

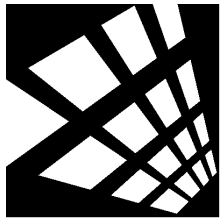


## JUSTICE DELAYED

# THE GROWING WAIT FOR PAROLE AFTER A LIFE SENTENCE



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This report was written by Sabrina C. Pearce, Research Associate at The Sentencing Project. The profile of Anthony Muhammad was written by Leyda Pereyra, Program Manager for the Second Look Network. Devyn Brown, former Research Fellow at The Sentencing Project, provided research assistance, and Bobby Boxerman, Research Fellow, contributed to citation review. The author is grateful to colleagues Nazgol Ghandnoosh, Nicole D. Porter, and Kara Gotsch for their generous review, and to Warren Allen for connecting her with Aaron Banks.

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The Sentencing Project promotes effective and humane responses to crime that minimize imprisonment and criminalization of youth and adults by promoting racial, ethnic, economic, and gender justice.

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# EXECUTIVE SUMMARY

**The number of people sentenced to life in prison has drastically increased over the last five decades. Of the 194,803 people serving life sentences in 2024, nearly half of them, 97,160 people, were serving parole-eligible sentences.<sup>1</sup> A parole-eligible life sentence is also referred to as life with parole (LWP) or life with the possibility of parole (LWPOP). Parole is the conditional release of an incarcerated individual after spending a portion of their sentence in prison. Its purpose at inception was to serve as a bridge between an incarcerated person and their community, balancing the needs of the individual and the needs of the community, with the aim toward reintegration.**

To be eligible for parole, a person sentenced to life must serve a required minimum sentence or reach their “parole eligibility date.” The minimum parole eligibility date is the earliest point at which an incarcerated individual may be considered for parole, minus any time credits earned. Once the required minimum sentence is served, these individuals may re-enter society upon the approval of a paroling authority, most often a parole board.<sup>2</sup> But as this report shows, over the past 50 years legislators across the country have raised the minimum sentence required for parole eligibility, delaying release of millions and significantly transforming the meaning of a life sentence.

In addition, governors have appointed parole commissioners who are reluctant to grant parole.<sup>3</sup> As a result of both factors, newly paroled life-sentenced individuals have served longer prison terms than those in years past.<sup>4</sup> Furthermore, even fewer people are receiving parole hearings in recent years as political, public, and media pressures to adopt more punitive practices continue to rise.<sup>5</sup> The result: increased prison terms and prolonged punishment.

Longer prison sentences are costly and divert important investments away from effective measures to prevent crime and incarceration, such as mental health support, health care services, employment, education, housing, and other resources that produce healthier and safer communities.<sup>6</sup> Lengthy periods of delay can lead to disillusionment and diminish the hope and well-being of those incarcerated as well as their supportive loved ones and communities as they longingly await the day of release. Timeliness in parole hearings is crucial as parole delays interfere with an incarcerated person’s ability to preserve family, friends, community, and other ties, which may present challenges for successful reintegration upon release.

Through in-depth profiles of five states and the experiences of two individuals, this report illustrates the trend toward increasing wait times for initial parole hearings, subsequent rehearings, and sometimes the elimination of parole eligibility entirely for individuals serving parole-eligible life sentences.

**Over the past 50 years, legislators have significantly transformed the meaning of a life sentence.**

## Colorado

- In Colorado, those sentenced to life for a crime that occurred before July 1977 are eligible for parole after 10 years.<sup>7</sup> Parole eligibility doubles to 20 years if the crime occurred between 1977 and 1985,<sup>8</sup> then again to 40 years if the crime was committed after 1985.<sup>9</sup> There is no parole eligibility for most individuals sentenced to life for a class 1 felony committed after 1990.<sup>10</sup>

## Georgia

- In Georgia, parole eligibility has been delayed for life-sentenced individuals convicted of serious violent felonies. An individual convicted of a crime committed before 1995 is eligible for parole after seven years.<sup>11</sup> Parole eligibility increases to 14 years if the crime was committed between 1995 and 2006,<sup>12</sup> and to 30 years if the crime was committed after 2006.<sup>13</sup> In 1985, the State Board of Pardons and Paroles' Rules changed to require an individual to wait up to eight years to be considered again for release, prior to this, the Rules required reconsideration every three years.<sup>14</sup>
- Recently passed legislation like the **Georgia Survivor Justice Act** – which awaits the governor's signature – would offer a pathway for judicial review of sentences for domestic violence survivors serving lengthy and life sentences.<sup>15</sup>
- *At 16 years old, Aaron Banks was arrested and ultimately sentenced to life, plus 20 years, for a murder he did not plan or participate in. Yet 23 years later, he remains behind bars. Among the two people convicted with him for this offense, Aaron – notably the only Black person – is the only one who has not been given a pathway to release. His next parole reconsideration date is in 2026.*

## Louisiana

- In the late 1920s through the early 1970s it was common practice for all life-sentenced individuals to be

released after 10 years and 6 months. The so-called “10/6 law” enacted in 1926 granted those sentenced to life an opportunity for release if they demonstrated “good behavior.”<sup>16</sup> In 1973, Louisiana lawmakers increased the mandatory minimum time served before release consideration to 20 years for people sentenced to life. In 1976, three years later, it was raised to 40 years. By 1979, parole eligibility was abolished for anyone with a life sentence.<sup>17</sup>

- In recent years, progress has been made towards restoring and extending parole eligibility to certain groups of life-sentenced individuals in Louisiana, including those sentenced under the “10/6 law.”

## Maryland

- In Maryland, parole-eligible life-sentenced individuals convicted of a crime committed before 2021 are considered for release after 15 years.<sup>18</sup> However, if the crime occurred after 2021, parole eligibility arises after 20 years.<sup>19</sup> Unlike most jurisdictions, Maryland does not have a statutory requirement relating to rehearing periods, which can vary between 3-10 years.<sup>20</sup> In April 2025, the state passed the **Second Look Act**, offering a remedy to many people whose crimes occurred under age 25, by allowing them to petition a court for resentencing after serving 20 years.<sup>21</sup>
- *Anthony Muhammad was 15 years old when he was sentenced to life with the possibility of parole, plus 20 years. In 2007 he had his first parole hearing and received a 10-year denial. Mr. Muhammad's initial parole hearing would ultimately be his last as he was released under the Juvenile Restoration Act (JRA) in 2022 after serving 29 years in prison.*

## Minnesota

- In 1989, the Minnesota legislature increased the time that individuals sentenced to life must serve before becoming eligible for parole to 30 years.<sup>22</sup> Prior to this change, life-sentenced individuals were required to serve 17 years.<sup>23</sup>



There have also been signs of progress. The number of people serving life with parole sentences declined by 11% since its peak in 2012.<sup>24</sup> This change may be attributed to a few things: fewer life sentences imposed, more releases to parole, and, sadly, deaths while awaiting parole.<sup>25</sup> The decline in this population could also be due in part to the expansion of pathways to come home, particularly for those sentenced as youth, young adults, and for the elderly.<sup>26</sup> For example:

- After the passage of Maryland’s Juvenile Restoration Act (JRA) in 2021, which allows youth sentenced as adults to ask the court to reduce their sentence after serving at least 20 years in prison, more than 200 people became eligible for sentence review.<sup>27</sup> Other reforms in the criminal legal system have also led to more parole releases of life-sentenced individuals. For example, Maryland’s removal of the requirement of governor approval before a life-sentenced individual may be paroled. The recently signed Second Look Act expands relief to a broader population serving excessive sentences.<sup>28</sup>
- In California, a state that has seen the largest reduction in their life with parole numbers (a 3,765 person decline between 2020 and 2024), a series of laws have created more opportunities for parole eligibility and review. In 2013, California’s Senate Bill 260 established “youth offender parole hearings,” to consider a youth’s diminished culpability, hallmark features, and qualities of growth and maturity.<sup>29</sup> Initially for those under 18 years old at the time of the offense, eligibility was raised to include those under 23 in 2015<sup>30</sup> and those 25 years of age or younger in 2017.<sup>31</sup> A few years later in 2021, the number of older individuals eligible for the elderly parole program broadened when the age requirement was lowered to 50 from 60, and the time served requirement dropped to 20 years of continuous incarceration from 25.<sup>32</sup> In an elderly parole hearing, the board must give special consideration to whether age, time

served, and any diminished physical condition have reduced the risk of release.<sup>33</sup>

