

Judiciary Committee JOINT FAVORABLE REPORT

Bill No.: SB-978

AN ACT CONCERNING PAROLE OPPORTUNITIES FOR INDIVIDUALS
SERVING LENGTHY SENTENCES FOR CRIMES COMMITTED BEFORE THE

Title: INDIVIDUAL TURNED TWENTY-ONE YEARS OF AGE.

Vote Date: 4/5/2021

Vote Action: Joint Favorable Substitute

PH Date: 3/10/2021

File No.: 611

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SPONSORS OF BILL:

The Judiciary Committee

Rep. Travis Simms, 140th Dist.,

Sen. Will Haskell, 26th Dist.

REASONS FOR BILL:

This bill is intended to provide a second chance for incarcerated individuals who were convicted and sentenced before twenty-one years of age. The bill expands parole opportunities for certain eighteen, nineteen, and twenty-year old offenders that currently apply to certain offenders aged seventeen or younger. The bill is projected to result in marginal savings to the Department of Correction provided that incarcerated individuals are released sooner from DOC facilities. It is also intended to incentivize rehabilitation.

SUBSTITUTE LANGUAGE:

The substitute language changed the age at which the board may apply parole eligibility rules from eighteen to twenty-five years of age to eighteen to twenty-one years of age and changed the date the individual was incarcerated from October 1, 2015 to October 1, 2021.

RESPONSE FROM ADMINISTRATION/AGENCY:

State of Connecticut, Division of Public Defender Services, Chief Public Defender, Christine Perra Rapillo supports this bill citing the U.S. Supreme Court decision in Miller V. Alabama, that a sentence of life without parole for individuals who committed their crimes prior to their 18th birthday, without first considering their youth as a mitigating factor violates the ban on

cruel and unusual punishment set out in the Eighth Amendment to the United States Constitution. It is also stated that extending age eligibility will allow the Board to review additional individuals and determine the extent to which their youth at the time of the crime should impact the decision to grant parole.

State of Connecticut, Division of Criminal Justice opposes this bill and recommends the Committee take no action. It is also stated that increasing the age of eligible offenders is neither constitutionally required, nor does it appear to be based on any compelling scientific

State of Connecticut, Judicial Branch opposes this bill stating that it is the experience of the Judicial Branch's Office of Victim Services that victims are generally opposed to legislation that retroactively changes laws. It is also stated that the bill creates logistical and notification concerns including the large number of eligible inmates upon passage.

State of Connecticut, Board of Pardons and Paroles supports this bill stating that it follows scientific research to implement public policy. It is also stated that the Board may need additional funding to accommodate an increase in caseload.

State of Connecticut, Office of the Victim Advocate, State Victim Advocate, Natasha M. Pierre, Esq. opposes this bill stating that it will undermine the participation of crime victims throughout the criminal justice process by allowing adolescent criminal offenders to be considered for release to parole earlier than they would normally be eligible.

NATURE AND SOURCES OF SUPPORT:

Transitions Clinic Network, Legal Director, James Bhandary-Alexander supports this bill stating that by reinvesting funds saved from the closure of Northern CI to serve people leaving incarceration via reentry coordination, housing, and hiring community health workers, this bill will lead to improved health and fewer emergency room visits, fewer probation and parole violations, and less recidivism

National Association of Social Workers, Connecticut Chapter (NASW/CT), Chair, Kathleen Callahan, MSW supports this bill stating that it advances recent research into brain development with an expanded definition of adolescence.

Quinnipiac University, School of Health Sciences, Amber Kelly, PhD, MSW, LCSW supports this bill stating that locking away whole segments of our communities for the remainder of their lives does not promote community safety. It is also stated that by recognizing peer reviewed brain development research, reconnecting families, and ensuring that people have the support they need to become supportive members of our communities will promote community safety.

American Civil Liberties Union of Connecticut, Interim Senior Policy Counsel, Kelly McConney Moore supports this bill stating that leaving adolescence happens on a spectrum and people convicted of committing crimes while under the age of twenty-five should receive the same earlier parole opportunities as other adolescents. It is also stated that this bill is not only justified by straightforward science, but also by guiding principles of justice and fairness.

