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Testimony on HB 5221: AAC the Recommendations of the Connecticut Sentencing Commission Regarding Lengthy Sentences for Crimes Committed by a Child or Youth

Judiciary Committee

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Submitted by: Stephen Karp, MSW

The National Association of Social Workers, CT Chapter with 3000 members supports HB 5221 as a means to recognize that the actions of a youth may not fairly reflect on the nature of a now adult inmate.

A study from the National Institute of Justice found that abused and neglected children were 11 times more likely to be arrested for criminal behaviors in their juvenile years (Federal Advisory Committee on Juvenile Justice, 2010). As social workers we know that the sooner we can provide mental health services to an individual the better the opportunity to treat the effects of childhood trauma and abuse. We also know that with active treatment individuals can recover from past trauma. However adolescents who have been sentenced in adult court with mandatory lengthy sentences are being denied the opportunity to demonstrate they have been rehabilitated even if they have had successful treatment and rehabilitation. This penalizing of an adult for actions taken as an adolescent, without consideration of mitigating circumstances is simply wrong, serving neither the interests of the individual or society.

Another concern we have is the disproportionate impact on African Americans and Latinos. Of the approximately 275 people serving sentences of more than 10 years for crimes committed when they were younger than 18 years of age; 88% are African American or Latino. One cannot ignore the continued racial discrepancy that now denies these individuals having a chance at consideration for parole.

Social workers are employed in and throughout the justice system; in the courts, correctional facilities and Office of Public Defender. We note here that amongst those social workers we have consulted there is strong support for HB 5221. What our members tell is that brain development in an adolescent makes them more impulsive, more likely to be influenced by peers, and lacking in insight as to how one's actions will affect themselves and others. Our members also know about the history of inmates and the childhood tragedies that played a cause in their being incarcerated. Finally, social workers daily work with individuals toward rehabilitation so we know of the capacity for an adult to overcome their past. All of these factors ought to come into fair play by allowing this incarcerated population the chance for parole.

NASW supports the "elimination of the imposition of life sentences without the possibility of parole for juveniles convicted of capital offense in an adult court" (Social Work Speaks, *Juvenile Justice and Delinquency Prevention*, 9th Edition, 2012). We note that 4 individuals in Connecticut who were sentenced as an adolescent, in adult court, are serving mandatory life sentences without parole.

HB 5221 sets stringent criteria for parole in order to best assure the public the individual is capable of being safely released into the community. This is not a guarantee of release, but it is giving the individual a fair, second chance. This bill has been thoroughly vetted and had the strongest of bi-partisan support in the House in 2013, but regrettably not called in the Senate. This is the year to pass this humane and sensible legislation into law.