Research has shown that extreme prison terms do not advance community safety. This is because incarceration is expensive, and in keeping people in prison for longer, important resources are diverted away from effective measures to prevent crime and incarceration.<sup>34</sup> In addition, long prison sentences often incarcerate people long after they have aged out of crime and only minimally deter others from future criminal activity.<sup>35</sup>

The American Bar Association and the American Law Institute recommend judicial reviews of prison sentences after 10 and 15 years, respectively—fueled partly by the many roadblocks posed by the parole review process.<sup>36</sup> To reduce excessive sentences, improve fairness and outcomes, and to give individuals sentenced to life with parole a meaningful opportunity for release from prison—

### **The Sentencing Project recommends the following:**

- **Allow initial parole hearings within 10 years of imprisonment**
- **Establish a presumption of release**
- **Allow rehearings to occur annually**
- **Ensure procedural safeguards to promote fair consideration**
- **Expand release opportunities beyond parole, such as judicial sentence reviews established through second look and domestic violence survivor laws**
- **Prioritize respect for human dignity throughout all steps of the process**

# INTRODUCTION

In 2024, one in every 12 people in prison were serving parole-eligible life sentences: 97,160 people.<sup>37</sup> Life with parole (LWP) sentences are intended to provide an incarcerated person with an opportunity to be released into the community after spending a portion of their sentence in prison. As of 2024, 46 states have people serving life with parole sentences.<sup>38</sup> Of those jurisdictions that have abolished parole, including the federal system, parole boards still exist to facilitate the process for incarcerated individuals that were sentenced before the change. For example, although parole was abolished in the federal system in 1987, the U.S. Parole Commission continues to hold hearings, make release decisions, and supervise individuals that were eligible for parole before this date, who would otherwise be ineligible if sentenced afterwards.

Although fewer people are serving life with parole sentences today than in 2020, doubts remain amongst advocates, practitioners, researchers, and scholars regarding the efficacy of parole in its existing form as the prospects for release remain low for those with eligible sentences. For individuals serving life, many jurisdictions have enacted a variety of policies and practices that have made parole release elusive. Among them are legislative changes, such as raising the minimum sentence required for parole eligibility and increasing the wait for subsequent considerations, as well as the failure to increase grant rates.<sup>39</sup>

Parole is a critical mechanism in the release of incarcerated individuals. When initial parole hearings and re-hearings are delayed, prison terms increase – prolonging punishment without advancing the aims of community safety. Recognizing the importance of parole as a pathway to release, the community safety effects of lengthy sentences, and the personal impact on those serving life with parole, this report examines the growing delays in initial and subsequent parole hearings for individuals

serving eligible life sentences. It will also discuss other factors delaying justice for these individuals to create a more comprehensive understanding of the circumstances surrounding parole eligibility and release.

## THE WAITING PERIOD

### Wait Time for Parole Eligibility

Although most people serving life sentences were convicted of serious crimes, it's important to recognize that life sentences are not treated equally. There are often statutory distinctions made regarding when an individual serving a parole-eligible life sentence will become eligible for parole based on age, crime of conviction, severity of offense, and other factors. In states that offer parole to individuals sentenced to life, the minimum amount of time served before an individual may be eligible can vary considerably. Because there is no right to parole, eligibility does not guarantee release, and an individual could potentially spend their entire life in prison.

### Wait Time for Parole Reconsideration

Since many people serving life sentences will not be granted parole at their first parole hearing, equally important to consider is the wait time for reconsideration after an individual has been denied parole. The Robina Institute of Criminal Law and Criminal Justice highlighted 12 states where parole boards have full discretion to determine wait times following parole denial, including the option to exclude candidates from future parole consideration.<sup>40</sup> Some parole-eligible candidates have strategically waived their right to appear before the board knowing subsequent wait times to reappear can be lengthy if they are denied. The time between each hearing varies, often between one to several years.<sup>41</sup>

## OTHER FACTORS DELAYING JUSTICE

### Parole Grant Rates

The number of people granted release through discretionary parole has decreased, and even fewer people are receiving parole hearings in recent years as political, public, and media pressure to adopt more punitive practices continue to rise.<sup>42</sup> In their 2024 examination of discretionary release practices for individuals serving parole-eligible life sentences across the United States, researchers Stuti Kokkalera and Angelica Allison from Sam Houston State University found that while there is considerable variation among parole boards, there is significant alignment among states in terms of the factors to be considered in guiding the decision making for release of eligible life-sentenced populations.<sup>43</sup> The most commonly cited factor in statutes, administrative rules, and/or parole board guidelines is unchanging sentencing-related factors such as the severity of the offense and prior criminal record, followed by prison behavior, and elective participation in rehabilitation efforts.<sup>44</sup>

For those convicted of a violent crime, a crime of a sexual nature, or repeat offenses, parole eligibility is often delayed, restricted, or denied outright.<sup>45</sup> These individuals may face additional challenges with the parole board, reflected in their decision to ultimately grant or deny parole release.

Since most eligible individuals are not released on parole at their initial parole hearing or their first rehearing, and in fact, may never be released from prison, repeated denials can effectively turn a life with the possibility of parole sentence into a sentence of life without parole.<sup>46</sup>

### Race & Gender

Black men have been disproportionately impacted by these trends in parole release. One in five Black men in prison are serving a life sentence, including life with parole, life without parole, and virtual life sentences.<sup>47</sup> Nationally, more than two thirds of people serving life are people of color.<sup>48</sup> Being a person of color also decreases the chances that an individual will be granted parole. For

example, a 2024 report by the Center on Race, Inequality, and the Law at NYU School of Law found that for the last nine years of available data, the New York State Parole Board was 22.6% less likely to release a person of color.<sup>49</sup> A *New York Times* analysis of thousands of parole decisions in New York also found that less than one in six Black or Latino men were granted parole at the first hearing, compared with one in four white men.<sup>50</sup> Research on parole hearings for those sentenced to life with the possibility of parole in California has found that prosecutors are more likely to oppose parole release for Black versus white and Latino individuals, even after controlling for differences in factors such as age, commitment offense, criminal history, and educational attainment.<sup>51</sup> There is also evidence of racial bias in discretionary parole decisions after controlling for factors such as rehabilitative efforts, crime of conviction, and disciplinary history.<sup>52</sup>

### Disregard for Human Dignity

Over the last 50 years, the U.S. parole system has placed growing importance on public safety and risk management with a diminished focus on the rights and inherent dignity of incarcerated persons. In their 2018 report comparing U.S. and European parole release systems, researchers Dirk van Zyl Smit and Alessandro Corda concluded that from a European perspective, “the U.S. system is exceptional in failing to recognize the right of all offenders to be provided with a realistic opportunity to be reintegrated into society as full members with their human dignity intact.”<sup>53</sup> This is demonstrated through the continued acceptance of life without parole sentences, the significant weight attached to risk management in making release decisions, and the lesser commitment to due process.<sup>54</sup>

**The U.S. parole system has placed growing importance on public safety and risk management with a diminished focus on the rights and inherent dignity of incarcerated people.**



