WRITTEN ONLY

TESTIMONY BY KALBERT K. YOUNG DIRECTOR, DEPARTMENT OF BUDGET AND FINANCE STATE OF HAWAII TO THE HOUSE COMMITTEE ON HUMAN SERVICES ON HOUSE BILL NO. 1785

January 28, 2014

RELATING TO YOUNG ADULT OFFENDERS

House Bill No. 1785 creates the Young Adult Rehabilitation Special Fund to provide support services to rehabilitate young adult defendants including sessions with a certified therapist, and services that address drug and alcohol addiction. The special fund would generate revenues through legislative appropriations and federal funds. House Bill No. 1785 also creates a temporary advisory group within the Department of Public Safety to assist in implementing programs created from the special fund. The bill, however, does not contain a special fund appropriation, but it appropriates \$300,000 in general funds for FY 2015 to implement the project.

The Department of Budget and Finance takes no position on the need for rehabilitative services for young adult offenders. However, as a matter of general policy, the department does not support the creation of any special fund which does not meet the requirements of Section 37-52.3, HRS. Special or revolving funds should: 1) reflect a clear nexus between the benefits sought and charges made upon the users or beneficiaries of the program; 2) provide an appropriate means of financing for the program or activity; and 3) demonstrate the capacity to be financially self-sustaining. In regards to House Bill No. 1785, it is difficult to determine whether the proposed special fund will be self-sustaining. NEIL ABERCROMBIE GOVERNOR



STATE OF HAWAII DEPARTMENT OF PUBLIC SAFETY 919 Ala Moana Boulevard, 4th Floor Honolulu, Hawaii 96814 TED SAKAI DIRECTOR

Martha Torney Deputy Director Administration

Max Otani Deputy Director Corrections

Shawn Tsuha Deputy Director Law Enforcement

No. _

TESTIMONY ON HOUSE BILL 1785 A BILL RELATING TO YOUNG ADULT OFFENDERS Ted Sakai, Director Department of Public Safety

House Committee on Human Services Representative Mele Carroll, Chair Representative Bertrand Kobayashi, Vice Chair

Tuesday, January 28, 2014, 9:30 AM State Capitol, Conference Room 329

Chair Carroll, Vice Chair Kobayashi, and Members of the Committee:

The Department of Public Safety **supports the intent** of House Bill (HB) 1785, Relating to Young Adult Offenders, which establishes a young adult rehabilitation special fund, exempts young adult defendants from a certain prison sentences, and prohibits young adult defendants from being transported out-of-state to serve their sentences.

The Department recognizes that young adult offenders entering the adult correctional system could be vulnerable to other inmates with a history of predatory behavior. The age and demeanor of an inmate are factors considered when initial assessments are done to determine placement and housing of a young adult inmate sentenced to prison. In the past 11 years, there were two males meeting the age requirement for young adult offender that were sentenced to life without parole. House Bill 1785 January 28, 2014 Page 2

The Department supports the need of services and treatment resources for this young population, but would ask this Committee to amend language in this bill that would prohibit young adult inmates from being transported out-of-state to serve their sentences. The Department's use of the interstate correction's compact is not solely for problematic inmates, but is also used for inmates that need protection from other Hawaii inmates, and for inmates who may be from out-of-state and request a placement closer to their families or loved ones. Further, there is a possibility that a young adult defendant may require specialized services available in another jurisdiction, but not in our system. We request the flexibility to affect a transfer in such a situation. Restricting the Department's ability to house inmates as deemed appropriate could become problematic for both the inmate and the Department.

It should be further noted that HB 1785 does not define the age limits for a young adult offender. Once sentenced as a young adult offender, criteria under this bill would remain in effect, regardless of the length of the inmate's minimum term of incarceration and/or the number of parole retakes the inmate would occur.

Thank you for allowing us to testify on this matter.



Board of Directors

Sherry Broder, Esq. David Derauf, M.D. Naomi C. Fujimoto, Esq. Patrick Gardner, Esq. John H. Johnson Nathan Nelson, Esq. David J. Reber, Esq.

Executive Director Victor Geminiani, Esq.

Testimony of Hawai'i Appleseed Center for Law and Economic Justice Supporting HB 1785 Relating to Young Adult Offenders House Committee on Human Services Scheduled for Hearing Tuesday, January 28, 2014, 9:30 AM, Room 329

Hawai'i Appleseed Center for Law and Economic Justice is a nonprofit, 501(c)(3) law firm created to advocate on behalf of low income individuals and families in Hawai'i on civil legal issues of statewide importance. Our core mission is to help our clients gain access to the resources, services, and fair treatment that they need to realize their opportunities for self-achievement and economic security.

Thank you for an opportunity to testify in **strong support of** House Bill 1785, which would exempt young adult defendants from a life sentence without the possibility of parole except where required for murder or attempted murder.

The U.S. is the only country in the world, and Hawai'i is one of a rapidly dwindling number of states, that still sentences juveniles to life imprisonment without the possibility for parole. The reasons for eliminating the sentence are compelling.

