

Testimony before the Connecticut Sentencing Commission

November 29, 2012

In Support of the Commission's Juvenile Sentencing Reconsideration Proposal

Good afternoon, members of the Connecticut Sentencing Commission. My name is Sara Frankel and I am the Public Policy Director for Children, Youth and Young Adults with the National Alliance on Mental Illness (NAMI) of Connecticut. I am here today on behalf of NAMI Connecticut to testify in support of the Commission's Juvenile Sentencing Reconsideration Proposal.

This proposed draft bill would provide the chance for a "second look" for individuals serving sentences of more than ten years based on crimes they committed under the age of 18. We know that many of the behaviors that lead children and youth to commit crimes – especially impulsive, risk-taking behaviors and behaviors involving peer pressure—are all too often the result of unmet behavioral and mental health needs. About a quarter of all children have an emotional-behavioral disorder. However, only about twenty percent of these children have reliable access to mental health services for their disorders.

There is also well-established scientific evidence showing that adolescents have underdeveloped brains that make them more susceptible to peer pressure, and lacking in foresight, than adults, which can lead to involvement with crime. Furthermore, multiple studies indicate that approximately 70% of youth in the juvenile justice system meet criteria for at least one mental health disorder. Among those youth in the juvenile justice system with a mental health diagnosis, 60% also met criteria for a substance use disorder.¹

Implementing a "second look" procedure for juvenile offenders after an individual has served a substantial portion of the sentence in prison provides an opportunity for the justice system to take into consideration the mental health status of offenders and whether they have had an opportunity to seek rehabilitation and treatment while serving a portion of their sentences. A second look would not guarantee release. Rather, release would be possible only if, after thorough review, it is established that an individual has truly rehabilitated. Finally, we support the Juvenile Sentencing Reconsideration Proposal so that Connecticut can take legislative action to comply with the recent US Supreme Court decision, *Miller v. Alabama*, which held that mandatory sentences of life without parole for juveniles violates the Eighth Amendment's ban on cruel and unusual punishment.

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¹ *Youth with Mental Health Disorders in the Juvenile Justice System: Results from a Multi-State Prevalence Study*, Jennie Shufelt, M.S. & Joseph Cocozza, Ph.D. 2006.