# FIVE ILLUSTRATIVE JURISDICTION PROFILES

## COLORADO

In Colorado, a class 1 felony conviction may result in a sentence of life imprisonment with the possibility of parole, though generally class 1 felonies (first-degree murder, first-degree kidnapping, child abuse causing death to a child under 12, assault during escape with intent to commit bodily injury, and treason) mandate a sentence of life without parole. For example, youth convicted of class 1 felonies can receive a sentence of life imprisonment with the possibility of parole after 40 years.<sup>55</sup> Individuals who have three serious prior felony convictions may also receive a life sentence with parole eligibility after 40 years due to laws that punish repeat convictions.<sup>56</sup> Individuals convicted of certain crimes of a sexual nature may be subject to a maximum sentence of life in prison.<sup>57</sup>

Over the years, the Colorado legislature made several changes to the parole eligibility date for those facing a life sentence:

- If the crime was committed before July 1, 1977, the individual is eligible for parole after 10 years.<sup>58</sup>
- If the crime was committed on or after July 1, 1977, but before July 1, 1985, the individual is eligible for parole after 20 years.<sup>59</sup>
- If the crime was committed on or after July 1, 1985, the individual is eligible for parole after 40 years.<sup>60</sup>
- Individuals sentenced to life for a class 1 felony committed on or after July 1, 1990, are not eligible for parole.<sup>61</sup>

Today, individuals convicted of a class 1 felony are generally punished with a life without the possibility of parole sentence. For those individuals that were convicted of a class 1 felony and received a sentence of life with parole prior to the adoption of life without parole, their minimum parole eligibility date differs based on the date of conviction. If parole is denied, the parole board must review most individual's cases within three to five years thereafter.<sup>62</sup>

## GEORGIA

Since 1995, Georgia has enacted statutory changes that delay parole eligibility for life-sentenced individuals convicted of a serious violent felony (armed robbery, kidnapping, rape, murder, aggravated sodomy, aggravated sexual battery, and aggravated child molestation), also known as the "seven deadly sins."<sup>63</sup>

- If the crime was committed before January 1, 1995, the individual is eligible for parole after serving seven years.
- If the crime was committed between January 1, 1995, and July 1, 2006, the individual is eligible for parole after 14 years.
- If the crime was committed on or after July 1, 2006, the individual is eligible for parole after serving 30 years.<sup>64</sup>

In Georgia, the State Board of Pardons and Paroles does not convene as a group to review parole files, nor do they conduct hearings. Instead, each Board member votes independently to grant or deny parole, with the parole file

being sent to each member's office individually, one at a time.<sup>65</sup> No specific findings are required to deny parole and the Board is vested with the authority to determine the frequency of parole reconsideration following denial.<sup>66</sup> Since its inception, the Board has used its wide discretion to limit how often incarcerated persons are considered for parole. In 1979, the Board's Rules required reconsideration every three years.<sup>67</sup> For some individuals, reconsideration review occurred every year.<sup>68</sup> The Rules were amended in 1985 so that people serving life sentences that have been denied parole must wait up to eight years to once again be considered for release if, by the Board's determination, it is not expected that parole will be granted during the intervening years.<sup>69</sup> In Georgia, an incarcerated individual may be put off for reconsideration multiple times, sometimes with only a few years between each reconsideration.

According to the State Board of Pardons and Paroles, parole-eligible life-sentenced individuals given a reconsideration date (or "set off" date) may receive expedited consideration if there has been a change in their circumstances or if new information has been received that would warrant review before the set off date.<sup>70</sup> However, because the severity of the crime and its impact on the victim and the community are significant factors,<sup>71</sup> and in

practice the only factors that the Board considers when evaluating life-sentenced individuals for parole, reconsideration may not occur before the eight year maximum wait. The increase in wait times for parole eligibility and reconsideration has increased punishment and delayed release of individuals serving life sentences in Georgia.<sup>72</sup>

In 2025, the Georgia legislature passed the Georgia Survivor Justice Act,<sup>73</sup> which now awaits the governor's signature. If enacted, the bill creates a pathway for survivors of abuse to seek early release from prison – a sign of hope for many serving lengthy and life sentences. Under Georgia's bill, a person convicted of a crime punishable by death or life in prison must be sentenced to 10-30 years if the judge finds that family violence, dating violence, or child abuse was a significant contributing factor to the offense. The judge has discretion to depart from the mandatory minimum sentence when the prosecuting attorney and the accused agree to a sentence below the minimum sentence. The bill allows currently incarcerated survivors to apply for reduced sentences based on the new sentencing guidelines.

## Aaron Banks

In February 2025, Aaron Banks came up for parole consideration for the fifth time since becoming eligible in 2017. Though denied release four times before, Aaron remained hopeful that after 23 long years inside for a crime he didn't commit, freedom might soon be within reach. Instead, his hope for freedom was deferred. The Georgia State Board of Pardons and Paroles denied his release without explanation and set him off for reconsideration in 2026.



At just 16 years old, Aaron Banks was arrested and later sentenced to life, plus 20 years, for a murder he neither planned nor participated in. Yet among the two people convicted with him for this offense, Aaron – significantly the only Black person – is the only one who has not been given a pathway to return home. “JA,” who helped plan the events that led to the murder, was released on parole after 19 years, and “DD,” who planned the events and fatally shot the victim, was offered a spot in the Governor’s Mansion, a transition-like program and coveted position where incarcerated people serving life sentences perform jobs in the hopes of securing a pardon or release on parole.<sup>74</sup> It is widely known among those incarcerated for life in Georgia’s prisons that good performance at the mansion ultimately results in release.

Meanwhile, Aaron remains overlooked for a second chance.

In 2002, Aaron was a child burdened with adult responsibilities – unhoused, displaced, depressed, and desperate to survive. From as early as five, Aaron remembers caring for his hearing impaired mother, being her ears and her mouth as he answered her phone calls and acted as her liaison to help facilitate the arrangement of an interpreter at upcoming work meetings. He was also her protector. Shielding her from his stepfather’s violent abuse, abuse that he also endured. As Aaron recalls, “there were never days where we were at peace.” Although Aaron felt protective of his mother and desired to stay by her side, he was also greatly impacted by her substance use disorder, often having extended absences from school because of it. As a result of the instability and neglect, Aaron began living with his aunt at 14 before ultimately getting kicked out for having friends over without permission.

It was at this time that Aaron found himself without a place to call home, and began navigating survival on the street. He took shelter wherever he could – sometimes in abandoned apartments or, when lucky, with an acquaintance or friend. Each day he searched for someone who might offer him a place to rest and refresh himself. Each night of shelter was met with relief and provided a brief glimpse of comfort and security, knowing that he would have a place to lay his head that night. Aaron was unhoused for one month when he began staying with then-19 year old DD. On the second day of Aaron’s stay with DD, DD planned to rob an individual selling drugs with then-15 year old JA. Aaron was not aware of this plan when he left the house with them that day, and by the time he realized what was happening, it was too late.



Aaron is part of the “14-year lifers” (individuals convicted of a crime committed between January 1, 1995 and July 1, 2006 who are eligible for parole after 14 years). When he first came up for parole in 2017, he received a “set off,” or reconsideration date of three years. At his next parole date in 2020, he received a set off date of two years. This was also true for his parole date in 2022. In 2024 and 2025 he received set off dates of one year.

During his time incarcerated, Aaron has picked up many trades, including becoming a barber. And in spite of his challenging circumstances, Aaron does his best to remain light and stay focused – though he also wants people to know that there are a lot of scars that came along with what he had to go through. While inside, Aaron uses this personal experience to transform the lives of others. He has built a reputation of helping others as a mentor and is viewed as a leader, someone to admire and look up to by fellow incarcerated people, as well as prison staff, counselors, and guards.

