



# Senate

General Assembly

**File No. 593**

February Session, 2026

Senate Bill No. 503

*Senate, April 13, 2026*

The Committee on Judiciary reported through SEN. WINFIELD of the 10th Dist., Chairperson of the Committee on the part of the Senate, that the bill ought to pass.

***AN ACT CONCERNING SENTENCING OF AND PAROLE ELIGIBILITY FOR INDIVIDUALS WHOSE OFFENSE WAS COMMITTED WHEN SUCH INDIVIDUAL WAS UNDER THE AGE OF TWENTY-SIX YEARS.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 54-125a of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective from passage*):

3 (a) A person convicted of one or more crimes who is incarcerated on  
4 or after October 1, 1990, who received a definite sentence or total  
5 effective sentence of more than two years, and who has been confined  
6 under such sentence or sentences for not less than one-half of the total  
7 effective sentence less any risk reduction credit earned under the  
8 provisions of section 18-98e or one-half of the most recent sentence  
9 imposed by the court less any risk reduction credit earned under the  
10 provisions of section 18-98e, whichever is greater, may be allowed to go  
11 at large on parole (1) in accordance with the provisions of section 54-  
12 125i, or (2) in the discretion of a panel of the Board of Pardons and  
13 Paroles, if (A) it appears from all available information, including any

14 reports from the Commissioner of Correction that the panel may  
15 require, that there is a reasonable probability that such inmate will live  
16 and remain at liberty without violating the law, and (B) such release is  
17 not incompatible with the welfare of society. At the discretion of the  
18 panel, and under the terms and conditions as may be prescribed by the  
19 panel including requiring the parolee to submit personal reports, the  
20 parolee shall be allowed to return to the parolee's home or to reside in a  
21 residential community center, or to go elsewhere. The parolee shall,  
22 while on parole, remain under the jurisdiction of the board until the  
23 expiration of the maximum term or terms for which the parolee was  
24 sentenced less any risk reduction credit earned under the provisions of  
25 section 18-98e. Any parolee released on the condition that the parolee  
26 reside in a residential community center may be required to contribute  
27 to the cost incidental to such residence. Each order of parole shall fix the  
28 limits of the parolee's residence, which may be changed in the discretion  
29 of the board and the Commissioner of Correction. Within three weeks  
30 after the commitment of each person sentenced to more than two years,  
31 the state's attorney for the judicial district shall send to the Board of  
32 Pardons and Paroles the record, if any, of such person.

33 (b) (1) No person convicted of any of the following offenses, which  
34 was committed on or after July 1, 1981, shall be eligible for parole under  
35 subsection (a) of this section: (A) Capital felony, as provided under the  
36 provisions of section 53a-54b in effect prior to April 25, 2012, (B) murder  
37 with special circumstances, as provided under the provisions of section  
38 53a-54b in effect on or after April 25, 2012, (C) felony murder, as  
39 provided in section 53a-54c, (D) arson murder, as provided in section  
40 53a-54d, (E) murder, as provided in section 53a-54a, or (F) aggravated  
41 sexual assault in the first degree, as provided in section 53a-70a. (2) A  
42 person convicted of (A) a violation of section 53a-100aa or 53a-102, or  
43 (B) an offense, other than an offense specified in subdivision (1) of this  
44 subsection, where the underlying facts and circumstances of the offense  
45 involve the use, attempted use or threatened use of physical force  
46 against another person shall be ineligible for parole under subsection (a)  
47 of this section until such person has served not less than eighty-five per  
48 cent of the definite sentence imposed.

49 (c) The Board of Pardons and Paroles shall, not later than July 1, 1996,  
50 adopt regulations in accordance with chapter 54 to ensure that a person  
51 convicted of an offense described in subdivision (2) of subsection (b) of  
52 this section is not released on parole until such person has served eighty-  
53 five per cent of the definite sentence imposed by the court. Such  
54 regulations shall include guidelines and procedures for classifying a  
55 person as a violent offender that are not limited to a consideration of the  
56 elements of the offense or offenses for which such person was convicted.

