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Senate Bill 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.

Judiciary Committee

Christi Staples, Member, NASW CT Chapter

Senator Coleman, Representative Tong and members of the committee, my name is Christi Staples and I am a member of The National Association of Social Workers, CT Chapter. With over 2800 members, the National Association of Social Workers, CT Chapter supports SB 796 as a means to recognize that the actions of a youth may not fairly reflect on the nature of a now adult inmate.

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 SB 796. What our members tell us 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. Social workers work daily 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.

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.

Further concern we have regarding adolescents who have been sentenced in adult court with mandatory lengthy sentences 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.

SB 796 sets stringent criteria for parole in order to best assure the public that 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 and 2014, but regrettably not called in the Senate. This is the year to pass this humane and sensible legislation into law.