Once he is released, Aaron’s hopes for the future include owning his own business as a barber, as well as running an organization called HYPE (Helping Youth Prepare for Excellence). He also hopes to further his training and build his skills by going to barber school.

Aaron looks forward to the world that awaits him beyond the four walls of his prison cell – to feel the ground, the sand between his toes, and to touch a tree. He also looks forward to his life: “I want to test this new person that I am out, and do better than I did before. There has been a lot of growth, there has been nothing that has stayed the same... society will reap the benefits of me outside.”

Most recently, Aaron’s chance to live a productive life as a mentor and to participate in various programs was abruptly taken from him as he was transferred from Al Burruss Correctional Facility and shipped to another prison. This change was brought about by a surprising turn of events – DD was transferred from the Governor’s Mansion to Al Burruss. Once again, Aaron is overlooked, dismissed, and disregarded, losing yet another chance to live a meaningful and productive life.

With the helpful support of Coming Good Atlanta, Women Woke Within, and So Far So Close, Aaron is hopeful that freedom will come soon, through parole or another mechanism. If you are interested to learn more about Aaron’s story, you can watch his YouTube video [here](#).<sup>75</sup>

## LOUISIANA

Louisiana's carceral system has undergone many legislative changes that have increased punishment and reduced release eligibility for life-sentenced individuals, though there have been some limited reforms. Prior to 1973, being sentenced to life in prison in Louisiana didn't *really* mean life. Act 72 of 1886 allowed individuals sentenced to life to apply for a pardon or commutation after 15 years.<sup>76</sup> In 1890, the passage of Act 112 limited commutations after 15 years to life-sentenced individuals with no prior convictions.<sup>77</sup> Act 149 of 1914 required a minimum of five years before individuals sentenced to life could be eligible for parole.<sup>78</sup>

In the late 1920s through the early 1970s it was common practice for all life-sentenced individuals to be released after 10 years and 6 months. In 1926, Act 311, the so-called "10/6 law," granted those sentenced to life an opportunity for release if they demonstrated "good behavior."<sup>79</sup> The meaning of a "life sentence" drastically changed over the next 50 years. In 1973, lawmakers raised the mandatory minimum before release to 20 years. Three years later they raised it to 40 years. In 1979, parole eligibility was abolished for anyone with a life sentence.<sup>80</sup>

In 2022, the Louisiana legislature passed a bill that provides parole eligibility for some of the "10/6 lifers." Specifically, the Act applies to those individuals serving life sentences for offenses committed on or before July 2, 1973, to which they pleaded guilty, excluding those that went to trial and were convicted.<sup>81</sup> All "10/6 lifers" have spent more than 50 years in prison. Only a handful of them have been released.<sup>82</sup>

The Louisiana legislature has also made changes to the parole eligibility statutes affecting youth and some adults. In 2017, the Louisiana legislature passed Act 277, providing parole eligibility for life-sentenced youth after serving 25 years, provided certain conditions are met.<sup>83</sup> Also in 2017, Act 280 restored parole eligibility after 40 years to 20- and 40-year lifers (1973-1979) convicted of second degree murder.<sup>84</sup> In 2021, the passage of Act 122

created parole eligibility after 15 years for those sentenced to life without parole for nonviolent offenses under "habitual offender" statutes.<sup>85</sup>

## MARYLAND

Parole-eligible life-sentenced individuals in Maryland are subject to the following eligibility standards for parole consideration based on when they were convicted:

- If the crime was committed before October 1, 2021, the individual is eligible for parole consideration after 15 years minus any credits earned.<sup>86</sup>
- If the crime was committed on or after October 1, 2021, the individual is eligible for parole consideration after 20 years minus any credits earned.<sup>87</sup>
- If the state sought the death penalty (prior to its repeal in 2013), but the jury or judge decided not to impose death, and the court decided to impose life with parole, then the individual is eligible for parole consideration after 25 years minus any credits earned.<sup>88</sup>
- If the state gave notice of intent to seek a sentence of life without the possibility of parole, but life with parole is imposed instead, the individual is eligible for parole consideration after 25 years minus any credits earned.<sup>89</sup>

The Maryland Parole Commission (MPC) has discretion to grant or deny parole, or set a rehearing for a later date. According to the Justice Policy Institute, there has only been one documented case of an eligible lifer being granted parole after their first hearing for release.<sup>90</sup> Furthermore, unlike most jurisdictions, Maryland does not have a statutory requirement relating to rehearing periods, which can vary between 3-10 years,<sup>91</sup> though some have received rehearings in as little as a year. This means that most life-sentenced individuals remain in prison long past the time they become eligible for their initial parole hearing. Individuals sentenced to life in Maryland are also required to undergo an intensive risk assessment for parole consideration, which can increase the delay in the review process up to two years.<sup>92</sup>



Historically, a major hurdle to parole-eligible lifers qualifying for parole in Maryland was the requirement that the governor approve the Parole Commission's recommendation before an individual serving a life sentence can be paroled.<sup>93</sup> In 2021, SB 202, a bill seeking to eliminate gubernatorial approval of the Parole Commission's decisions passed after legislative override of the governor's veto.<sup>94</sup> Although this procedural hurdle has been lifted, much remains to be done to address the backlog of those serving parole-eligible life sentences that, though approved by the Parole Commission, were denied by the governor under the decades long "life means life" policy.

The Parole Commission created the Maryland Parole Investigation Unit (MPI) in response. MPI is tasked with revisiting the above-mentioned cases. If the affected individuals have not had any infractions since their gubernatorial denial, the MPC determines a release date.<sup>95</sup> Today, the parole process in Maryland remains protracted for those serving eligible life sentences because of statutorily delayed eligibility, an unwillingness to grant parole at the initial hearing, and a lengthy review process.<sup>96</sup>

Changes to sentencing laws and release eligibility for youth and young adults have seen success. In 2021, Maryland's legislature passed the Juvenile Restoration Act (JRA). In addition to banning courts from sentenc-

ing youth to life without parole, the Act also allows any person who has been imprisoned for at least 20 years for an offense committed as a youth to motion the court for a reduction in sentence, creating a pathway for release for youth sentenced as adults to lengthy prison terms, including life with and without parole. Under the JRA, more than 200 people became eligible for sentence review.<sup>97</sup> Of the 36 motions decided in the first year of its implementation, 23 people were released and four had their sentences reduced.<sup>98</sup>

In April 2025, Governor Wes Moore signed House Bill 853, also known as the Second Look Act, into law.<sup>99</sup> The bill allows individuals convicted of crimes committed between the ages of 18 and 25 who have been incarcerated for at least 20 years to file a motion with the court to reduce their sentence. Significantly, the bill leaves out those who were sentenced to life without parole, those who have been convicted of murder involving a victim that was a first responder, and those convicted of crimes of a sexual nature. The bill's signage marks a significant step towards recognizing the growth and transformation that occurs throughout a lifetime and providing individuals with a second chance through the expansion of opportunities to come home, though more must be done to give hope of a second chance to all.

## Anthony Muhammad

When asked who he is, Anthony Muhammad says that he is a son to a wonderful, loving mother, and a self-proclaimed “mama’s boy.” A brother to seven siblings, a friend, a mentor, and “just a good guy;” he does not have many childhood memories. However, Anthony (as he prefers to be addressed), recalls his fifth grade graduation as a point of joy. It was his first experience in a suit and tie, which is one of his favorite outfits. As he stepped in front of the audience during that ceremony, he was tasked with embodying Martin Luther King, Jr. and reciting his “I Have A Dream” speech from memory.

