

**JUDICIARY COMMITTEE PUBLIC HEARING
MARCH 2, 2009
RAISING THE AGE OF JUVENILE JURISDICTION
TESTIMONY BY LIZ RYAN, PRESIDENT and CEO OF
THE CAMPAIGN FOR YOUTH JUSTICE
WASHINGTON, D.C.**

OPPOSING H.B. No 6386 AN ACT DELAYING IMPLEMENTATION OF LEGISLATION

My name is Liz Ryan, President and CEO of the Campaign for Youth Justice. We are a national organization dedicated to ending the practice of trying, sentencing and incarcerating youth under the age of 18 in the adult criminal justice system. I am here to testify in favor of implementing the "raise the age" legislation, scheduled to be implemented next January. After reviewing the latest research, Connecticut lawmakers made the right decision by passing "raise the age" legislation in 2007.

I applaud Connecticut lawmakers in taking these steps to improve the state's juvenile justice system. You assessed the latest research and concluded that youth under the age of 18 should not be automatically prosecuted in the adult criminal court. It is critical that CT moves forward on this promise. The rest of the nation is watching and looking to you for your continued leadership on this.

Recently, Governor Rell delayed implementation of this bill until 2012 in her proposed budget. You may ask what the rush is to implement this legislation.

In 2005, you started this debate because of a tragic suicide. On July 17th, David Burgos took his life at the Manson Youth Institute, an adult prison. In 2007, another young person committed suicide in the same adult facility. Can CT afford to lose more youth this way?

You took this bold step because Connecticut locks up more children in adult prisons under the age of 18 than any other state in the nation.

Your law is based on the research by the US Department of Justice's Office of Juvenile Justice and Delinquency Prevention and the U.S. Centers for Disease Control and Prevention that says that treating young people as adults does not reduce crime and is counterproductive crime control policy. Youth who are prosecuted as adults are much more likely to reoffend than their peers in the juvenile justice system.

Every year, an estimated 200,000 youth are prosecuted in the adult criminal justice system and thousands of youth, charged as adults, languish in adult jails and facilities on a daily basis where they are at risk of assault, abuse and suicide.

Here's why Connecticut must implement the "raise the age" legislation as soon as possible:

The new law reflects the latest science. The adolescent brain research shows us that children's brains are still developing well into their early 20's and that youth do not have all the capacities as adults. Indeed, the final area of the human brain to mature is the prefrontal cortex, which governs the "executive functions" of reasoning, advanced thought and impulse control. In essence, children do not

have the same brain capacities as adults and should therefore be less culpable for their actions. In the same vein, it shows that children are malleable and respond well to rehabilitation.

~~The new law reflects the latest research on crime reduction. No study, to my knowledge, exists that~~ shows that sending more youth to adult court increases public safety or decreases crime. In fact, a vast body of research shows that youth transferred to the adult criminal justice system are more likely to re-offend.

For example, a November, 2007 report released by the U.S. Centers for Disease Control and Prevention's Task Force on Community Preventive Services reviewed several studies on transferring youth to adult facilities. The report found that youth who have been previously tried as adults are, on average, 34% more likely to commit crimes than youth retained in the juvenile justice system. The Task Force recommended against "laws or policies facilitating the transfer of juveniles from the juvenile to the adult judicial system."

In August, the Office of Juvenile Justice and Delinquency Prevention (OJJDP), at the U.S. Department of Justice, released a bulletin on transfer laws and concluded that they have little or no deterrent effect on juvenile crime. The report, "Juvenile Transfer Laws: An Effective Deterrent to Delinquency?" concludes that transfer laws substantially increase recidivism. Youth transferred to the adult system are more likely to be rearrested and to re-offend than youth who committed similar crimes, but were retained in the juvenile justice system.

The new law prevents young people from receiving unnecessary life-long consequences. Youth tried as adults face life-long consequences. Youth can be placed in adult facilities pre- and post-trial, sentenced to serve time in adult prisons or be placed on adult probation with few to no rehabilitative services. Youth are also subject to the same sentencing guidelines as adults and may receive mandatory minimum sentences or life without parole.

When youth leave jail or prison, are on probation, or have completed their adult sentence, these youth carry the stigma of an adult criminal conviction. They may have difficulty finding a job or getting a college degree to help them turn their lives around. Access to a driver's license may be severely restricted, and in some states, youth may never be able to vote or hold public office.

The consequences of an adult conviction aren't minor; they are serious, long-term, life threatening and in some cases, such as David Burgos, these cases are deadly.

The new law is in step with the rest of the nation. Many other states have already begun to re-examine and reverse these punitive laws. We have seen many states re examine and reverse these laws.

Now is not the time to back away from the promise you made to your children and to your communities. I urge the General Assembly to reject Governor Rell's budget proposal and not to delay this important legislation. It's the right thing to do. Not only for the safety of our communities and families, but for the future of our children.

Thank you for your time and consideration.