Connecticut Justice Alliance, Policy Director, Iliana Pujols supports this bill stating that crimes committed between ages eighteen and twenty-five, known to developmental psychologists as “emerging adulthood,” are fundamentally different from crimes committed by mature adults in both their cause and nature.

The Sentencing Project, Senior Advocacy Associate, Josh Rovner supports this bill stating that it does not guarantee release but ensures adolescents have a second chance to prove that they can be productive members of society. It is also stated that arrest data suggest that people convicted of violent offenses desist as they age.

Connecticut Justice Alliance, Community Connections Associate, Jordyn Wilson supports this bill and urges the legislature to include specific sections regarding youth under eighteen, charged as adults, in the custody of the Department of Corrections in Manson Youth Institution and York Correctional Institute. It is also stated that the organization suggests investment for community-based services for youth identified as “at-risk” prior to incarceration.

Quinnipiac University School of Law, Legal Clinic, Juvenile Sentencing Project supports this bill stating that it offers a critical chance for a second look at people sentenced for crimes before their brains had fully developed. It is also stated that this bill provides an opportunity for rehabilitated individuals to begin to make amends by contributing to their communities outside of prison.

The National Lawyers Guild at Yale Law School supports this bill stating that acknowledging humanity in young adults does not diminish the severity of their actions and that while the harm individuals can inflict on one another is real, it does not get solved by ripping an individual from their community and their future. It is also stated that accountability is an active and communal process, and it cannot be achieved by locking young adults away without a second chance.

Yale Black Law Students’ Association, 2020-2021 Board Members support this bill stating that it will help bring the state’s laws in line with current scientific and social understanding that young adulthood extends beyond the age of eighteen, by ensuring that young adults up to the age of twenty-five have the chance to demonstrate their readiness for parole. It is also stated that Black people are severely overrepresented in Connecticut’s prison system and providing an opportunity for people sentenced as young adults to seek parole is a step towards remedying racial disparities.

Yale Law School, Jerome N. Frank Legal Services Organization, Challenging Mass Incarceration Clinic supports this bill stating that allowing individualized consideration would be life-changing for those who have reflected on their mistakes and deserve a chance to demonstrate their growth and earn their freedom without posing a risk to public safety. It is also stated that the legislation will save taxpayer money and reduce racial disparities in Connecticut prisons

The following residents support this bill, many stating that it will help prisons fulfill the responsibility to rehabilitate prisoners and that neurological and psychological research has shown that individuals do not complete development of key parts of the brain until after age twenty-five. Some stated that this bill could change the lives of their loved ones by providing the opportunity for freedom and a second chance.

New Haven, CT, Resident, Matias Alberola
New Haven, CT, Resident, Yale Dems
Member, Carmel Alshaibi
New Haven, CT Resident, Yales Dems
Member, Esha Bhattacharya
CT, Resident, Chiara Bercu
New Haven, CT, Resident, Yale Dems
Member, Richard Cardoso
Evelyn Chacon
New Haven, CT, Resident, Yale Dems
Member, Josephine Cureton
Waterford, CT, Residents, Linda Cusano
and Ronald Cusano
New Haven, CT, Resident, Yale Dems
Member, Esther Dominguez
New Haven, CT, Resident, Hannah Deng
New Haven, CT, Resident, Sarah Eppler-
Epstein,
New Haven, CT, Resident, Yale Dems
Member, Faith Evanson
New Haven, CT, Resident, Yale Dems
Member, Sofia Fausone
New Haven, CT, Resident, Yale Dems
Member, Jerry Feng
New Haven, CT, Resident, Yale Dems
Member, Tre Flagg
Enfield, CT, Resident, Mary Flint
New Haven, CT, Resident, Jaster Franis
New Haven, CT, Resident, Yale Dems
Member, Albert Gang
New Haven, CT, Resident, Kailyn Gaines
New Haven, CT, Resident, Yale Dems
Member, William Garcia
New Haven, CT, Resident, Jason Gardiner
New Haven, CT, Resident, Yale Dems
Member, Dina Garmroudi
New Haven, CT, Resident, Yale Law
Student, Max Jesse Goldberg
New Haven, CT, Resident, Yale Dems
Member, Josh Guo
New Haven, CT, Resident, Yale Dems
Member, Theo Haaks
New Haven, CT, Resident, Yale Dems
Member, Isabelle Han
New Haven, CT Resident, Frankie
Hedgepeth
New Haven, CT, Resident, Yale Dems
Member, Lucy Hodgman
East Hartford, CT, Resident, Amanda