57 (d) The Board of Pardons and Paroles may hold a hearing to  
58 determine the suitability for parole release of any person whose  
59 eligibility for parole release is not subject to the provisions of subsection  
60 (b) of this section upon completion by such person of seventy-five per  
61 cent of such person's definite or total effective sentence less any risk  
62 reduction credit earned under the provisions of section 18-98e. An  
63 employee of the board or, if deemed necessary by the chairperson, a  
64 panel of the board shall assess the suitability for parole release of such  
65 person based on the following standards: (1) Whether there is  
66 reasonable probability that such person will live and remain at liberty  
67 without violating the law, and (2) whether the benefits to such person  
68 and society that would result from such person's release to community  
69 supervision substantially outweigh the benefits to such person and  
70 society that would result from such person's continued incarceration. If  
71 a hearing is held, and if the board determines that continued  
72 confinement is necessary, the board shall articulate for the record the  
73 specific reasons why such person and the public would not benefit from  
74 such person serving a period of parole supervision while transitioning  
75 from incarceration to the community. If a hearing is not held, the board  
76 shall document the specific reasons for not holding a hearing and  
77 provide such reasons to such person. No person shall be released on  
78 parole without receiving a hearing. The decision of the board under this  
79 subsection shall not be subject to appeal.

80 (e) The Board of Pardons and Paroles may hold a hearing to  
81 determine the suitability for parole release of any person whose  
82 eligibility for parole release is subject to the provisions of subdivision

83 (2) of subsection (b) of this section upon completion by such person of  
84 eighty-five per cent of such person's definite or total effective sentence.  
85 An employee of the board or, if deemed necessary by the chairperson, a  
86 panel of the board shall assess the suitability for parole release of such  
87 person based on the following standards: (1) Whether there is a  
88 reasonable probability that such person will live and remain at liberty  
89 without violating the law, and (2) whether the benefits to such person  
90 and society that would result from such person's release to community  
91 supervision substantially outweigh the benefits to such person and  
92 society that would result from such person's continued incarceration. If  
93 a hearing is held, and if the board determines that continued  
94 confinement is necessary, the board shall articulate for the record the  
95 specific reasons why such person and the public would not benefit from  
96 such person serving a period of parole supervision while transitioning  
97 from incarceration to the community. No hearing pursuant to the  
98 provisions of this subsection may proceed unless the parole release  
99 panel is in possession of the complete file for such applicant, including  
100 any documentation from the Department of Correction, the trial  
101 transcript, the sentencing record and any file of any previous parole  
102 hearing. Each member of the panel shall certify that all such  
103 documentation has been reviewed in preparation for such hearing. If a  
104 hearing is not held, the board shall document the specific reasons for not  
105 holding a hearing and provide such reasons to such person. No person  
106 shall be released on parole without receiving a hearing. The decision of  
107 the board under this subsection shall not be subject to appeal.

108 (f) (1) Notwithstanding the provisions of subsections (a) to (e),  
109 inclusive, of this section, a person convicted of one or more crimes  
110 committed while such person was under eighteen years of age, who is  
111 incarcerated on or after October 1, 2015, and who received a definite  
112 sentence or total effective sentence of more than ten years for such crime  
113 or crimes prior to, on or after October 1, 2015, may be allowed to go at  
114 large on parole in the discretion of the panel of the Board of Pardons  
115 and Paroles for the institution in which such person is confined,  
116 provided (A) if such person is serving a sentence of fifty years or less,  
117 such person shall be eligible for parole after serving sixty per cent of the

118 sentence or twelve years, whichever is greater, or (B) if such person is  
119 serving a sentence of more than fifty years, such person shall be eligible  
120 for parole after serving thirty years. Nothing in this subsection shall  
121 limit a person's eligibility for parole release under the provisions of  
122 subsections (a) to (e), inclusive, of this section if such person would be  
123 eligible for parole release at an earlier date under any of such provisions.

124 (2) The board shall apply the parole eligibility rules of this subsection  
125 only with respect to the sentence for a crime or crimes committed while  
126 a person was under eighteen years of age. Any portion of a sentence that  
127 is based on a crime or crimes committed while a person was eighteen  
128 years of age or older shall be subject to the applicable parole eligibility,  
129 suitability and release rules set forth in subsections (a) to (e), inclusive,  
130 of this section.