Today, Anthony dreams of a world with redemption. To him, redemption is a second chance to do “it” over and do it right. While Anthony was released from prison under the Juvenile Restoration Act (JRA) in Maryland, a law allowing minors who were sentenced as adults to ask a judge to consider reducing their sentence after they have served 20 years in prison, he is very familiar with the parole process. When JRA passed, he was undergoing the process to be released under parole, awaiting his risk assessment evaluation at Patuxent Institution in Jessup, Maryland. While there, he was recommended for release under JRA and granted time served.

Of the parole process, he says that it is common that when incarcerated persons are presented with their first parole hearing in Maryland, it results in a re-hearing with a 10-year waiting period. He experienced this first-hand. When it came time for his second hearing, he decided to hold off and wait for the JRA decision, knowing he’d have a better opportunity at freedom since Maryland wasn’t paroling anyone with a life sentence.

Since 1995, Maryland has required governor approval for the release of incarcerated persons serving life. During his tenure, Maryland Governor Glendening announced that he would not be granting parole for anyone serving a life sentence. In response, the state’s parole board would rarely send parole approvals to the governor’s desk. Subsequent Maryland governors largely upheld Glendening’s promise until 2021 when gubernatorial input was removed from the process.

Anthony says that every year from 1995 to 2022, incarcerated persons advocated for the passage of bills that would remove governors from the parole process. In Maryland, Anthony says that incarcerated persons were told by parole commissioners that they saw them as great candidates for parole, but also knew their petitions would not be granted with the process as it stood in the state of Maryland.

Since the removal of the governor from the parole process in Maryland, several people have come home on parole. Anthony sees the process as “re-opening up.” He wouldn’t say that the process is working but does think that it is heading in the right direction. Anthony believes that the consideration is more meaningful now and that those in charge seem to be taking the process more seriously. He still identifies risk assessments as another barrier in the parole process as they are not always equitable or timely, but he does believe the opportunity for freedom through parole is more important than moving for its removal altogether.

Since his release, Anthony is now an advisor to the Maryland Parole Partnership with the ACLU of Maryland, a community engagement specialist and reentry coordinator with We Our Us, and a youth mentor with Baltimore Brother’s program.



## MINNESOTA

Minnesota permits parole-eligible life sentences to be applied to individuals who commit first-degree murder, treason, as well as certain crimes of a sexual nature and repeat sexual offenses.<sup>100</sup>

In 1989, the legislature increased the minimum sentence that individuals sentenced to life for first-degree murder must serve before becoming eligible for parole to 30 years.<sup>101</sup> Prior to this change, life-sentenced individuals were required to serve a minimum of 17 years before becoming parole-eligible.<sup>102</sup>

Before 2024, the Commissioner of Corrections held exclusive authority to grant or deny parole for those serving life sentences in Minnesota.<sup>103</sup> The newly formed Supervised Release Board, created through legislation passed in 2023, formed in an effort to reduce the potential for politicization of parole release decisions. The board consists of the Commissioner of Corrections, as Chair, and a four-person citizen panel.<sup>104</sup> Previously, the Commissioner of Corrections was supported in his decision to grant or deny release by an advisory panel made up entirely of Department of Corrections staff. Although the elements of the review will not change, the aim is to

create a more open and balanced approach to the process by allowing members of the community to participate in the outcome.<sup>105</sup>

Under new legislation, the parole board is required to conduct rehearings, at the request of the incarcerated individual, within three years of the initial hearing. If denied at the rehearing, upon request, the board must continue to hold hearings at least once every three years.<sup>106</sup> Prior to this change, the time between each rehearing was determined by the Commissioner of Corrections. In practice, those dates varied widely.

Other legislative changes show promise of relief for some. In 2023, Minnesota passed a bill that retroactively eliminated juvenile life without parole sentences and made all youth sentenced to life in prison or a period of confinement that exceeds 15 years, eligible for parole after at least 15 years.<sup>107</sup> Parole hearings for this class now require the addition of two individuals with expertise in the neurological development of youth and academic degrees in a related field. The new law also created a statewide Office of Restorative Practices to promote community-based approaches to youth accountability, address the issues underlying behavior, and respond to victims' needs.<sup>108</sup>

# CONCLUSION AND RECOMMENDATIONS

The growing wait for initial parole hearings and subsequent rehearings has delayed freedom and denied justice to those with eligible life sentences. Although some youth, young adults, and elders have been afforded greater avenues for release, including earlier parole eligibility, much more can be done to expedite review and end extreme sentences. Because parole serves as a key pathway for the release of incarcerated individuals, any efforts to end extreme sentences must involve a transformation of the parole process to ensure that incarcerated people have real, meaningful opportunities to come home.

Timeliness in parole hearings is crucial for successful reentry. Delays interfere with an incarcerated person's ability to preserve vital social connections, such as with family, friends, and community members, which may create challenges for successful reintegration upon release. Lengthy periods of delay also diminish the hope and well-being of those incarcerated as well as their supportive loved ones and communities as they longingly await the day of release.

**To end extreme sentences, the parole process must be transformed to ensure that incarcerated people have real, meaningful opportunities to come home.**

The Sentencing Project recommends the following:

**Allow initial parole hearings within 10 years of imprisonment.** Most people who turn to crime tend to do so for less than 10 years, with most individuals leaving it behind as they age.<sup>109</sup> Even those engaged in chronic, repeat offenses beginning in young adulthood tend to stop in their late 30s.<sup>110</sup> Based on evidence like this, the American Bar Association urges governments to enact legislation permitting courts to take a second look at prison sentences after no more than 10 years<sup>111</sup> – guidance that is well suited for parole eligibility as well.

**Establish a presumption of release.** Paroling authorities should start with the assumption that candidates are fit for release at the initial hearing. Presumptive parole dates would establish the required release timeline for incarcerated individuals who have completed their minimum sentences.<sup>112</sup>

**Allow rehearings to occur annually.** Building on the work of parole experts such as the late Joan Petersilia,<sup>113</sup> subsequent parole hearings should occur within one year to avoid uncertainty and catch the earliest opportunity for release.

**Ensure procedural safeguards to promote fair consideration.** Procedural safeguards that may improve accountability and consistency and promote fair consideration include:

- Guaranteeing access to effective counsel.
- Establishing clear, publicly available guidelines.

- Giving minimal consideration to factors that are static and unchanging, such as criminal history, nature of the offense, and offense type, with a primary focus on signs of personal growth and change.
- Providing detailed explanations for denials.
- Allowing incarcerated individuals to access their parole files.
- Limiting victim input, and when used, weighing it alongside broader considerations of rehabilitation.
- Giving incarcerated persons the opportunity to participate in hearings, including in-person.
- Allowing incarcerated individuals to appeal parole denials and challenge incorrect information used to deny release.
- Monitoring factors that contribute to disparity in parole outcomes and making parole boards accountable for stemming the impact of those factors on decision-making.
- Giving special considerations to youth, emerging adults, and the elderly.

**Expand release opportunities beyond parole.** Given the current delays in parole eligibility and in the parole process, lawmakers should create additional mechanisms to review extreme sentences, including creating second look laws that allow imprisoned people to directly petition the courts for resentencing after serving 10 or more years.<sup>114</sup> The current second look movement is supported by leading legal experts, including, the American Bar Association,<sup>115</sup> the American Law Institute’s Model Penal Code,<sup>116</sup> and Fair and Just Prosecution.<sup>117</sup> Resentencing opportunities for domestic violence survivors would also offer relief to this subset of individuals serving lengthy sentences.<sup>118</sup>

**Prioritize respect for human dignity.** Prioritizing respect for the dignity of incarcerated individuals can look like recognizing their inherent worth, ensuring their fair treatment, upholding their rights, and focusing on repairing harm alongside community reintegration.



## ENDNOTES

<sup>1</sup> Nellis, A. & Barry, C. (2025). *A matter of life: The scope and impact of life and long term imprisonment in the United States*. The Sentencing Project.

