



30 Bank Street
New Britain
CT 06050-0350
P: (860) 223-4400
F: (860) 223-4488

**Testimony of Alan J. Sobol
Chair, Criminal Justice Section**

In SUPPORT of

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
March 12, 2015**

Senator Coleman, Representative Tong, members of the Judiciary Committee

I am the Chairperson of the Connecticut Bar Association’s Criminal Justice Section. Our section is made up of approximately 220 members from the bench and bar. It includes criminal defense attorneys and prosecutors who specialize in the area of criminal defense work or in the prosecution of crimes.

The Criminal Justice Section’s executive committee has voted to support the passage of 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. We adopt the consensus position of the Connecticut Sentencing Commission as set forth in the testimony Eric Clark, Exec. Dir., submitted at the public hearing on March 4, 2015.

Passage of the Bill demonstrates a recognition and acceptance of what is well-settled in the world of psychiatry and science -- that the teenage brain is not fully developed. It is immature, and by nature more susceptible to impulsivity and impassioned behavior than an adult brain.¹ Society’s imposition of various restrictions on young people, such as voting, driving, and drinking ages, demonstrates that we do not recognize teenagers and young people under a certain age as having sufficient judgment or control to take on these responsibilities. While the teenage brain is developing, it presents the remarkable ability to change and mature. Requiring a person to serve the majority of a lengthy sentence or a lifelong sentence based on a snapshot of who they were as a teenager, ignores the probability that they will change significantly as they reach adulthood.

¹ Luna, Beatriz, *The Relevance of Immaturities in the Juvenile Brain to Culpability and Rehabilitation*, HASTINGS LAW JOURNAL [Vol. 63:1469].

The Bill does not open the flood gates and allow any inmate who committed his or her offense while under the age of 18, automatic relief under its parole provisions, but it instead requires the inmate to demonstrate to the Parole Board that he or she has been rehabilitated to the extent that they can now function in society as a law abiding adult. The Bill merely gives a chance to deserving inmates to avail themselves to parole at a time prescribed by the statute. Certainly, the Bill provides incentive for young offenders to take advantage of vocational and rehabilitative offerings provided by the Corrections Department, to improve themselves and actively try to rehabilitate.

The Sentencing Commission, like this Section, is comprised of individuals from all facets of the field of criminal justice. They have worked for years to offer a consensus bill that addresses this issue and to arrive at a proposal that is fair to all parties. We hope that you will adopt their wise proposal and we strongly urge the passage of Senate Bill 796.

Please contact me if you have any questions regarding our position on this bill. Thank you.