



Second Look Sentencing EXPLAINED

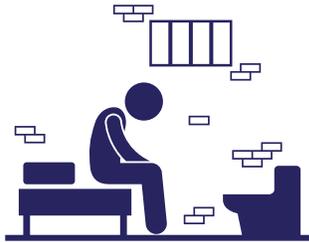
What it is, why we need it, and how it works

What it is:

Second look sentencing laws allow a judge to resentence people serving excessive prison terms if the person has successfully rehabilitated himself after a defined period, e.g., 10 or 15 years. A judge may reduce a sentence as much as is determined to be appropriate, all the way down to time served.

How it works:

Step 1: A judge sentences John Doe to 35 years in prison.



Step 2: John successfully completes rehabilitative programming in prison and has few disciplinary infractions.



Step 3: After 10 years of incarceration, John petitions the court for a second look sentencing modification.



Why do we need it?

1.5 million

people incarcerated in state and federal prison.

53,290

people serving life without parole sentences.

1 in 4

people in the Bureau of Prisons serving a sentence of 15 years or more.

17 states

plus the federal government have no parole system in place.

Step 4: The sentencing court considers changes in John's life, including behavior in prison, participation in programming, and maturation, as well as input from stakeholders, such as the prosecuting attorney and prison staff.



Step 5: The court determines whether or not John remains a public safety risk. If the judge finds John to be rehabilitated, she may reduce his sentence up to time served.



Step 6: John is released from prison – saving himself, his family, and taxpayers the high economic and social costs of his excessive sentence.