131 (3) Whenever a person becomes eligible for parole release pursuant  
132 to this subsection, the board shall hold a hearing to determine such  
133 person's suitability for parole release. At least twelve months prior to  
134 such hearing, the board shall notify the office of Chief Public Defender,  
135 the appropriate state's attorney, the Victim Services Unit within the  
136 Department of Correction, the Office of the Victim Advocate and the  
137 Office of Victim Services within the Judicial Department of such  
138 person's eligibility for parole release pursuant to this subsection. The  
139 office of Chief Public Defender shall assign counsel for such person  
140 pursuant to section 51-296 if such person is indigent. At any hearing to  
141 determine such person's suitability for parole release pursuant to this  
142 subsection, the board shall permit (A) such person to make a statement  
143 on such person's behalf, (B) counsel for such person and the state's  
144 attorney to submit reports and other documents, and (C) any victim of  
145 the crime or crimes to make a statement pursuant to section 54-126a. The  
146 board may request testimony from mental health professionals or other  
147 relevant witnesses, and reports from the Commissioner of Correction or  
148 other persons, as the board may require. The board shall use validated  
149 risk assessment and needs assessment tools and its risk-based  
150 structured decision making and release criteria established pursuant to  
151 subsection (d) of section 54-124a in making a determination pursuant to

152 this subsection.

153 (4) After such hearing, the board may allow such person to go at large  
154 on parole with respect to any portion of a sentence that was based on a  
155 crime or crimes committed while such person was under eighteen years  
156 of age if the board finds that such parole release would be consistent  
157 with the factors set forth in subdivisions (1) to (4), inclusive, of  
158 subsection (c) of section 54-300 and if it appears, from all available  
159 information, including, but not limited to, any reports from the  
160 Commissioner of Correction, that (A) there is a reasonable probability  
161 that such person will live and remain at liberty without violating the  
162 law, (B) the benefits to such person and society that would result from  
163 such person's release to community supervision substantially outweigh  
164 the benefits to such person and society that would result from such  
165 person's continued incarceration, and (C) such person has demonstrated  
166 substantial rehabilitation since the date such crime or crimes were  
167 committed considering such person's character, background and  
168 history, as demonstrated by factors, including, but not limited to, such  
169 person's correctional record, the age and circumstances of such person  
170 as of the date of the commission of the crime or crimes, whether such  
171 person has demonstrated remorse and increased maturity since the date  
172 of the commission of the crime or crimes, such person's contributions to  
173 the welfare of other persons through service, such person's efforts to  
174 overcome substance abuse, addiction, trauma, lack of education or  
175 obstacles that such person may have faced as a child or youth in the  
176 adult correctional system, the opportunities for rehabilitation in the  
177 adult correctional system, whether the person has also applied for or  
178 received a sentence modification and the overall degree of such person's  
179 rehabilitation considering the nature and circumstances of the crime or  
180 crimes.

181 (5) After such hearing, the board shall articulate for the record its  
182 decision and the reasons for its decision. If the board determines that  
183 continued confinement is necessary, the board may reassess such  
184 person's suitability for a new parole hearing at a later date to be  
185 determined at the discretion of the board, but not earlier than two years

186 after the date of its decision.

187 (6) The decision of the board under this subsection shall not be subject  
188 to appeal.

189 (g) (1) Notwithstanding the provisions of subsections (a) to (f),  
190 inclusive, of this section, a person convicted of one or more crimes  
191 committed while such person was under [twenty-one] twenty-six years  
192 of age [, who was sentenced on or before October 1, 2005,] and who  
193 received a definite sentence or total effective sentence of more than ten  
194 years' incarceration for such crime or crimes, [committed on or before  
195 October 1, 2005,] may be allowed to go at large on parole in the  
196 discretion of the panel of the Board of Pardons and Paroles for the  
197 institution in which such person is confined, provided (A) if such person  
198 is serving a sentence of fifty years or less, such person shall be eligible  
199 for parole after serving sixty per cent of the sentence or twelve years,  
200 whichever is greater, or (B) if such person is serving a sentence of more  
201 than fifty years, such person shall be eligible for parole after serving  
202 thirty years. Nothing in this subsection shall limit a person's eligibility  
203 for parole release under the provisions of subsections (a) to (f), inclusive,  
204 of this section if such person would be eligible for parole release at an  
205 earlier date under any of such provisions.