<sup>2</sup> In some states, like California, the parole board's decision to grant parole for much of this population also requires governor approval. Maryland eliminated this additional review in 2021.

<sup>3</sup> Ruhland, E., Rhine, E., Robey, J., & Mitchell, K. (2017). *The continuing leverage of releasing authorities: Findings from a national survey*; Ghandnoosh, N. (2017). *Delaying a second chance: The declining prospects for parole on life sentences*. The Sentencing Project.

<sup>4</sup> Ghandnoosh, N. (2017). *Delaying a second chance: The declining prospects for parole on life sentences*. The Sentencing Project.

<sup>5</sup> Sanders, E. (2023). *No release: Parole grant rates have plummeted in most states since the pandemic started*. Prison Policy Initiative; Reitz, K. R. and Rhine, E. E. (2020). Parole release and supervision: Critical drivers of American prison policy. *Annual Review of Criminology*, 3, 281-298. <https://doi.org/10.1146/annurev-criminol-011419-041416>.

<sup>6</sup> Bryant, E. (2023, Oct 24). *Why punishing people in jail and prison isn't working*. Vera Institute of Justice; Travis, J., Western, B., & Redburn, S. (Eds.) (2014). *The growth of incarceration in the United States: Exploring causes and consequences*. National Academies Press.

<sup>7</sup> Colo. Rev. Stat. § 17-22.5-104.

<sup>8</sup> Colo. Rev. Stat. § 17-22.5-104.

<sup>9</sup> Colo. Rev. Stat. § 17-22.5-104.

<sup>10</sup> Colo. Rev. Stat. § 17-22.5-104.

<sup>11</sup> State Board of Pardons and Paroles, The parole process in Georgia.

<sup>12</sup> State Board of Pardons and Paroles, The parole process in Georgia.

<sup>13</sup> State Board of Pardons and Paroles, The parole process in Georgia.

<sup>14</sup> Ga. Rules & Regs., Rule 475-3-.05(2) (1979); *Garner v. Jones*, 529 U.S. 244 (2000) at 247, holding that retroactive application of Parole Board's amended rule, changing frequency of reconsideration hearings for individuals serving life sentences from every 3 years to every 8 years, did not necessarily violate Ex Post Facto Clause; Ga. Rules & Regs., Rule 475-3-.05(2) (1985).

<sup>15</sup> HB 582. The bill also allows for consideration of evidence of family violence, dating violence, and child abuse.

<sup>16</sup> Louisiana. (1804). *Laws for the government of the District of Louisiana passed by the Governor and judges of the Indiana Territory*; Nellis, A. (2013). *Life goes on: The historic rise in life sentences in America*. The Sentencing Project, p. 3.

<sup>17</sup> Shulberg, J. (2021, Dec 30). When a prison sentence of 10 years and 6 months turns into forever. *HuffPost*.

<sup>18</sup> Md. Code, Corr. Servs. § 7-301(d)(i).

<sup>19</sup> Md. Code, Corr. Servs. § 7-301(d)(ii).

<sup>20</sup> Justice Policy Institute. (2023). *Safe at home: Improving Maryland's parole release decision making*, p.15; ACLU of Maryland, *Parole process for Marylanders serving life with parole*.

<sup>21</sup> The Office of Governor Wes Moore. (2025, April 22). *Governor Moore signs legislation to promote safety and justice* [Press release]; HB 853. This law builds on an earlier reform which allows those whose crimes occurred under age 18 to petition for resentencing after serving 20 years. The new law excludes those sentenced to life without parole, those who have been convicted of murder involving a victim that was a first responder, and those convicted of crimes of a sexual nature.

<sup>22</sup> MN ST 244.05 (4).

<sup>23</sup> Life sentences, Minnesota State Law Library.

<sup>24</sup> Eleven states reported increases in the number of people serving life with parole. An increase in life with parole numbers in these states may be the result of new life sentences added, resentencings, or commutations from life without parole. Nellis, A. & Barry, C. (2025). *A matter of life: The scope and impact of life and long term imprisonment in the United States*. The Sentencing Project.

<sup>25</sup> Nellis, A. & Barry, C. (2025). *A matter of life: The scope and impact of life and long term imprisonment in the United States*. The Sentencing Project.

<sup>26</sup> Feldman, B. (2024). *The second look movement: A review of the nation's sentence review laws*. The Sentencing Project.

<sup>27</sup> Maryland Office of the Public Defender. (2022). *The Juvenile Restoration Act: Year One – October 1, 2021 to September 30, 2022*. Of the 36 motions decided in the first year of its implementation, 23 people were released and four had their sentences reduced.

<sup>28</sup> HB 853.

<sup>29</sup> SB 260 (2013); Overview of S.B. 260 (Hancock), Youth Law Center.

<sup>30</sup> SB 261 (2015); Overview of S.B. 260/261 (Hancock), Youth Law Center.

<sup>31</sup> AB 1308 (2017).

<sup>32</sup> AB 3234 (2021); Cal. Pen. Code § 3055; California Department of Corrections and Rehabilitation. Elderly Parole Fact Sheet. Those that do not meet the requirements for the statutory elderly parole program continue to receive parole consideration under the criteria set out in the original court-ordered elder parole program articulated in *Coleman/Plata v. Newsom* (60 years of age and 25 years of continuous incarceration).

<sup>33</sup> Cal. Pen. Code § 3055.

<sup>34</sup> Travis, J., Western, B., & Redburn, S. (Eds.) (2014). *The growth of incarceration in the United States: Exploring causes and consequences*. National Academies Press; Bryant, E. (2023, Oct 24). *Why punishing people in jail and prison isn't working*. Vera Institute of Justice.

<sup>35</sup> Ghandnoosh, N. (2022). *How many people are spending over a decade in prison?* The Sentencing Project.

<sup>36</sup> American Bar Association. (2022). Resolution 502; American Law Institute. (2017). *Model Penal Code: Sentencing, Proposed Final Draft*, p. 644, 681.

<sup>37</sup> Nellis, A. & Barry, C. (2025). *A matter of life: The scope and impact of life and long term imprisonment in the United States*. The Sentencing Project.

<sup>38</sup> As of 2024, Alaska, Illinois, Maine, and South Dakota did not report any persons serving LWP. Nellis, A. & Barry, C. (2025). *A matter of life: The scope and impact of life and long term imprisonment in the United States*. The Sentencing Project.

<sup>39</sup> Ghandnoosh, N. (2017). *Delaying a second chance: The declining prospects for parole on life sentences*. The Sentencing Project.

<sup>40</sup> Reitz, K. R., Rhine, E. E., Lujac, A., & Griffith, M. (2022). *American prison release systems: Indeterminacy in sentencing and the control of prison population size*; Ghandnoosh, N. (2022). *How many people are spending over a decade in prison?* The Sentencing Project.

<sup>41</sup> For example, in California, under a 2008 victims' rights initiative known as Proposition 9 or Marcy's Law, a 15-year deferral is now the default period absent clear and convincing evidence that the individual does not need to wait that long for a subsequent hearing.

<sup>42</sup> Sanders, E. (2023). *No release: Parole grant rates have plummeted in most states since the pandemic started*. Prison Policy Initiative.

<sup>43</sup> Kokkalera, S. S. & Allison, A. M. (2024). The (not so) United States of parole: A state-of-the-art review of discretionary release for individuals serving life. *Journal of Criminal Justice and Law*, 7(2), 37.

<sup>44</sup> Kokkalera, S. S. & Allison, A. M. (2024). The (not so) United States of parole: A state-of-the-art review of discretionary release for individuals serving life. *Journal of Criminal Justice and Law*, 7(2), 37.

