

Public Testimony for HB 6926
Judiciary Committee
Dominic M. Cotton
60 Corona Drive
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March 4th, 2015

Good Afternoon Chairman Coleman, Chairman Tong, and esteemed members of the Judiciary Committee

I am Fr. Russ Carmichael and I am testify on behalf of myself and my partner Dominic Cotton in favor of House Bill 6926. I have over 50 years of prison reform experience and we are here today to advocate for the people that this bill affects the most, Prisoners currently incarcerated. This bill represents months of lobbying efforts on both sides of the aisle to find a common ground solution to the Supreme Court decisions of Miller and Graham. The failure of the prior bills in the last two session has led to more needless litigation, which is costing the State of Connecticut tax payers monies the can ill afford to spend.

This bill gives a meaningful opportunity for persons who committed a major felony prior to the age of 18 to get a second look. In both Supreme Court decisions, the Court was clear that Life without the opportunity for parole for a youth is considered cruel an unusual punishment. The Court denoted that there is scientific evidence that an adolescence brain is not fully developed until somewhere in the mid 20's. Adolescence incarcerated have a better chance of change due to the brains development, there fore they deserve a second look to see if they can become a productive member of society.

Connecticut is one of the last states to find a solution to the Supreme Court decisions of Miller and Graham. The bill you have before you makes minor changes to the original bill of the prior two years or the current Senate Bill 796. These changes are enough to ensure Bipartisan Support for this issue, where others have failed in the past. The bills are similar with the exceptions that

HB 6926 addresses three factors:

1. That the incarcerated individuals we are discussing actually have sentences of 10 or more years, hence the time for brain development to take hold.
2. The bill allows for truth in sentencing to the victims, by informing them in writing when the perpetrator will be up for a parole hearing as prescribed by this bill.
3. The bill ensures that a presentence investigation is conducted and the information is taken into consideration in Class A and B felonies only, as these would represent perpetrators whole will receive the lengthy sentences addressed in this bill.

Again the bill you have before you represents months of lobbying efforts on both sides of the

aisle by myself and my partner Dominic Cotton. We asked the question and went digging for answers as to why prior bills addressing this matter have failed in the past two years in the Senate, when it has passed with overwhelming support in the House. When we finally found the answer, We were beside ourselves at how close the two bills actually were. This bill was never presented last year and if it were, then there would have been no need for our efforts.

We have met with the Minority Leaders of both the House and Senate who have assured us of support for HB 6926. This bill will appropriately bring Connecticut inline with The Supreme Court decisions of Miller and Graham and insure that needless litigation is created at the expense of the tax payer, vitims rights are considered, while giving those who have demonsttraited change a right to a second look.

I will end with the story of another partner of mine who many of you have heard of Ralph Hamm. Ralph is currently serving his 47th year for a crime he committed when he was 17. The crime involved an asault and a rape. He participated in the assault of the boyfriend while the other two perpitrators committed the rape. He was intoxicated at the time and about to ship out to Vietnam. In his time in prison he has turned into a model of reform. He graduated suma caum lauda from Boston College, has writen many books and plays, and is an artist. This is the type of man that deserves a second look, and this bill will give others the motivation to find the positive change within themselves as their brains develop.

Thank you for the opportunity to testify.

Sincerely, Dominic M. Cotton and Fr. Russ Carmichael