

Recidivism Outcomes for Early Release: Assessing the Effects of Resentencing People Convicted of Violent Crimes

State legislatures across the country and the federal government have passed laws permitting people to petition for early release after serving a substantial number of years for violent crimes.¹ As more people return home under these laws and other discretionary release mechanisms, there is now new data from these jurisdictions that suggest these policies are safe mechanisms with low recidivism rates.

Low Public Safety Risk for Early Release

The findings from this research, detailed in the next section, show strong public safety outcomes: people released through discretionary release mechanisms have significantly lower recidivism rates than the broader population of people who leave prison after completing their sentence. This can be attributed to two factors:

1. Criminal activity decreases with age: As people get older, they are statistically less likely to commit crimes.² People are more susceptible to crime in late adolescence and early adulthood, but they are also more likely to abandon criminal behavior after this period.³ This means that holding people who committed crimes as young adults for long sentences on safety grounds is likely unnecessary.

2. Early release mechanisms rewarding change and growth: Release mechanisms like second-look resentencing consider how a person has changed since they were first sentenced. That examination can include participation in education, cognitive therapy, substance abuse treatment and social support programming while incarcerated. Research shows that quality programming can reduce recidivism upon release.⁴

Recidivism Rates Among People Released Through Juvenile Resentencing

Initial resentencing laws for people facing long sentences targeted youth under the age of 18 sentenced to life without parole (LWOP). States began passing these laws in 2012 after the United States Supreme Court, in *Miller v. Alabama*, held that LWOP sentences for juveniles without an opportunity for resentencing were unconstitutional.⁵

As of 2024, more than 1,000 people have been released nationwide under juvenile LWOP resentencing laws and more continue to be resentenced every year.⁶ While there is no recidivism compilation on all 1,000 people, there are published studies and compilations on individual states, which demonstrate success:

Pennsylvania: A study of 287 people released after resentencing petitions found that close to five years after release, only 15 people had been charged with a misdemeanor or a felony, resulting in a rearrest rate of just 5 percent.⁷

Washington: A study of 71 people who had been released for three or more years under a variety of juvenile resentencing mechanisms found that **only one of the 71 had been convicted of a new felony offense, resulting in a reconviction rate of 1.4 percent.**⁸

Maryland: The 2021 Juvenile Restoration Act mandated resentencing for people who committed a crime when under age 18 after serving at least 20 years. **One year after release, none of the 24 people were charged with a new crime or supervision violation.**⁹

Recidivism Rates Among Other Resentencing Mechanisms

In addition to resentencing laws targeting people who committed crimes as juveniles, 16 states and the District of Columbia have created resentencing mechanisms for people who commit crimes at a variety of ages.¹⁰ While most of these policies remain unstudied, the three locations that have been studied focus on people convicted of violent crimes, among others, showing generally safe returns to the community.

Maryland: A 2012 Maryland Supreme Court case found that tainted jury instructions invalidated the convictions of many people convicted of violent offenses before 1981.¹¹ Given the age of the cases, most people were resentenced to time served (in other words, released) rather than retried. A total of 188 people were released under this resentencing, 80 percent of whom had been convicted of murder.¹² The average age at release was 64. **Five years from release, only one of the 188 people had been rearrested.**¹³

California: Over the last 13 years, California has implemented multiple resentencing policies, through both legislation and popular referenda. A 2025 report by the independent California Policy Lab offered the first analysis of recidivism rates among people resentenced under these varied policies.¹⁴ Focusing on people who were originally convicted of serious and violent crimes, two policies stand out: people resentenced after a retroactive change to felony murder laws and people resentenced after an individualized recommendation from corrections department officials. Of those resentenced under these policies, 97 percent had been convicted of a serious or violent felony.¹⁵ At resentencing, these people had a median of 12 to 14 years in prison and the majority were more than 40 years old.¹⁶ After one year from release (three-year rates not yet available):

- The felony murder group had a reconviction rate of only 3.3 percent—all for misdemeanor or non-serious/non-violent crimes.¹⁷
- The corrections-recommended group had a reconviction rate of 4 percent—all for non-serious/non-violent offenses.¹⁸

The District of Columbia: In 2020, the District expanded its existing juvenile resentencing law to allow those sentenced for a crime they committed under the age of 26 to petition for resentencing after 15 years based on maturity, fitness to reenter society, and public safety. **As of March 2025, these laws have led to 368 releases, with a 3 percent reconviction rate for any new crime.**¹⁹

Taken together, this evidence provides strong safety support for passing “second look” and other resentencing opportunities that include people convicted of violent offenses.

¹ Sara Cohbra and Becky Feldman, *The Second Look Movement: An Assessment of the Nation’s Resentencing Laws* (Washington, DC: The Sentencing Project, 2025), 4, <https://perma.cc/XD48-WCRT>.

