

March 3, 2014

Testimony of
Jacob Wasserman

242 Elm Street, Suite B32E
New Haven, CT 06511

Ward One Co-Chair-Elect,
New Haven Democratic Town Committee

Legislative Coordinator,
Yale College Democrats

In favor: H.B. No. 5221

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

My name is Jacob Wasserman, Ward One Co-Chair for the New Haven Democratic Town Committee and Legislative Coordinator of the Yale College Democrats, and I am here to testify in favor of H.B. No. 5221. Little discussed but of great importance, the mandatory sentencing of youth to adult life prison terms without chance of parole must end. If justice and fairness is to be the goal of Connecticut's sentencing system, I urge the General Assembly to pass this bill.

Today, let me share the story of a young man sentenced to a lengthy prison term for a crime committed at age fifteen. While he was spared a life sentence due to the leniency of the victim's family, his lengthy term offers a typical case study of the experience of those who do have a life sentence without parole. Since his imprisonment, this young man, who has eagerly sought to work with the Yale Undergraduate Prison Project, has earned his GED and now participates in a political discussion group with students. An avid reader, his latest area of study is the Cambodian Genocide. At a recent session with a friend of mine in the Prison Project, the young man looked my friend in the eye and told her in a remorse-filled voice that he understood all too well the ramifications of the revenge killing which once plagued Cambodia. By now, this young man not only has repented of his crime, but desires to understand and end like crimes worldwide. If such a prisoner is able to reform his own life, surely then this state will be able reform its own sentencing practices.

Because of the very sentencing rules I am here to change, rehabilitated people like this young man cannot come to tell their stories before this committee. And I am not here to either recommend this man's release or continued imprisonment. Rather, I only implore you to give prisoners like him a parole hearing. Not to offer a review—a mere chance of a reformed life after prison—is both immoral and unconstitutional. Without a doubt, criminal offenders must be punished to the fullest extent of the law, according to their culpability—and nothing in this bill would change that. But to offer periodic review of someone's *lifetime* imprisonment is simply common sense. To do otherwise would be to deny the very reformative purpose of the justice system.

Life sentences without parole for youth are harmful not just for the prisoners themselves. With no possibility of release, the incentive for good behavior in prison disappears, creating the potential for prison violence, costly additional security measures, and a tension at prison facilities which can spread to even non-life-sentenced inmates. However, the mere possibility of a shortened sentence encourages becoming a productive and reintegrated member of society for a developing young mind.

Scientific studies have shown time and again that juveniles differ vastly from adults in areas like risk assessment, control of impulses, susceptibility to peer pressure, and mature judgment skills. To hold them to the same standards of culpability and sentencing as adults would be unjust. Indeed, in three cases within seven years, the Supreme Court has ruled that these differences between juveniles and adults must be accounted for in the criminal justice system. The “mitigating qualities of youth,” a “condition of life when a person may be most susceptible to influence and to psychological damage” led the justices to strike down mandatory life sentences without chance of parole for juveniles as unconstitutional “cruel and unusual punishment” in their opinion in *Miller v. Alabama*. Juveniles, they agreed, are “less deserving of the most severe punishments” due to their “diminished culpability and greater prospects for reform.”

Of the youths affected by this law, a huge majority are African-American or Hispanic. Many of the incarcerated come from abusive and neglectful homes. Domestic violence, poverty, and lack of education are common problems facing these juveniles. However, there is hope: adolescent brain development studies have shown that juveniles have a greater ability to reform as productive members of society. Mandatory sentencing laws which deny even the possibility of parole take away any chance for successful rehabilitation to occur. Indeed, it is astonishing that our nation is the sole democracy in the world where life sentencing without chance of parole for juveniles is allowed.

As a young person myself, I can hardly imagine juveniles younger than myself imprisoned for the rest of their lives, mandatorily and without a possibility of release. The General Assembly needs to pass this bills as soon as possible. The moral, financial, and societal costs of such incarcerations are too pressing to let stand any longer.