takes a laudable stand against sentencing minors as if they were adults. Those under 18 deserve additional protections and different considerations under the law; this philosophy was the driving force for the creation of the Juvenile Courts. Minors sentenced in “adult court” face sentences that could mean a life in prison for crimes committed before the defendant reached the age of majority. This law would force judges in “adult court” to be guided by different considerations when sentencing minors.

For additional information or questions regarding this legislation, please contact MCDAA Government Relations Contact John Giannetti 410.300.6393, JohnGiannetti.mcdaa@gmail.com or MCDAA legislative policy leader Erica Suter, 202.468.6640 erica@ericasuterlaw.com