² Howard N. Snyder, *Arrest in the United States, 1990–2010* (Washington, DC: Bureau of Justice Statistics, 2012), 3, fig. 4 (murder); 4, fig. 7 (forcible rape); 5, fig. 11 (robbery); and 8, fig. 24 (burglary), <https://perma.cc/SA4A-4WGS>.

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- ³ Lila Kazemian, *Pathways to Desistance: From Crime Among Juveniles and Adults: Applications to Criminal Justice Policy and Practice* (Washington, DC: The National Institute of Justice, 2021), <https://www.ojp.gov/pdffiles1/nij/301503.pdf>. For young people who do engage in repeated criminal activity, those criminal careers tend to conclude within five to 10 years. See Alex R. Piquero, J. David Hawkins, Lila Kazemian, David Petechuk, *Bulletin 2: Criminal Career Patterns (Study Group on the Transitions Between Juvenile Delinquency and Adult Crime)* (Washington, DC: United States Department of Justice, 2013), 9, <https://perma.cc/TQ9R-HWMB>.
- ⁴ Grant Duwe, *The Use and Impact of Correctional Programming for Inmates on Pre- and Post-Release Outcomes* (Washington, DC: National Institute of Justice, 2017), 21–24, <https://perma.cc/55LV-DYAD>.
- ⁵ *Miller v. Alabama*, 567 U.S. 460 (2012).
- ⁶ J.Z. Bennett, Daphne M. Brydon, Jeffrey T. Ward, et al., “In the Wake of *Miller* and *Montgomery*: A National View of People Sentenced to Juvenile Life Without Parole,” *Journal of Criminal Justice* 93 (2024), table 1, <https://doi.org/10.1016/j.jcrimjus.2024.102199>.
- ⁷ Colleen Sbeglia, Cortney Simmons, Grace Icenogle, et al., “Life After Life: Recidivism Among Juveniles Formerly Sentenced to Mandatory Juvenile Life Without Parole,” *Journal of Research on Adolescence* 35, no. 1 (2025), table 2, <https://doi.org/10.1111/jora.12989>.
- ⁸ Katherine Beckett and Allison Goldberg, *Sentencing Reform in Washington State: Progress and Pitfalls* (Seattle, WA: University of Washington, 2024), 28, table 5, <https://perma.cc/R3SU-F6EK>.
- ⁹ Maryland Office of the Public Defender, *The Juvenile Restoration Act: Year One—October 1, 2021 to September 30, 2022* (Baltimore, MD: Maryland Office of the Public Defender, 2022), 13, <https://perma.cc/HF9T-NLEB>.
- ¹⁰ Cohbra and Feldman, *The Second Look Movement*, 2025, 4. New Jersey passed S4870 in January 2026, establishing a right to petition for resentencing based on a history of victimization that contributed to the crime. Bill S4870, New Jersey State Legislature (2026), <https://www.njleg.state.nj.us/bill-search/2024/S4870>.
- ¹¹ *Unger v. State*, 427 Md. 383 (2012).
- ¹² Justice Policy Institute, *The Ungers, 5 Years and Counting: A Case Study in Safely Reducing Long Prison Terms and Saving Taxpayer Dollars* (Washington, DC: Justice Policy Institute, 2018), 10, <https://perma.cc/8V7B-SRS5>.
- ¹³ *Ibid.*, 17.
- ¹⁴ Alissa Skog and Johanna Laco, *The Role of Second Look Policies in Reforming California’s Approach to Incarceration* (Berkeley, CA: California Policy Lab, 2025), <https://perma.cc/4FYA-EQZ5>.
- ¹⁵ *Ibid.*, 15.
- ¹⁶ *Ibid.*, 7, table 1; 13, table 2.
- ¹⁷ *Ibid.*, 22, fig. 7. Looking at arrests, a less probative measure of recidivism because of the lower standard of proof required for an arrest instead of a conviction (probable cause versus beyond a reasonable doubt), people resentenced from the felony murder group had an arrest rate of 13.9 percent, and the corrections group 17.6 percent, both lower than the overall arrest rate of people leaving corrections custody of 52 percent. Only 2.2 percent of corrections- initiated releases had a new arrest for a serious or violent crime, for felony murder releasees, that percentage was 3.2 percent. See *ibid.*, 23, fig. 8.
- ¹⁸ *Ibid.*, 22, fig. 7.
- ¹⁹ Center for Court Excellence (CCE), *D.C.’s Incarceration Reduction Amendment Act and Second Look Amendment Act* (Washington, DC: CCE, 2025), <https://perma.cc/KNR9-CLO9>; Keith Alexander, “D.C. Man Convicted of Murder and Freed Early Found Guilty of Second Killing,” *Washington Post*, March 4, 2025, <https://www.washingtonpost.com/dc-md-va/2025/03/04/darrell-moore-murder-trial-iraa>.