

March 3, 2014

Written Testimony in Support of H.B. 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

Dear Members of the Judiciary Committee:

Currently in Connecticut, children under 18 who commit certain crimes are automatically tried as adults and are subject to harsh adult prison sentences, including life without parole. Approximately 275 people in Connecticut are now serving prison terms longer than 10 years for crimes that occurred when they were children. About 50 of these individuals are serving terms of 50 years or more, most without any chance of parole. Kids disappear into adult dockets, and never reappear before a parole board.

However, there is there is a growing support in the state for a criminal justice system that recognizes that children are different than adults and that those differences merit special consideration. For two years in a row, the Connecticut Sentencing Commission has recommended legislation to reform how the state sentences and paroles young people. HB 5221 would eliminate unconstitutional mandatory life-without-parole sentences for children under 18 and would require courts to consider youth-related criteria when sentencing children. The bill also would create special parole proceedings for individuals convicted of serious crimes as children.

This bill does not guarantee release but, rather, provides the opportunity for a parole hearing after a substantial portion of the sentence has been served. This exact bill passed the House almost unanimously in 2013, but unfortunately was never called for a vote in the Senate before the end of the legislative session. The Connecticut legislature now has the chance to create a system that takes into account children's youth and capacity for change.

The enclosed report, *Youth Matters: A Second Look for Connecticut's Children Serving Long Prison Sentences*, strongly recommends that Connecticut reform its juvenile sentencing practices. The report, co-authored by the Civil Justice Clinic at Quinnipiac University School of Law and the Lowenstein International Human Rights Clinic at Yale Law School, reviews current law and practice and concludes that reforms to Connecticut's juvenile sentencing laws are both wise and necessary. The report draws on publicly available information, including public hearing testimony, as well as interviews with nine individuals and letters from others, all of whom are currently serving sentences ranging from 20 to more than 60 years for crimes that occurred when they were children.

Youth Matters tells the stories of some of the individuals who would benefit from the pending legislation. These young people, who have spent most of their lives in prison, have demonstrated the capacity for change and growth, as well as for deep remorse. One young man reflected, "I was provided a copy of... letters by the [victim's] family, and it was their letter that broke through the wall I created to avoid completely feeling and facing my role in their pain and suffering. With an open heart and mind I read each word. Most profound was the letter of [the victim's father]. His suffering, unimaginable to me as a father, touched the depths of my heart and mind. He also showed compassion and hope that I would reflect on the errors of my life choices, rehabilitate myself and practice 'constructive efforts that can validate an altered maturity towards service to others.' It was his words and examples of humanness that helped me to recognize that I was not beyond redemption."

Now is the time for Connecticut to reform its juvenile sentencing practices to ensure that children who have grown up in prison are afforded a "second look" and a second chance to demonstrate that they have changed and can contribute to society.