206 (2) The board shall apply the parole eligibility rules of this subsection  
207 only with respect to the sentence for a crime or crimes committed while  
208 a person was under [twenty-one] twenty-six years of age. Any portion  
209 of a sentence that is based on a crime or crimes committed while a  
210 person was [twenty-one] twenty-six years of age or older shall be subject  
211 to the applicable parole eligibility, suitability and release rules set forth  
212 in subsections (a) to (e), inclusive, of this section.

213 (3) Whenever a person becomes eligible for parole release pursuant  
214 to this subsection, the board shall hold a hearing to determine such  
215 person's suitability for parole release. At least twelve months prior to  
216 such hearing, the board shall notify the office of Chief Public Defender,  
217 the appropriate state's attorney, the Victim Services Unit within the  
218 Department of Correction, the Office of the Victim Advocate and the

219 Office of Victim Services within the Judicial Department of such  
220 person's eligibility for parole release pursuant to this subsection. The  
221 office of Chief Public Defender shall assign counsel for such person  
222 pursuant to section 51-296 if such person is indigent. At any hearing to  
223 determine such person's suitability for parole release pursuant to this  
224 subsection, the board shall permit (A) such person to make a statement  
225 on such person's behalf, (B) counsel for such person and the state's  
226 attorney to submit reports and other documents, and (C) any victim of  
227 the crime or crimes to make a statement pursuant to section 54-126a. The  
228 board may request testimony from mental health professionals or other  
229 relevant witnesses, and reports from the Commissioner of Correction or  
230 other persons, as the board may require. The board shall use validated  
231 risk assessment and needs assessment tools and its risk-based  
232 structured decision making and release criteria established pursuant to  
233 subsection (d) of section 54-124a in making a determination pursuant to  
234 this subsection.

235 (4) After such hearing, the board may allow such person to go at large  
236 on parole with respect to any portion of a sentence that was based on a  
237 crime or crimes committed while such person was under [twenty-one]  
238 twenty-six years of age, if the board finds that such parole release would  
239 be consistent with the factors set forth in subdivisions (1) to (4),  
240 inclusive, of subsection (c) of section 54-300 and if it appears, from all  
241 available information, including, but not limited to, any reports from the  
242 Commissioner of Correction, that (A) there is a reasonable probability  
243 that such person will live and remain at liberty without violating the  
244 law, (B) the benefits to such person and society that would result from  
245 such person's release to community supervision substantially outweigh  
246 the benefits to such person and society that would result from such  
247 person's continued incarceration, and (C) such person has demonstrated  
248 substantial rehabilitation since the date such crime or crimes were  
249 committed considering such person's character, background and  
250 history, as demonstrated by factors, including, but not limited to, such  
251 person's correctional record, the age and circumstances of such person  
252 as of the date of the commission of the crime or crimes, whether such  
253 person has demonstrated remorse and increased maturity since the date

254 of the commission of the crime or crimes, such person's contributions to  
255 the welfare of other persons through service, such person's efforts to  
256 overcome substance abuse, addiction, trauma, lack of education or  
257 obstacles that such person may have faced as a person who was under  
258 [twenty-one] twenty-six years of age in the adult correctional system,  
259 the opportunities for rehabilitation in the adult correctional system,  
260 whether the person has also applied for or received a sentence  
261 modification and the overall degree of such person's rehabilitation  
262 considering the nature and circumstances of the crime or crimes. There  
263 shall be a rebuttable presumption that any person who is made eligible  
264 for parole pursuant to subdivision (1) of this subsection, that such  
265 person has satisfied all other factors concerning such person's parole  
266 eligibility.

267 (5) After such hearing, the board shall articulate for the record its  
268 decision and the reasons for its decision. If the board determines that  
269 continued confinement is necessary, the board may reassess such  
270 person's suitability for a new parole hearing at a later date to be  
271 determined at the discretion of the board, but not earlier than two years  
272 after the date of its decision.

