



**TESTIMONY OF THE CONNECTICUT JUVENILE JUSTICE ALLIANCE  
FOR THE JUDICIARY COMMITTEE  
MARCH 4, 2015**

**IN SUPPORT OF:**

**S.B. No. 796 AN ACT CONCERNING LENGTHY SENTENCES FOR CRIMES  
COMMITTED BY A CHILD OR YOUTH AND THE SENTENCING OF A CHILD OR  
YOUTH CONVICTED OF CERTAIN FELONY OFFENSES**

Senator Coleman, Representative Tong and members of the Judiciary Committee, thank you for the opportunity to testify today. My name is Lara Herscovitch, I am the deputy director of the Connecticut Juvenile Justice Alliance – a non-profit organization focused on de-criminalizing our state’s children and youth. The Alliance works to keep children and youth out of the justice system and advocates for a safe, effective and fair system for those who are involved.

The Alliance strongly supports S.B. No. 796, as it would fix a glaring problem in our state’s justice system. Many people are serving long or even life sentences for crimes they committed before their 18<sup>th</sup> birthdays, and there is no mechanism to determine if that sentence remains appropriate. **We believe it is ethically, morally, legally and fiscally wrong to lock children up and “throw away the key.”** This bill would give them a “second look,” after they had served a significant amount of time.

**Neuroscience tells us that a person’s brain is still developing** until the age of 25. Those who commit crimes as juveniles are very different from adults and have a greater capacity for change. Even if a child commits a very bad act, it does not mean he or she has a permanently bad character and is incapable of rehabilitation.

**This was confirmed by the U.S. Supreme Court in recent rulings; the bill would move Connecticut into compliance** by:

- A) Ending mandatory life-without-parole sentences for children and youth. S.B. 796 would exclude juveniles from charges that carry that sentence in Connecticut.
- B) Requiring that judges, when they are sentencing children and youth who are facing the possibility of life in prison, to consider youth, maturity, developmental issues, and capacity for rehabilitation. S.B. 796 would require judges to consider these factors for juveniles in serious felony cases, while leaving the judge free to hand down the sentence she or he sees fit.
- C) Providing parole eligibility rules for all individuals whose crimes occur before they are 18, in line with the Supreme Court’s requirement of a “meaningful opportunity” for release. S.B. 796 would lead to release only if, after thorough review, it is established by a parole board that an individual has truly matured and rehabilitated.

**S.B. 796 would not jeopardize public safety.** Parole consideration would only be after a significant amount of time had been served (60% of a sentence or 12 years, whichever is longer - those sentenced to more than 50 years would be eligible for a hearing after 30 years). The

Connecticut Board of Pardons and Paroles uses scientific risk-assessment tools and would require a higher standard of demonstrated rehabilitation than those who were convicted as adults must meet. If an individual were granted parole, his or her original sentence remains in place; any parole violations can lead to re-incarceration. In the absence of action by the Connecticut General Assembly, **individuals will continue petitioning the courts**, which not only is exorbitantly expensive, but could result in their immediate release with no parole supervision. With S.B. 796, on the other hand, a released individual would have ongoing supervision and support in the community to encourage success.

Passage of S.B. 796 is also preferable to court-mandated solutions because, by definition, the courts would have to review every existing lengthy sentence case-by-case, determining arbitrary thresholds in deciding which to reduce and which to leave untouched.

Lastly, there are misconceptions about some of the children affected by this bill. **They are as young as 14 years old, and may not have intended to harm anyone.** Because children tend to discount consequences and act in groups or with older adults, a backseat passenger in a car used for an older relative's robbery of a grocery store, or a "lookout" for someone else's drug-deal-gone-wrong can receive just as much prison time as an older person who planned the crime and pulled the trigger. The charge category felony murder requires only that the juvenile be engaged in a felony (most often a robbery), that someone died as a result (even by accident), and that the juvenile knows one of his co-felons was carrying a dangerous weapon.

As you know, in each of the past two years, the proposal in S.B. 796 successfully passed in the Judiciary Committee and the House. We are hopeful that this year, with your leadership, we can give children who deserve it a meaningful second chance, while also respecting the rights of victims and improving our system of justice.

Thank you for your time.

**Alliance member organizations:**

AFCAMP, Center for Children's Advocacy, Center for Effective Practice, CHDI, Connecticut Junior Republic, Connecticut Legal Services, Connecticut Voices for Children, Connecticut Youth Services Association, Community Partners in Action, FAVOR, FSW, NAMI Connecticut, Keep the Promise Coalition, Office of the Chief Public Defender, Office of the Child Advocate, RYASAP, The Tow Foundation, The Village for Families and Children