



The **CAMPAIGN** for the
FAIR SENTENCING
of **YOUTH**

Bill: House Bill 759
Title: Criminal Procedure – Motion to Reduce Duration of Sentence – Repeal of Sentencing Date Limitation
Date: February 13, 2026
Position: SUPPORT
Committee: Judiciary Committee
Contact: Nikola Nable-Juris, Campaign for the Fair Sentencing of Youth

Chair Bartlett, Vice-Chair Davis, and members of the Judiciary Committee:

The Campaign for the Fair Sentencing of Youth respectfully submits this testimony for the official record to express our **SUPPORT for House Bill 759**. We are grateful to Delegate Stinnett for his leadership in introducing this bill and appreciate the Maryland General Assembly’s commitment to ensuring constitutional compliance in youth sentencing, which can be accomplished with this simple technical change.

The Campaign for the Fair Sentencing of Youth (“CFSY”) is a national coalition and clearinghouse that coordinates, develops, and supports efforts to implement age-appropriate alternatives to the extreme sentencing of America’s youth with a focus on abolishing life-without-parole and life-equivalent sentences for all children. We collaborate with policymakers, national and community organizations, and individuals directly impacted by these policies to develop solutions that keep communities safe while providing opportunities for children to reintegrate into society after demonstrated rehabilitation.

House Bill 759 modifies Maryland Criminal Procedure § 8-110 to remove the October 1, 2021, date restriction. In 2021, the Juvenile Restoration Act (JUVRA) passed and created a mechanism where children who were under 18 at the time of a criminal offense could petition a judge for sentencing review after serving 20 years.¹ JUVRA limited this review mechanism to children who were sentenced prior to October 1, 2021.²

¹ S.B. 494, 2021 Reg. Sess. (Md. 2021).

² Md. Crim. Pro. § 8-110(a)(2) (2024).

Last session, the Second Look Act expanded JUVRA's judicial review mechanism to include certain individuals who were ages 18 to 24 without imposing a date restriction for eligibility.³ This has created an unconstitutional inconsistency, where the majority of individuals ages 18 to 24 receive an opportunity for review while youth under 18 sentenced after October 1, 2021, are ineligible for sentence review. The U.S. Supreme Court has decided a litany of cases over the last two decades which consistently affirm that children are different than adults for the purposes of criminal sentencing and which afford children greater constitutional protections in criminal sentencing than their adult counterparts.⁴ Currently in Maryland, if a 15-year-old child and a 24-year-old individual were arrested as codefendants, in most situations the 24-year-old would receive sentencing review while the 15-year-old would not. This creates an unconstitutional framework where individuals over 18 receive greater protections than youth under 18, exposing the state to litigation risk.

House Bill 759 eliminates this disparity that disadvantages children by removing the arbitrary October 1, 2021, date restriction. House Bill 759 ensures that all children under 18, regardless of the date upon which they were sentenced, receive an opportunity for sentence review. Passing this simple technical fix would ensure fundamental fairness and constitutional compliance in criminal sentencing for youth under 18.

The Campaign for the Fair Sentencing of Youth urges a **favorable reporting on House Bill 759**. Thank you for your serious consideration of this legislation.

Nikola Nable-Juris
National Legal and Policy Director
Campaign for the Fair Sentencing of Youth

³ H.B. 853, 2025 Reg. Sess. (Md. 2025).

⁴ *Roper v. Simmons*, 543 U.S. 551 (2005) (finding the death penalty unconstitutional for children under 18); *Graham v. Florida*, 560 U.S. 48 (2010) (finding life-without-parole sentences for non-homicide offenses to be unconstitutional for children under 18); *Miller v. Alabama*, 567 U.S. 460 (2012) (finding mandatory life-without-parole sentences unconstitutional for children under 18); *Montgomery v. Louisiana*, 577 U.S. 190 (2016) (holding *Miller v. Alabama* applies retroactively to children under 18 who were previously sentenced to life without parole); *Jones v. Mississippi*, 593 U.S. 98 (2021) (addressing sentencing procedure for youth while reaffirming the core tenants of *Miller* and *Montgomery*).