273 (6) The decision of the board under this subsection shall not be subject  
274 to appeal.

275 (h) Any person released on parole under this section shall remain in  
276 the custody of the Commissioner of Correction and be subject to  
277 supervision by personnel of the Department of Correction during such  
278 person's period of parole.

279 Sec. 2. Section 54-91g of the general statutes is repealed and the  
280 following is substituted in lieu thereof (*Effective from passage*):

281 (a) If the case of a child, as defined in section 46b-120, is transferred  
282 to the regular criminal docket of the Superior Court pursuant to section  
283 46b-127 and the child is convicted of a class A or B felony pursuant to  
284 such transfer, or in the case of any other person who has not yet attained  
285 the age of twenty-six years at the time the crime or crimes were

286 committed for which such person is convicted of a class A or B felony,  
287 at the time of sentencing, the court shall:

288 (1) Consider, in addition to any other information relevant to  
289 sentencing, the defendant's age at the time of the offense, the hallmark  
290 features of adolescence and young adulthood, and any scientific and  
291 psychological evidence showing the differences between a child's or  
292 young adult's brain development and [an] a mature adult's brain  
293 development; and

294 (2) Consider, if the court proposes to sentence the child or other  
295 person to a lengthy sentence under which it is likely that the child or  
296 other person will die while incarcerated, how the scientific and  
297 psychological evidence described in subdivision (1) of this subsection  
298 counsels against such a sentence.

299 (b) Notwithstanding the provisions of section 54-91a, no presentence  
300 investigation or report may be waived with respect to a child or other  
301 person described in subsection (a) of this section convicted of a class A  
302 or B felony. Any presentence report prepared with respect to a child or  
303 other person described in subsection (a) of this section convicted of a  
304 class A or B felony shall address the factors set forth in subparagraphs  
305 (A) to (D), inclusive, of subdivision (1) of subsection (a) of this section.

306 (c) Whenever a child or other person is sentenced pursuant to  
307 subsection (a) of this section, the court shall indicate the maximum  
308 period of incarceration that may apply to the child or other person and  
309 whether the child or other person may be eligible to apply for release on  
310 parole pursuant to subdivision (1) of subsection (f) of section 54-125a, as  
311 amended by this act.

312 (d) The Court Support Services Division of the Judicial Branch shall  
313 compile reference materials relating to adolescent and young adult  
314 psychological and brain development to assist courts in sentencing  
315 children or other persons pursuant to this section.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	54-125a
Sec. 2	<i>from passage</i>	54-91g

**JUD**      *Joint Favorable*

*The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.*

**OFA Fiscal Note**

**State Impact:**

Agency Affected	Fund-Effect	FY 27 \$	FY 28 \$
Judicial Dept.	GF - Cost	505,000	500,000
Department of Correction (Board of Pardons and Parole)	GF - Potential Cost	None	See Below
State Comptroller - Fringe Benefits <sup>1</sup>	GF - Potential Cost	None	See Below
Correction, Dept.	GF - Potential Savings	None	Minimal

Note: GF=General Fund

**Municipal Impact:** None

**Explanation**

The bill makes changes to laws on the (1) alternate parole eligibility rules for certain young offenders and (2) sentencing of a young person for a class A or B felony. These changes result in (1) a cost to the Judicial Department of \$505,000 in FY 27 and \$500,000 in FY 28, (2) a potential cost to the Board of Pardons and Paroles and the State Comptroller - Fringe Benefits beginning in FY 28, and (3) a potential savings to the Department of Correction for reduced incarceration beginning in FY 28.

<sup>1</sup> The fringe benefit costs for most state employees are budgeted centrally in accounts administered by the Comptroller. The estimated active hazardous duty employee fringe benefit cost is 50.54% of payroll in FY 27.

On average, the marginal cost to the state for incarcerating an offender for the year is \$3,300.<sup>2</sup>

The cost to the Judicial Department depends on the number of additional forensic evaluations that would need to be conducted as part of pre-sentencing investigations. It is estimated an additional 100 evaluations would be required as a result of this bill, at a cost of about \$5,000 each. The Judicial Department will also be required to spend up to \$5,000 in FY 27 to update its reference materials relating to adolescent and young adult psychological and brain development.

