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## IMPORTANT, AND HOW YOU CAN HELP

ACLU of New Mexico Staff Attorney Denali Wilson talks about the need for the Second Chance Bill in New Mexico.

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Following a series of recent US Supreme Court decisions and a 2018 decision from our own New Mexico Supreme

Court, New Mexico needs a statutory fix to ensure that individuals who were under the age of 18 at the time of their offense have a meaningful opportunity for release. Ohio, Arkansas, Nevada, West Virginia, the Dakotas, and our neighbors in Texas, Colorado, and Utah have already passed this type of legislation. Senate Bill 43, the Second Chance Bill, creates consistency and predictability for victims and communities across the state by standardizing youth sentences in accordance with the requirements of the Constitution.

ACLU of New Mexico's Staff Attorney Denali Wilson talked about the need for this bill in New Mexico.

**ACLU of New Mexico: What does this bill do?**

**Denali Wilson:** The Second Chance Bill does two really important things. First, the bill bans all sentences of life without parole for juveniles. Second, the bill creates early parole eligibility that happens after 15 years of a sentence served for those who are serving long adult sentences for crimes that they committed when they were children.

**ACLU-NM: Why is this bill important?**

**DW:** There are 75 people in New Mexico who are serving sentences longer than 15 years for crimes committed when they were children. There are examples of those sentenced as children having sentences of 60 years, 142 years, and even sentences of life in prison. The retroactive component of this reform would provide those individuals with an opportunity for a parole hearing. Children are more than the worst thing that they have ever done, and we need laws that reflect that. When a child causes harm in our community, it is important to hold them accountable in age-appropriate ways that leave room for the profound potential that they have to experience positive transformation.

**ACLU-NM: What about public safety concerns?**

**DW:** This is not a get out of jail free card. The bill does not guarantee release to people who become eligible for review. What the bill actually does is it merely creates an opportunity for those eligible to demonstrate rehabilitation and to demonstrate that they deserve a second chance at life outside of prison walls. The parole board, with its unique law enforcement and community safety experience, will make the ultimate decision as to who has been sufficiently rehabilitated to return home safely to the community.

**ACLU-NM: Is this a reform that has been modeled outside of New Mexico?**

**DW:** 25 states and Washington DC have already abolished juvenile life without parole. It's time for New Mexico to do the same. There was a time when New Mexico was a national leader in issues related to juvenile justice. New Mexico was one of the first states to protect children from the death penalty and one of the first states to provide for discretion and sentencing in the rare cases where children were exposed to adult sentences. However, we are now behind more than half of the country, including our neighbors in Texas, Colorado, and Utah. It is time for New Mexico to act.

### **ACLU-NM: How ACLU supporters get involved?**

**DW:** The Second Chance Bill is currently moving through committees and needs public support. To learn where the bill is and how to engage, you can visit the [Legislative Session Hub on the ACLU website \(https://www.aclu-nm.org/en/2022-legislative-session\)](https://www.aclu-nm.org/en/2022-legislative-session) and find the [bill tracking tool \(https://www.aclu-nm.org/en/legislation/clone-second-chance-bill\)](https://www.aclu-nm.org/en/legislation/clone-second-chance-bill) to stay up to date.