

Testimony on Senate Bill No. 18
An Act Concerning a Second Chance Society
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Campaign to Reform State Juvenile Justice Systems

Senator Coleman, Representative Tong and members of the committee, thank you for the opportunity to offer testimony on An Act Concerning the Second Chance Society. In the past six years, we have worked with the National Campaign has successfully supported reforms in 37 states to make juvenile justice systems more fair, safe and rehabilitative. Mr. Ross is the chief organizer and strategist of the Campaign. Ms. Shaddox provides communications and technical support to states. The Campaign has paired state-based advocates with experts in government relations, national policy and communications to form powerful teams committed to smart reforms. We had the pleasure of working here in our home state on raising the age of juvenile court to 18, ending indiscriminate juvenile shackling and several other key reforms. It is as citizens of Connecticut, not representatives of the campaign, that we offer this testimony.

Governor Malloy's proposal to raise the age of juvenile court to 21 for some offenses would make Connecticut a national leader in building a system informed by developmental realities. Most Raise the Age campaigns rest on brain science that shows development continues into the mid-twenties. Eighteen is an entirely arbitrary marker for adulthood. The last area of the brain to develop is the prefrontal cortex, which helps people to exercise judgment and restraint. This is not to say that young people with developing brains should not be held accountable for their actions. But the accountability we demand should capitalize on their considerable abilities to grow in maturity and responsibility. The juvenile justice system is far better at doing that than the adult system.

Youth who remain in the juvenile justice system, whose mission is to rehabilitate, are much less likely to reoffend than those who go to the adult system, repeated studies show. Young adults aged 18 to 21 have much more in common developmentally with adolescents than they do with older adults. It is logical to assume that they would also do better in the juvenile justice system and that public safety would benefit.

While this bill would make Connecticut a leader in addressing young adult offending, the proposal is in line with a growing movement across the country to deal differently with people who break the law in their late teens and early twenties. Here is a sampling of reforms and proposals nationwide:

- New York City's Department of Probation participated in a Young Men's Initiative that offered extra rehabilitative programming to young adults and lowered recidivism by 23 percent.

- New York City is creating a special facility for incarcerated people 18 to 21, where 80 percent of the residents will be in active programming 80 percent of their waking hours.
- Since 1978, Florida has offered youthful offender status up to age 21 for all but capital crimes or those that carry a life sentence.
- Michigan allows sentencing for some crimes up to age 20 with no criminal record if the youth successfully completes programming.
- Juvenile public defenders in Knoxville TN now take clients up to age 21, in recognition of their developmental similarities to adolescents.
- Massachusetts is considering a bill to allow the court to consider age as a mitigating factor up to age 21.
- An Illinois court recently struck down a juvenile life without parole sentence for a 19-year-old, citing developmental reasons.

Clearly there is a recognition across the United States that young adults, like adolescents, are still maturing and therefore especially amenable to rehabilitation. In Europe, this has long been the case.

- All cases of people under 21 start in juvenile court in Germany.
- In Sweden, people can be treated as juveniles up to age 25.
- In Finland, anyone under 21 serves their sentence in juvenile facility and is eligible for release after serving one-third of their sentence.

So, while visionary, Governor Malloy's proposal is not out of line with thinking around the country and the world.

In every state where we have worked on Raise the Age campaigns, we have emphasized that raising the age reduces recidivism and therefore benefits public safety. That case can be made even more strongly for raising the age up to 21. Young adults commit a disproportionate number of crimes nationally and in Connecticut. Finding a way to reduce young adult offending may be the single biggest thing that any state can do to decrease the burden of crimes in its communities.

In 2014, 11,000 people aged 18 to 20 were arrested in Connecticut -- three quarters of them for misdemeanors. Connecticut can choose to put them in a system that will hold them accountable while promoting rehabilitation -- or into a system that is merely punitive and has a higher recidivism rate.

As people immersed in juvenile justice policy reform across the country, we can say that these proposals are backed by research and best practice. As Connecticut residents, we believe that this bill will make our own neighborhoods safer and commit fewer of our tax dollars to a system of serial incarceration.