The potential cost to the Board of Pardons and Paroles depends on the extent to which the board will need to hold more hearings per month to accommodate an increase in parole applications. If the number of additional hearings is great enough, the board may need to hire additional parole officers to interview applicants, conduct risk assessments, and complete comprehensive summaries that provide board members with information regarding an applicant's criminal, social, and correctional history, as well as details of their current offense(s). The annual starting salary for a parole officer is \$78,931, requiring estimated fringe benefits of \$39,892. Because these hearings require a one-year notice to various parties, the fiscal impact for this provision will not begin until FY 28.

### ***The Out Years***

The annualized ongoing fiscal impact identified above would continue into the future subject to the number of additional forensic evaluations required and the number of inmates granted parole. The number of inmates eligible for parole hearings under this bill is expected to decrease after the first year of hearings.

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<sup>2</sup> Inmate marginal savings is based on decreased consumables (e.g., food, clothing, water, sewage, living supplies, etc.). This amount does not include a change in staffing costs or utility expenses because these expenses would only be realized if a unit or facility closed. If this bill results in a large enough reduction in inmate population to allow for closing one or more units, the estimated marginal savings would be about \$12,500 per person.

**OLR Bill Analysis****SB 503*****AN ACT CONCERNING SENTENCING OF AND PAROLE ELIGIBILITY FOR INDIVIDUALS WHOSE OFFENSE WAS COMMITTED WHEN SUCH INDIVIDUAL WAS UNDER THE AGE OF TWENTY-SIX YEARS.*****SUMMARY**

This bill makes changes to laws on the (1) alternate parole eligibility rules for certain young offenders and (2) sentencing of a young person for a class A or B felony. In both cases, the bill raises the applicable age of the offender to age 26.

Regarding parole eligibility, the bill does the following:

1. broadens parole eligibility for offenders serving a definite or total effective sentence of more than 10 years for crimes they committed when they were under age 26, rather than under age 21 as under current law;
2. further broadens parole eligibility by removing the October 1, 2005, end to the lookback period for such crimes, thus making the age-eligible offenders (under current law and the bill) described above eligible for parole regardless of when the crime was committed or the sentence imposed;
3. correspondingly applies existing law's parole eligibility rules and requirements on parole hearing and release decisions to this new group of parole eligible offenders; and
4. creates a rebuttable presumption that anyone made eligible for parole under the bill's provision has satisfied all other parole eligibility factors.

Regarding the sentencing of certain young offenders, the bill expands provisions regarding the sentencing of a child who committed a class A

or B felony to other persons convicted of a class or B felony who were under age 26 (young adults) when they committed the crime. The bill also requires the court to consider the hallmark features of young adulthood, among other things.

EFFECTIVE DATE: Upon passage

## **PAROLE ELIGIBILITY**

### ***Alternate Parole Rules***

Current law sets alternate parole eligibility rules specifically for offenders who (1) were under age 21 when the crime was committed; (2) are serving a definite or total effective sentence of more than 10 years for crimes committed on or before October 1, 2005; and (3) were sentenced on or before October 1, 2005. The bill extends parole eligibility under this rule to offenders who were under age 26 when the crime was committed and are serving a definite or total effective sentence of more than 10 years regardless of when the crime was committed or when the sentence was imposed.

As under existing law, the bill applies the alternate eligibility rules if they make someone eligible for parole sooner, including someone who would otherwise be ineligible for parole. Under law, unchanged by the bill, someone sentenced to 10 to 50 years in prison is eligible for parole after serving the greater of 12 years or 60% of his or her sentence, and someone sentenced to more than 50 years in prison is eligible for parole after serving 30 years.

Under current law, the alternate parole eligibility rules do not apply to any portion of a sentence imposed for a crime committed when the person was age 21 or older. The bill extends the applicability of the alternate parole eligibility rules to any portion of a sentence imposed for a crime committed when the person was under age 26.

