Celebrating 4 years of HRFK

Since 2017 our work at Human Rights for Kids (HRFK) has led to the introduction of more than 40 state and federal bills to advance human rights protections for children in the justice system, including the enactment of 7 new laws in Nevada, Arkansas, Virginia, and Maryland.

In 2021, HRFK helped to lead a national movement in state and federal courts, state legislatures, and in the U.S. Congress to protect the human rights of children in the U.S. Justice System. This newsletter covers some of our biggest wins from the past year!

SENTENCING REFORM FOR CHILDREN IN MARYLAND

In January 2021, HRFK testified in support of HB 409 and SB 494 in Maryland. Victory was achieved in April when the Maryland Legislature overrode Governor Hogan’s veto!

With these bills, more than 400 individuals sentenced to life and de facto life without parole for crimes they committed as children are now eligible to petition for sentencing review and modification. It also ended mandatory minimums for children convicted in adult court. Maryland joins Virginia, West Virginia, Ohio, and D.C. to ban death in prison sentences for children.

HRFK was proud to be a part of this advocacy effort with several of our partner organizations, including the CFSY, ACLU of MD, Bridge Maryland, the Maryland Catholic Conference, the Maryland Youth Justice Coalition, the Maryland Juvenile Justice Coalition, and many others.

In the wake of this legislative victory, HRFK has begun to represent individuals eligible for sentencing review under the new law!

YOUTH JUSTICE ACTION MONTH

In October 2021, Congressman Tony Cárdenas (D-CA) joined HRFK and our allies to announce the introduction of a commemorative resolution recognizing October as Youth Justice Action Month and called on Congress to prioritize children in criminal justice reform efforts. The full press conference is available on the HRFK YouTube channel.

A CONGRESSIONAL LISTENING SESSION

For the first time in the history of the country, HRFK along with our partners at Rights4Girls, hosted a listening session for members of Congress featuring child trafficking victims from across the country who been sentenced to life imprisonment for acts of violence committed against their traffickers. It was a defining moment for our intersectional work of victim advocacy and criminal justice reform.
MOST SWEEPING JUVENILE JUSTICE REFORM IN US HISTORY

On April 28, 2021, HRFK co-hosted a virtual Press Conference alongside Congressmembers Karen Bass, Tony Cardenas, and Bruce Westerman to unveil the most sweeping criminal justice reform package focused on children in the history of the United States.

1. H.R. 2834 – Requires parents to be notified when a child is arrested and requires that the child consult with legal counsel before they can waive their Constitutional Rights and be subject to custodial interrogation.

2. H.R. 2908 – Establishes a minimum age of 12 for criminal culpability for children; increases the minimum age for a child to be tried as an adult from 13 to 16; eliminates the felony murder rule for children; prohibits the placement of children in adult jails or prisons; requires data collection on youth who come into the federal criminal justice system; and establishes a grant block program for treatment and services for children under 12 and child victims of commercial sexual exploitation.

3. H.R. 2858 – Retroactively ends life and de facto life without parole by giving individuals convicted of crimes as children the ability to petition a judge for sentencing review and modification after serving 20 years; give judges the ability to depart from mandatory minimums when sentencing children (up to 35% away from the minimum); and protect child sex crime victims from harsh sentences when they commit acts of violence against their abusers.

CHALLENGING THE 3 STRIKES LAW IN US SUPREME COURT

On May 10th, HRFK filed another Amicus Brief with the U.S. Supreme Court on behalf of children prosecuted in the federal criminal justice system.

Our brief argued that the Sixth Circuit’s interpretation of the Armed Career Criminal Act – whereby it allowed stacked charges in a single criminal incident to be used to impose a mandatory 15-year sentence – would have a disparate impact on children in the criminal justice system permitting courts to label teenagers “career criminals.” We couldn’t let this injustice go unchallenged, especially because of the impact such an interpretation has on our children.

We are incredibly thankful to HRFK Board Member, Tony Torain, II, and Jack Blum, both of Polsinelli PC, who wrote and filed the brief on our behalf.

CALL TO ACTION: PUSH SENATE BILL, BAN LIFE WITHOUT PAROLE

In June, the Senate Judiciary Committee debated and passed S. 1014, which would ban life without parole sentences for children in the federal criminal justice system. The bill is currently awaiting a full vote on the Senate floor. This is a huge win for HRFK and our coalition partners who have been working hard to get Congress to end the practice of sentencing children to die in prison.

“I remain committed to making our justice system fairer by reforming the antiquated sentencing laws that force children to grow up behind bars without an opportunity to reenter society. With the bipartisan support of my colleagues and organizations like Human Rights for Kids, we have a real chance to pass this legislation and give children in prison a second chance.”

~Senator Dick Durbin (D–IL)  
(Chair of U.S. Senate Judiciary Committee; Majority Whip)