

Testimony of Yale College Democrats

**in support of H.B. No. 6581, "An act concerning the recommendations of the Connecticut Sentencing Commission regarding lengthy sentences for crimes committed by a child or youth,"
and S.B. No. 1062, "An act concerning the recommendations of the Connecticut Sentencing Commission regarding the sentencing of a child convicted of a felony offense"**

Committee on Judiciary, General Assembly, State of Connecticut

March 11th, 2013

Members of the Judiciary Committee,

I am an Austrian citizen and came to the United States of America not only to pursue my studies at one of the best universities in the world, but also to immerse myself in the culture and politics of a nation that has impacted the world in many good ways. People from all over the world have benefitted from America's commitment to democracy and human rights. This is part of why I chose the United States, and Connecticut, as my place of study.

And yet, there are policies in this country that deeply shake my admiration for the United States. One of them is how children and youth get to suffer from harmful treatment in the criminal justice system and face lengthy sentences that bar them from meaningful rehabilitation.

My name is Igor Mitschka and I am testifying on behalf of the Yale College Democrats. We urge the Committee on Judiciary of the General Assembly of the State of Connecticut to pass H.B. No 6581 and S.B. No. 1062, since we are convinced that both bills will make Connecticut a more just place for children and youth.

The bills discussed today deserve your greatest support as they will end, or at least limit, the injustice children and youth experience in the criminal justice system in Connecticut today. Given Connecticut's automatic transfer statutes for juvenile offenders who commit certain crimes, numerous children and youth have been tried as adults. Treating juveniles as adults, however, is contrary to one of the basic agreements in society. Early on, society concluded that people under the age of eighteen need special protection and support because of their ongoing development of body, personality and cognitive functioning. This agreement has two ramifications. Society decided not to allow our young members certain rights and privileges, such as the right to vote, marry, drive and close contracts. By the same token, society promised to afford children and youth special protection. Sentencing a child or youth to life without parole, or lengthy sentences, does not protect a child's dignity and does not foster his or her developmental potential. On the contrary, such a sentence subjects children and youth to adult punishment and bars them from rehabilitation in a meaningful way.

Sentencing children and youth to lengthy sentences breaches the societal agreement that the youngest members of our society need to enjoy special protection.

Most countries in our world recognize the fundamental human agreement that children and youth deserve special protection in the criminal justice system. The country I am from, Austria, sentences juvenile offenders of the most egregious crimes to confinement between one and fifteen years at most (§ 5 JGG, Codex of juvenile justice in Austria). At the same time, my country has one of the lowest crime rates in Europe.

The United States is currently the only country that sentences people to life without parole sentences for crimes committed when they were younger than eighteen. International law, including the Convention on the Rights of the Child (Article 37), clearly prohibits any such sentences. The United States Supreme Court has likewise clearly expressed that juveniles ought to be treated significantly differently from adults when it comes to sentencing.

Members of the Judiciary Committee, the Yale College Democrats urge you to pass H.B. No 6581 and S.B. No. 1062, in order to make sure that Connecticut becomes a state where children and youth get a chance to rehabilitate and start a new life for the benefit of all people in society. Passing these bills will prove to the world that Connecticut, and the United States, stand up to the values that Americans are attempting to propagate abroad.