### ***Required Hearing***

As under existing law for age-eligible offenders, the following are required for offenders made eligible by the bill: (1) a parole hearing when someone becomes parole-eligible to determine suitability for

release and (2) notification from the Board of Pardons and Paroles, at least 12 months before the hearing, to the Chief Public Defender's Office, appropriate state's attorney, Department of Correction's (DOC) Victim Services Unit, Office of the Victim Advocate, and Judicial Branch's Office of Victim Services. By law, the Chief Public Defender's Office must provide counsel for an indigent inmate.

At the hearing, the law requires the board to allow (1) the inmate to make a statement, (2) the inmate's counsel and state's attorney to submit reports and documents, and (3) any victim of the crime to make a statement as with other parole hearings.

The board may also request (1) testimony from mental health professionals and relevant witnesses and (2) reports from DOC or others. The board must use validated risk and needs assessment tools and risk-based structured decision making and release criteria.

### ***Rebuttable Presumption***

The bill creates a rebuttable presumption that anyone made eligible for parole under these age-related provisions has satisfied all other parole eligibility factors.

### ***Release Decisions***

After the hearing, the law allows the board to release the inmate on parole if the following conditions are met:

1. the release (a) holds the offender accountable to the community without compromising public safety; (b) reflects the offense's seriousness and makes the sentence proportional to the harm to victims and the community; (c) uses the most appropriate sanctions available, including prison, community punishment, and supervision; (d) could reduce criminal activity, impose just punishment, and provide the offender with meaningful and effective rehabilitation and reintegration; and (e) is fair and promotes respect for the law;
2. it appears from all available information, including DOC reports,

- that (a) there is a reasonable probability the offender will not violate the law again and (b) the benefits of release to the offender and society substantially outweigh the benefits from continued confinement; and
3. it appears from all available information, including DOC reports, that the offender is substantially rehabilitated, considering his or her character, background, and history, including (a) the offender's prison record, age, and circumstances at the time of committing the crime; (b) whether he or she has shown remorse and increased maturity since committing the crime; (c) his or her contributions to others' welfare through service; (d) rehabilitation opportunities he or she took in prison; (e) the overall degree of his or her rehabilitation considering the nature and circumstances of the crime; and (f) his or her efforts to overcome substance abuse, addiction, trauma, lack of education, or obstacles he or she faced.

Under current law and the bill, the board must consider whether an age-eligible offender applied for or received a sentence modification when evaluating whether the person demonstrates rehabilitation. The board also (1) must articulate reasons for its parole decision on the record and (2) at its discretion, may reassess the person's suitability for a hearing at least two years after a denial. By law, the board's decisions under these provisions are not appealable.

## **SENTENCING YOUNG ADULTS FOR CLASS A OR B FELONY**

### ***Factors the Court Must Consider***

Current law requires the court to consider certain factors when sentencing a child transferred to adult criminal court and convicted of a class A or B felony. The bill makes minor modifications to these factors and requires the court to also consider them in the case of any other person convicted of a class A or B felony who was under age 26 at the time the crime was committed.

Current law requires the court to consider the hallmark features of

adolescence, and scientific and psychological evidence showing the difference between a child's and adult's ("mature adult's" under the bill) brain development. The bill also requires the court to consider the hallmark features of young adulthood, and scientific and psychological evidence showing the difference between a young adult's brain development and a mature adult's brain development.

If the court proposes a lengthy sentence under which it is likely the defendant will die in prison, the law requires the court to consider how evidence of the difference between a child's and adult's brain development counsels against such a sentence. The bill requires the court to also consider this for any other person.

### ***Pre-sentence Investigation, Sentencing, and Parole Eligibility***

Under existing law, a pre-sentence investigation or report may not be waived with respect to a child convicted of a class A or B felony and any pre-sentence report prepared must address the factors above. Also, when the court is sentencing a child, the court must specify the maximum incarceration period and whether the child may be eligible to apply for release on parole.

The bill applies these provisions to any other person convicted of a class A or B felony who was under age 26 at the time the crime was committed.

### ***Judicial Branch Reference Material***

Existing law requires the Judicial Branch's Court Support Services Division (CSSD) to compile reference material on adolescent psychology and brain development to help courts sentence children. The bill requires CSSD to also compile similar reference material relating to young adults.

## **COMMITTEE ACTION**

Judiciary Committee

Joint Favorable

Yea 24    Nay 13    (03/24/2026)