<sup>45</sup> Huebner, B. M., & Bynum, T. S. (2006). An analysis of parole decision making using a sample of sex offenders: A focal concerns perspective. *Criminology*, 44(4), 961-991. <https://doi.org/10.1111/j.1745-9125.2006.00069.x>; Rodriguez, A. (2019). The obscure legacy of mass incarceration: Parole board abuses of people serving parole eligible life sentences. *City University of New York Law Review*, 22(2), 33-50.

<sup>46</sup> Kokkalera, S. S. & Allison, A. M. (2024). The (not so) United States of parole: A state-of-the-art review of discretionary release for individuals serving life. *Journal of Criminal Justice and Law*, 7(2), 37.

<sup>47</sup> Nellis, A. & Barry, C. (2025). *A matter of life: The scope and impact of life and long term imprisonment in the United States*. The Sentencing Project.

<sup>48</sup> Nellis, A. & Barry, C. (2025). *A matter of life: The scope and impact of life and long term imprisonment in the United States*. The Sentencing Project.

<sup>49</sup> The Center on Race, Inequality, and the Law. (2024). *Freedom delayed, justice denied: Increasing racial disparities in New York State's parole release decisions*.

<sup>50</sup> Winerip, M., Schwartz, M., & Gebeloff, R. (2016). For Blacks facing parole in New York State, signs of a broken system. *New York Times*.

<sup>51</sup> Young, K.M., & Pearlman, J. (2021). Racial disparities in life parole outcomes: The hidden role of professional evaluations. *Law & Social Inquiry*, 47(3), 783-820. <https://doi.org/10.1017/lsi.2021.37>

<sup>52</sup> Bell, K. (2019). A stone of hope: Legal and empirical analysis of California juvenile lifer parole decisions. *Harvard Civil Rights-Civil Liberties Law Review*, 54, 455-548. <https://dx.doi.org/10.2139/ssrn.3228681>; See also: Petek, G. (2023). *Promoting equity in the parole hearing process*. Legislative Analyst's Office, The California Legislature's Nonpartisan Fiscal and Policy Advisor.

<sup>53</sup> van Zyl Smit, D., & Corda, A. (2018). American exceptionalism in parole release and supervision: A European perspective. In K. R. Reitz (Ed.), *American Exceptionalism in Crime and Punishment* (pp. 410-486). Oxford University Press.

<sup>54</sup> van Zyl Smit, D., & Corda, A. (2018). American exceptionalism in parole release and supervision: A European perspective. In K. R. Reitz (Ed.), *American Exceptionalism in Crime and Punishment* (pp. 410-486). Oxford University Press.

<sup>55</sup> Colo. Rev. Stat. § 17-22.5-403.7.

<sup>56</sup> Colo. Rev. Stat. § 18-1.3-801.

<sup>57</sup> The Sex Offender Lifetime Supervision Act of 1988; Cherner, P.A. (2010). Sentencing for felony and misdemeanor convictions - time actually served. *The Colorado Lawyer*, 39(2), 27-35. However, because the minimum parole eligibility date can vary considerably depending on the offense of conviction as well as criminal history, crimes of a sexual nature will not be a focus of this report.

<sup>58</sup> Colo. Rev. Stat. § 17-22.5-104.

<sup>59</sup> Colo. Rev. Stat. § 17-22.5-104.

<sup>60</sup> Colo. Rev. Stat. § 17-22.5-104.

<sup>61</sup> Colo. Rev. Stat. § 17-22.5-104.

<sup>62</sup> Colo. Rev. Stat. § 17-2-201.

<sup>63</sup> GA Code § 17-10-6.1 (2024); State Board of Pardons and Paroles, The parole process in Georgia; State Board of Pardons and Paroles, Life sentences; State Board of Pardons and Paroles; Annual Report FY 2022, p. 23.

<sup>64</sup> State Board of Pardons and Paroles, The parole process in Georgia; State Board of Pardons and Paroles, Life sentences; Southern Center for Human Rights. (2015). *Parole handbook: A guide to the parole consideration process for people in Georgia prisons*, p. 6. If a person has been convicted of murder prior to July 1, 2006, and has previously been incarcerated under a life sentence, parole eligibility arises after 25 years. A person who is serving consecutive life sentences before July 1, 2006, for offenses occurring within the same incident, where one of those life sentences is for murder, must serve consecutive 10-year periods, up to a maximum of 30 years, before parole eligibility arises. For these individuals who committed their crimes on or after July 1, 2006, parole eligibility arises after 60 years. A person can be sentenced to life without parole for a second conviction of a serious violent felony or for murder involving aggravating circumstances sufficient to warrant a death sentence.

<sup>65</sup> Southern Center for Human Rights. (2015). *Parole handbook: A guide to the parole consideration process for people in Georgia prisons*, p. 14.

<sup>66</sup> GA ST § 42-9-45(a).

<sup>67</sup> Ga. Rules & Regs., Rule 475-3-.05(2) (1979); *Garner v. Jones*, 529 U.S. 244 (2000) at 247, holding that retroactive application of Parole Board's amended rule, changing frequency of reconsideration hearings for individuals serving life sentences from every 3 years to every 8 years, did not necessarily violate Ex Post Facto Clause.

<sup>68</sup> *Ray v. Jacobs*, 272 Ga. 760, 534 S.E.2d 418 (2000), seeking to require the Board to continue annual parole review in spite of the amended rule changing frequency of reconsideration hearings for individuals serving life sentences to every 8 years.

<sup>69</sup> Ga. Rules & Regs., Rule 475-3-.05(2) (1985).

<sup>70</sup> State Board of Pardons and Paroles, The parole process in Georgia; State Board of Pardons and Paroles, Life sentences.

<sup>71</sup> Southern Center for Human Rights. (2015). *Parole handbook: A guide to the parole consideration process for people in Georgia prisons*, p. 6.

<sup>72</sup> *Garner v. Jones*, 529 U.S. 244 (2000) at 260-262 (Souter, J., Stevens, J., and Ginsburg, J. dissenting), a change in parole policy violates the Ex Post Facto Clause if it creates a "sufficient" or substantial risk that the class affected by the change (individuals sentenced to life) will serve longer sentences as a result. The Court must look to the terms of the new rule and then to the possibility that the new terms may be mitigated by a practice of making exceptions to determine whether there is a substantial risk that these individuals will spend more time in prison because of the change. Statements by the board and its chairman indicate the intended purpose of the policy change was to increase time served in prison: "Since 1991 the Board has steadily and consistently amended and refined its guidelines and policies to provide for lengthier prison service for violent criminals," and evidence of purpose confirms the inference of substantial risk of longer sentences. Further, the State provided no evidence that the board's occasional willingness to reexamine cases sufficiently mitigates the substantial probability of increased punishment.

<sup>73</sup> HB 582. For those convicted of felonies not punishable by death or life in prison, the judge must not sentence the accused to more than half of the prior maximum sentence, and to no less than a year.

<sup>74</sup> McManus, T. (2015, Jan 24). *Former inmate making most of second chance*. The Augusta Chronicle.

<sup>75</sup> *The Full Story of... The Aaron J. Banks Story* [Video]. YouTube. [https://www.youtube.com/watch?v=7PZUxt\\_xTAM](https://www.youtube.com/watch?v=7PZUxt_xTAM).

<sup>76</sup> Louisiana. (1804). *Laws for the government of the District of Louisiana passed by the Governor and judges of the Indiana Territory*.

<sup>77</sup> Louisiana. (1804). *Laws for the government of the District of Louisiana passed by the Governor and judges of the Indiana Territory*.

<sup>78</sup> Louisiana. (1804). *Laws for the government of the District of Louisiana passed by the Governor and judges of the Indiana Territory*. However, this Act was later determined to be invalid by the attorney general.