Humble
New Haven, CT, Resident, Yale Student,
James Jeter
CT Resident, Nicole Johnson
New Haven, CT, Resident, Rob LaRose
Woodbury, CT, Residents, Jeff and Norma
Leavenworth
New Haven, CT, Resident, Yale Law
Student, Faith Lewis
New Haven, CT, Resident, Amelie Lo
New Haven, CT, Resident, Yale Dems
Member, Eliza Lord
CT Resident, Marlene Ma
New Haven, CT, Resident, Rev. Isabella
Marin
Meriden, CT, Resident Debra Martinez
New Haven, CT, Resident, Yale Dems
Member, Kyle Mayer
CT Resident, Karen McGrath
CT Resident, Adam T. McVeay
New Haven, CT, Resident, Yale Dems
Member, Sabrina Mellinghoff
New Haven, CT, Resident, Felisha Miles
New Haven, CT, Resident, Kayla Morin
New Haven, CT, Resident, Yale Dems
Member, Dante Motley
CT Resident, Dorothy Naseerullah
New Haven, CT, Resident, Yale Dems
Member, Shreya Nuli
New Haven, CT, Resident, Daniel Ocampo
New Haven, CT, Resident, Yale Dems
Member, Isiuwa Omoigui
CT Resident, Ifamah Oseni
New Haven, CT, Resident, Yale Dems
Member, Margalit Patry-Martin
New Haven, CT, Resident, Fernando
Quiroz
New Haven, CT, Resident, Yale Dems
Member, Flora Ranis
New Haven, CT, Resident, Eleanor
Roberts
New Haven, CT, Resident, Isir Said
New Haven, CT, Resident, Marie Sanford
New Haven, CT, Resident, Steffan Seitz
Canton, CT, Resident, Crystal Sherman
New Haven, CT, Resident, Aaron Siegel
New Haven, CT, Resident, Yale Dems
Member, Ryan Smith
Charlottesville, VA, Resident, Suzanne

Stephens
New Haven, CT, Resident, Julia Sulkowski
New Haven, CT, Resident, Michael Tayag
New Haven, CT, Resident, Yale Dems
Member, Lukas Trelease
New Haven, CT, Resident, Yale Dems
Member, Ted Vinnitchouk
New Haven, CT, Resident, Alisa White
New Haven, CT, Resident, Yale Dems

Member, Bryson Wiese
Southbury, CT, Resident, Tami Wityak
New Haven, CT, Resident, Yale Dems
Member, Braden Wong
New Haven, CT, Resident, Yale Dems
Member, Ryan Xie
New Haven, CT, Resident, Oliver Ye
New Haven, CT, Resident, Yale Dems
Member, Sydney Zoehrer

NATURE AND SOURCES OF OPPOSITION:

Bridgeport, CT, Resident, Yvette Marie Embry opposes this bill citing the murder of her nephew.

Bridgeport, CT, Resident, Jacqueline Pettway opposes this bill citing the psychological impact of the murder of her son.

Greenwich, CT, Resident, Michele Voigt opposes this bill stating that as a survivor of gun violence with a professional background in community-based social services and rehabilitation, this bill disregards the rights of victims and survivors of violent crime.

The following residents oppose this bill citing the murder of family member Emily Todd, who was violently murdered in December 2018, though her killer was over the age of twenty-five and would not be impacted by this legislation:

Bethel, CT, Resident, Erin Bond
Bethel, CT Resident, Sharon Delaney
Katonah, NY, Resident, Carrie Delaney

Reported by: Rose Hirschl

Date: 5/5/2021