Written Testimony of Susan Budlong Cole
York C.I. Volunteer, Wally Lamb Inmate Writers
Testimony Before the JT Committee on the Judiciary, March 23, 2012

Re: **H.B. No 5546 AA Concerning Sentence Modification for Juveniles**

Dear Senator Coleman, Representative Fox, and distinguished members of the Judiciary Committee:

I speak today in support of an enlightened approach to juvenile justice and correction and urge the legislature to create a procedure to provide "a second look" at long sentences imposed on juvenile offenders after a portion of the sentence has been served. Eight years ago I retired from a career in substance abuse treatment to become a volunteer along with Wally Lamb in the inmate writers' program at York CI.

This experience opened my eyes to the injustice of lifelong sentences for children. If there is to be a study committee rather than a bill taking up the issue, I suggest that that committee be charged to include current scientific studies of adolescent brains and development, the practical experience of children and those who have observed them in adult prisons as well as the potential for taxpayer savings if long-term sentences are appropriately modified.

Others will more effectively make the case on the supporting scientific evidence. I've read the data and, over eight years at York C.I., I've seen it in action.

A number of women in our class have already served more than half their lives in prison, having been tried as adults for crimes committed as children. These were adolescents whose immaturity led them into risk taking, gangs and making the poor choices that would one day involve them in a violent act. Most had no prior violent record – most were not direct instruments of the violence for which they were convicted. Today these women – now approaching middle age – are taking on responsible roles in the prison community, developing caring relationships with others, serving in the prison hospice unit and, and perhaps most telling for rehabilitation, fearlessly reconstructing their lives through their writings. Every week they open up their past for discussion and critique. I marvel at the insight; not only by the one reading her story but the others who listen and comment without passing judgment. They don't write about their crimes. They share the stories of their families and youth before prison – some tragic, some funny –

and even those who experienced abuse and abandonment don't whine or blame others for the paths they later chose. I wonder how they got so wise.

Juveniles Sentenced to Life Without Parole (JLWOP) has become a national discussion – rightly so. The United States, once a world leader in the enlightened treatment of juvenile offenders, is now the only country in the world that sentences youngsters to life without hope of parole. In addition to JLWOP we also need to consider those sentenced to forty, or fifty years or more. Though these long sentences sound less Draconian than life without parole; it is a distinction without a difference. Fifty years in a state that doesn't allow those convicted of violent crimes to earn time off for good behavior and requires 85 to 100 per cent of the sentence be served before release -- is a life sentence.

There are consequences for violent acts – even for children. There needs to be more than a slap on the wrist from juvenile courts designed to address truancy, teenage rebellion and petty crimes. But "more than a slap on the wrist" needn't be shoving a fourteen year old into adult corrections for the rest of her life. A just system needs to recognize the now well-documented ability of youth to mature and change; to develop empathy and the critical thinking necessary to make sound adult decisions. We don't need to keep most children in prison for 25 years or more at a cost to taxpayers of many millions of dollars.

At thirty-five or forty years old having spent twenty or twenty-five years -- most of her life -- in prison, a mature, rehabilitated and educated adult would likely contribute much more to society than a fragile, likely ailing, 64 year old with nothing to look forward to and nothing to contribute to a world -- outside of prison -- that she barely remembers.

I applaud the Judiciary Committee for considering a better alternative.