<sup>79</sup> Louisiana. (1804). *Laws for the government of the District of Louisiana passed by the Governor and judges of the Indiana Territory*; Nellis, A. (2013). *Life goes on: The historic rise in life sentences in America*. The Sentencing Project, p. 3.

<sup>80</sup> Shulberg, J. (2021, Dec 30). When a prison sentence of 10 years and 6 months turns into forever. *HuffPost*.

<sup>81</sup> Louisiana Leg., 2022 Reg. Sess., Act No. 544.

<sup>82</sup> Chavez, R. (2021, Nov 26). *Aging Louisiana prisoners were promised a chance at parole after 10 years. Some are finally free*. PBS News.

<sup>83</sup> Act 277 of 2017; Reckdahl, K. (2017, Jun 9). *Just-passed bill gives juvenile lifers a chance at parole if they've served 25 years*. The Lens.

<sup>84</sup> Act 280 of 2017.

<sup>85</sup> Act 122 of 2021. To be eligible for parole under this Act, the instant conviction must not be a crime of violence, the instant conviction or any prior conviction must not be a crime of violence and a sexual offense, and the individual must not still qualify for a sentence of life without parole, probation, or suspension of sentence as a third or subsequent offense under R.S. 15:529.1 (“habitual offender law”).

<sup>86</sup> Md. Code, Corr. Servs. § 7-301(d)(i).

<sup>87</sup> Md. Code, Corr. Servs. § 7-301(d)(ii).

<sup>88</sup> Md. Code, Corr. Servs. § 7-301(d)(2).

<sup>89</sup> Md. Code, Corr. Servs. § 7-301(d)(2).

<sup>90</sup> Justice Policy Institute. (2023). *Safe at home: Improving Maryland's parole release decision making*, p.6.

<sup>91</sup> Justice Policy Institute. (2023). *Safe at home: Improving Maryland's parole release decision making*, p.15; ACLU of Maryland. *Parole process for Marylanders serving life with parole*.

<sup>92</sup> Justice Policy Institute. (2023). *Safe at home: Improving Maryland's parole release decision making*, p.10-11.

<sup>93</sup> Ghandnoosh, N. (2017). *Delaying a second chance: The declining prospects for parole on life sentences thirty-two jurisdiction profiles*. The Sentencing Project.

<sup>94</sup> Wiggins, O. (2021, Dec 7). Maryland revokes governor's authority to overturn parole decisions involving people serving life terms. *Washington Post*.

<sup>95</sup> Justice Policy Institute. (2023). *Safe at home: Improving Maryland's parole release decision making*, p.6.

<sup>96</sup> ACLU of Maryland. *Parole process for Marylanders serving life with parole*.

<sup>97</sup> Maryland Office of the Public Defender. (2022). *The Juvenile Restoration Act: Year one – October 1, 2021 to September 30, 2022*.

<sup>98</sup> Maryland Office of the Public Defender. (2022). *The Juvenile Restoration Act: Year one – October 1, 2021 to September 30, 2022*.

<sup>99</sup> The Office of Governor Wes Moore. (2025, April 22). *Governor Moore signs legislation to promote safety and justice* [Press release]; HB 853.

<sup>100</sup> MN ST 244.05 (4); Minnesota Department of Corrections. (2023). *Fact Sheet, Parole Reviews*. In Minnesota, a person who is convicted of certain first-degree murder offenses is sentenced to mandatory life without parole.

<sup>101</sup> Minnesota Session Laws - 1989, Regular Session.

<sup>102</sup> Minnesota Session Laws - 1983, Regular Session; Minnesota State Law Library. If sentenced to life for treason, parole eligibility arises after 17 years. Life sentences for sexual offenses, including repeat sexual offenses, have varying minimum terms of incarceration before parole eligibility arises.

<sup>103</sup> Supervised Release Board Historical Background, Minnesota Department of Corrections.

<sup>104</sup> Olson, R. (2024, Feb 9). *Minnesota citizens will soon decide which inmates get parole*. Governing; Board/Commission: Supervised Release Board, Office of the Minnesota Secretary of State Steve Simon. Individuals appointed by the governor to the four-person citizen panel must meet at least one of these qualifications: (1) have a bachelor's, master's, or doctorate degree in criminology, corrections, social work, or a related social science, or a degree from an accredited law school, (2) five years of experience in corrections, a criminal justice or community corrections field, behavioral health, rehabilitation programming, or criminal law, or (3) demonstrated knowledge of correctional processes and victim issues.

<sup>105</sup> Olson, R. (2024, Feb 9). *Minnesota citizens will soon decide which inmates get parole*. Governing.

<sup>106</sup> Minnesota Session Laws - 2024, Regular Session; MN ST 244.05 5(m).

<sup>107</sup> SF 2909; MN ST 244.05 4(4b). Individuals serving consecutive sentences for offenses involving separate victims are not eligible until 20 years. Those serving three or more consecutive life sentences are not eligible until 30 years.

<sup>108</sup> SF 2909.

<sup>109</sup> Kazemian, L., & Farrington, D. P. (2018). Advancing knowledge about residual criminal careers: A follow-up to age 56 from the Cambridge study in delinquent development. *Journal of Criminal Justice*, 57, 1-10. <https://doi.org/10.1016/j.jcrimjus.2018.03.001>; Nellis, A. & Barry, C. (2025). *A matter of life: The scope and impact of life and long term imprisonment in the United States*. The Sentencing Project.

<sup>110</sup> Kazemian, L., & Farrington, D. P. (2018). Advancing knowledge about residual criminal careers: A follow-up to age 56 from the Cambridge study in delinquent development. *Journal of Criminal Justice*, 57, 1-10. <https://doi.org/10.1016/j.jcrimjus.2018.03.001>; Nellis, A. & Barry, C. (2025). *A matter of life: The scope and impact of life and long term imprisonment in the United States*. The Sentencing Project.



<sup>111</sup> American Bar Association (2022). Resolution 502. The American Law Institute's Model Penal Code recommends that states adopt a second look judicial process that would include sentence review after 10 years of incarceration for youth who committed their offense under age 18 and after 15 years of imprisonment for others. American Law Institute (2017). *Model Penal Code: Sentencing, Proposed Final Draft*, pp. 644, 681.

<sup>112</sup> Ghandnoosh, N. (2017). *Delaying a second chance: The declining prospects for parole on life sentences*. The Sentencing Project.

<sup>113</sup> Rhine, E. E., Petersilia, J., & Reitz, R. (2015). Improving parole release in America. *Federal Sentencing Reporter*, 28(2), 96-104.

<sup>114</sup> Feldman, B. (2025). *The second look movement: A review of the nation's sentence review laws*. The Sentencing Project.

<sup>115</sup> American Bar Association. (2022). Resolution 502.

<sup>116</sup> American Law Institute. (2017). *Model Penal Code: Sentencing, Proposed Final Draft*, pp. 644, 681; American Law Institute. (2017). *Model Penal Code: Sentencing §305.6 – modification of long-term prison sentences; Principles for legislation*; See also Reitz, K. (2017, June 7). *New Model Penal Code for criminal sentencing: Comprehensive reform recommendations for state legislatures*. The Ali Adviser.

<sup>117</sup> Fair and Just Prosecution. (2021, April). *Joint statement on sentencing second chances and addressing past extreme sentences* [Press Release].

<sup>118</sup> Komar, K., Gonzalez, C., Isaacs, E., Mogulescu, K. & Szlekovics M. (2023). *Sentencing reform for criminalized survivors: Learning from New York's Domestic Violence Survivors Justice Act*. The Sentencing Project; Feldman, B. (2025). *The second look movement: A review of the nation's sentence review laws*. The Sentencing Project.





The Sentencing Project  
1150 Connecticut Ave NW, Suite 601  
Washington, DC 20036  
(202) 628-0871

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