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Judiciary Committee

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H.B. 6581 & S.B. 1062

An Act Concerning the Recommendations of the Connecticut Sentencing Commission Regarding Lengthy Sentences for Crimes Committed by a Child or Youth

An Act Concerning the Recommendations of the Connecticut Sentencing Commission Regarding the Sentencing of a Child Convicted of a Felony Offense

To the Judiciary Committee:

I submit this testimony regarding H.B. 6581 & S.B. 1062. I support creation of a procedure that would allow a "second look" at long sentences imposed on juvenile offenders after a portion of the sentence is served.

Adolescence defines a developmental period in which several key brain regions and cognitive capacities are still maturing. One very important region still maturing in adolescence is the prefrontal cortex, a region of the brain central to decision making a consequence appraisal. Further, also developing in adolescence are connections between the prefrontal cortex and regions of the brain that regulate reward seeking and motivation based behavior as well a regions involved in stress and emotion regulation. Perhaps most importantly is the relative lag in development between the prefrontal cortical consequence appraisal regions of the brain and those regions that regulate reward seeking behavior. What this normal lag in brain region development means behaviorally is in adolescents are more likely to engage in risky and/or exciting behavior without a fully mature ability to appraise or understand the consequences of their behavior. Hence, their judgment is impaired by adult standards. Furthermore, because of relative differences in the rate of development across brain regions, adolescence are also more sensitive to stress and negative emotions and also more sensitive to how these emotional states impair judgment. That is, under any stressful circumstance, both adults and adolescents are less able to make reasonable judgments or assess the consequences of any anticipated action. But for adolescents, their judgment is influenced much more quickly under stress and in such stressful circumstances, they are more likely to act impulsively and in a way to quickly get away from the stress or negative emotions. So they may drive too fast, drink, get in a fight, or run away as ways to get away from stressful situations. Finally, adolescents are also very subject to the impact of peer influence. For example, a number of studies show that

adolescents drive more recklessly with peers in the car than when on their own; or that they are more likely to initiate drug use when they are in a group of peers also using drugs.

Hence, these four normative developmental factors – the relative immaturity of prefrontal cortex, a lag in prefrontal cortical development compared to reward seeking systems, a heightened sensitivity both to stress and negative emotions and to peer influence -- mean that adolescents are more impulsive, emotionally labile, more likely to take risks, and are less able to anticipate the consequences of their actions. This profile of adolescent brain development and related cognitive capacities and behaviors is normative but conditions of chronic stress and long-term adversity only further delay the maturation of prefrontal cortical regions, accentuate the lag in development between prefrontal and reward seeking systems, and increase the sensitivity to stress. Thus adolescents who have grown up in adverse circumstances are even more likely to engage in negative, risky behavior with little ability either to inhibit their actions or make mature judgments about the consequences of their behavior. Adolescents exposed to early childhood adversity and chronic stress require an even longer time to achieve more mature adult abilities to make decisions, appraise consequences, inhibit behavior, and adapt to stress and challenge.

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