



ENDING JUVENILE LIFE WITHOUT PAROLE IN WISCONSIN

28 states have banned juvenile life without parole (JLWOP) sentences. With SB 801/AB 845, Wisconsin has the potential to become the 29th during the 2024 legislative session.

Wisconsin state law currently allows for minors to receive a life sentence without the possibility of parole. Over 100 individuals are currently serving life sentences for crimes they committed as children in Wisconsin – several of whom were as young as 13 years old at the time of the offense. The practice is in conflict with the Supreme Court decisions of *Miller v. Alabama (2012)* and *Montgomery v. Louisiana (2016)*, in which the Court affirmed that children are fundamentally different from adults and must be held accountable in age-appropriate ways that focus on rehabilitation, not endless punishment.

Banning JLWOP, SB 801/AB 845 will align Wisconsin law with the brain science that affirms children under 18 years old have a heightened capacity for change.

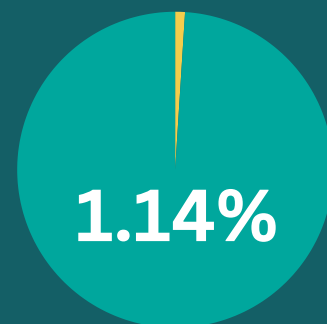
SB 801/AB 845 will:

- Eliminate life without parole for youth under 18 and establish a review process for those currently serving life sentences for crimes they committed as children in Wisconsin after serving 20 years for homicide-related offenses or 15 years for most non-homicide offenses
- Require judges to consider the mitigating factors of youth as established by the Supreme Court in future sentencing of juveniles

"Ending juvenile life without parole in Wisconsin is not just about reforming our justice system; it's about restoring hope, potential, and the promise of a future to our youth. This would also ensure that Wisconsin remains in compliance with the United States Supreme Court precedent."

-Representative Todd Novak,
Co-author of SB 801/AB 845
Wisconsin

A recent study of individuals sentenced to life without parole as children who were released found a recidivism rate of a mere **one percent.**¹



Key Facts



The CAMPAIGN for the
FAIR SENTENCING
of YOUTH



Release eligibility ≠ automatic release from prison

- The bill provides an opportunity for parole for those who were sentenced as children; it does not in any way guarantee release.

The bill will not compromise public safety

- Research shows that incarcerating youths for longer than 15 to 20 years has diminished returns for public safety.²
- Compared to a national recidivism rate between 40% and 68%, the population of former juvenile lifers's recidivism rate of 1.14% demonstrates they are among the safest to consider for review and release.

Juvenile Life without Parole (JLWOP) is costly

- Wisconsin spends \$38,644 per inmate per year. For 115 individuals serving life sentences since children, that amounts to around \$4.44 million a year.

Ending JLWOP receives diverse support

- Ending JLWOP is a bipartisan issue with bans in states ranging from Texas to Vermont. Of the 28 states that have banned JLWOP, nearly half of the bills had a Republican author and most were bipartisan.
- Over two-thirds of Americans agree that children who receive lengthy sentences should have their sentences reviewed by a judge or parole board after no more than 15 years, with the opportunity for release. This majority holds across race, age, gender, political affiliation, and education.³
- 61% of crime victims support shorter prison sentences and more spending on prevention and rehabilitation as compared to long prison sentences.⁴

“The science is clear: teenage brains are still developing. They cannot fully comprehend the extent of their actions. For example, how is a 15 year old supposed to understand life without parole when that sentence is literally quadruple the entire time they’ve been alive. People can grow; people can change, especially when their brains are still forming. Juveniles deserve a second chance.”

-Senator Jesse James,
Co-author of SB 801/AB 845
Wisconsin

1. *Tarika Daftary-Kapur and Tina M. Zottoli, Resentencing of Juvenile Lifers: The Philadelphia Experience, Montclair State University, 2020*

2. *Still Life America's Increasing Use of Life and Long-Term Sentences, The Sentencing Project Research and Advocacy for Reform, 2017*

3. *A Majority of Voters Support an end to Extreme Sentences for Children, Data for Progress, 2020*

4. *Crime Survivors Speak: National Survey, Alliance for Safety and Justice, 2016*