

PRESS RELEASE

Wiley Helps Secure Settlement Defending Constitutional Rights of Marylanders Sentenced to Life with Parole as Children

TEAMS WITH ACLU OF MARYLAND TO LAY GROUNDWORK FOR FIXING STATE'S BROKEN PAROLE SYSTEM

March 10, 2021

Washington, DC – Wiley has teamed with the ACLU of Maryland to help secure a settlement in an important case, setting the stage for the adoption of new regulations and policies designed to rebuild the state's parole process for Marylanders sentenced to life imprisonment as children.

The settlement was ultimately reached following a 2016 lawsuit challenging the role of the Governor and the practices of the Maryland Parole Commission and Division of Correction in Maryland's parole system, which had long denied the constitutional rights of individuals sentenced as children to life with parole. At the time the lawsuit was filed, no Marylander who had been given a life sentence as a child had been granted parole in over 20 years – and the state parole system had in substance operated as a system of clemency.

The lawsuit was brought by three Marylanders sentenced while children to life with parole – Nathaniel Foster, Calvin McNeill, and Kenneth Tucker – and the Maryland Restorative Justice Initiative. The plaintiffs are represented by Wiley partners Mary E. Borja, Richard A. Simpson, and Charles C. Lemley and associates Gary S. Ward, George E. Petel, Ashley L. Criss, and Lindy C. Bathurst; Barry Fleishman of Pillsbury; and ACLU of Maryland Senior Staff Attorney Sonia Kumar and Legal Director Deborah Jeon, with support from Gina Elleby and Dara Johnson.

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Practice Areas

Litigation

Wiley has been involved in several pro bono cases with the ACLU of Maryland, including helping to secure a DOJ settlement of a civil rights lawsuit involving alleged racial discrimination and retaliation of three police officers in Pocomoke City, Maryland.

For more details on today's settlement announcement, please read the ACLU of Maryland's press release.