



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

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VIRGINIA GOVERNOR SIGNS HB35 INTO LAW, GIVING PAROLE ELIGIBILITY TO CHILDREN AFTER 20 YEARS IN PRISON

The Commonwealth joins 22 other states and DC in banning life without parole for people under 18 and complying with Supreme Court rulings on youth sentencing

February 24th, 2020, Washington, DC — Today, in a critical advancement for the Commonwealth, Governor Ralph Northam signed HB35 into law, which passed handily through both legislative chambers last week. HB35 grants parole eligibility after 20 years of incarceration to all people in Virginia who were under the age of 18 at the time of their offense. It therefore automatically bans sentencing children to life without the possibility of parole, making Virginia [the 23rd state in the country \(in addition to the District of Columbia\)](#) to abolish this barbaric practice.

“Those of us who have loved ones serving life sentences they were given as children in Virginia have been working on this for years,” says Jana White, of the Virginia Coalition for the Fair Sentencing of Youth. “There have been major obstacles and setbacks along the way, but we never gave up and this bill signing marks the beginning of a more just era for the children of this state. Our family members are filled with newfound hope today, which is something they haven’t experienced in a long time.”

The bill — which was sponsored by Delegate Joe Lindsey — will impact over 700 currently incarcerated individuals who were sentenced as children in adult court in Virginia by offering them review, marking a major shift in the way the Commonwealth has dealt with its sizable population of youth sentenced to extreme terms. Until now, it has been an outlier in its blatant noncompliance with multiple Supreme Court rulings that have made it unconstitutional to sentence a child to life without parole in almost all cases.

“We’ve seen an incredible uptick in state legislatures banning life without parole for kids, and until now, Virginia has been woefully out of step with that national trend toward youth sentencing reform, even when compared to states like Arkansas and West Virginia” says Jody Kent Lavy, executive director of the Campaign for the Fair Sentencing of Youth. “Children must be held accountable for their actions, and because they are fundamentally different from adults in their

ability to assess risk and consequences, and their unique capacity for change, they should be held accountable in age-appropriate ways with a focus on rehabilitation and reintegration into society.”

"This is the eighth year that I have addressed this issue in the legislature. While there are many individuals who remain dangerous, there are many more who have made strong efforts to turn their lives around while incarcerated and are worth the Parole Board taking a look at whether they can be restored to society," says Senator Dave Marsden, who sponsored an identical bill in the Senate. "We are a nation of second chances and those who are incarcerated for long periods of time when they are juveniles are especially deserving of that look. This law in Virginia is consistent with the *Graham*, *Miller*, and *Montgomery* rulings at the U.S. Supreme Court and I am grateful that my colleagues in the legislature have now supported this effort at providing individuals with a measure of justice that has been recognized in so many other states."

For more information, or if you would like to speak with Jody Kent Lavy or someone directly impacted by the law, please contact Karmah Elmusa at kelmusa@fairsentencingofyouth.org | 202-289-4677 ext. 113.

[The Campaign for the Fair Sentencing of Youth](#) is a nonprofit that leads efforts to ban life-without-parole and other extreme sentences for children, and supports those incarcerated as children who are released after serving long sentences.