Advances in brain development research have clearly demonstrated that 18 year-olds have undeveloped decision-making capacity and are more prone to rehabilitation than adults. Based on this research, the U.S. Supreme Court has issued a series of decisions recognizing that it is cruel and unusual punishment to sentence juveniles like adults. Given a juvenile's reduced culpability and increased propensity for rehabilitation, it simply does not make sense to lock up a juvenile and throw away the key.

It costs approximately \$2.5 million to incarcerate a child for life in the United States. We should use our money wisely to support a criminal justice system that reduces violence and helps victims. Sentencing a juvenile to life with a commitment to *never revisit the decision again* regardless of what the person has become wastes money that could be used better elsewhere.

HB 1785 is a thoughtful approach to sentencing youth. The bill would:

- Follow the lead of brain development research by investing resources on rehabilitation instead of blindly continuing to pay for the incarceration of a person who may be far different from the youth who committed the crime years ago.
- Increase potential for rehabilitation by keeping young adults in state where they will be able to maintain contact with local support groups.
- Allow rehabilitated people who committed crimes in their youth an opportunity to eventually leave prison and contribute to their communities instead of unnecessarily being a life-long drain on them.

Thank you again for this opportunity to testify. We respectfully urge the Committee on Human Services to pass this bill.

Hawai'i Appleseed Center for Law and Economic Justice 119 Merchant Street, Suite 605A + Honolulu, Hawai`i, 96813 + (808) 587-7605



TESTIMONY IN SUPPORT OF HB 1785 PRESENTED TO THE HOUSE COMMITTEE ON HUMAN SERVICES JANUARY 28, 2014

Madam Chairwoman and members of the House Committee on Human Services:

The Campaign for the Fair Sentencing of Youth would like to respectfully submit testimony for the official record expressing our support for HB 1785 by Vice Speaker John Mizuno. We are grateful to Representative Mizuno for his leadership in introducing this bill and appreciate the Hawaii Legislature's willingness to address an important constitutional and human rights issue concerning the extreme sentencing of Hawaii's children.

Let me first say Mahalo for the opportunity to testify before your Committee today. My name is James Dold and I am the Advocacy Director at the Campaign for the Fair Sentencing of Youth. The Campaign is a national coalition and clearinghouse that coordinates, develops and supports efforts to implement just alternatives to the extreme sentencing of America's youth with a focus on abolishing life without parole sentences for all youth. We work closely with formerly incarcerated youth, family members of victims, and family members of incarcerated youth to help develop common sense sentencing alternatives for children that respect their dignity and human rights. We work across the political spectrum with political leaders on both sides of the isle and other like-minded organizations, to develop policy solutions that keep our communities safe, implement just sentencing alternatives for children, and save tax payer money.

The Campaign for the Fair Sentencing of Youth supports HB 1785 because, if signed into law, it will eliminate the extreme, and in our view, unconstitutional punishment of sentencing children to life in prison without the possibility of release. In addition, HB 1785 will ensure that children who commit terrible crimes will get the needed counseling and therapy support services they need, giving them the best possible chance at rehabilitation.

Juvenile Life Sentences

Today, approximately 2,500 individuals have been sentenced to life without parole for crimes committed as children. The U.S. is the only country that allows for this extreme form of sentencing which disregards children's unique capacity to grow and change as they mature into adulthood. The practice of sentencing children to die in prison stands in direct contradiction to what we know about children and a population that are often the most vulnerable members of our society. Nearly 80 percent of juvenile lifers reported witnessing violence in their homes; more than half (54.1%) witnessed weekly violence in their neighborhoods. In addition, 50 percent of all children sentenced to life in prison without the possibility of parole have been physically

abused and 20 percent have been sexually abused during their life. For girls serving life without parole sentences, more than 80 percent have been sexually assaulted.

We also know from behavioral and brain development experts that children who commit crimes are more likely to reform their behavior and have a better chance at rehabilitation than adults. Recent scientific studies have shown that children's brains are not fully developed. Therefore, children are less capable than adults in long-term planning, the regulation of emotion, impulse control, and the evaluation of risk and reward. Children are more vulnerable, more susceptible to peer pressure and heavily influenced by their surrounding environment, which is rarely in their control. Child brain development experts have concluded as a result of their studies that "adolescents are less culpable than typical adults because of their diminished decision-making capacity." This highlights the need for sentencing policies that reflect the scientific and developmental realities of children, and creates an all-out ban on life without parole sentences for children.

International Human Rights and the U.N. Convention on the Rights of the Child

Article 37 of the Convention on the Rights of the Child prohibits the use of "capital punishment and life without the possibility of release" as a sentencing option for children under 18 years of age. Every nation, except the U.S. and Somalia, has ratified this Convention which prohibits this cruel and unusual punishment. One of the chief reasons for us not ratifying the CRC has been our sanction of life without parole sentences for children.

The United States is the ONLY country in the world that uses life without parole as a sentencing option for children. We are better than that as a country and we hope that Hawaii will join the growing list of nations and states in the U.S. that have begun to take steps to bring us into compliance with Article 37. Texas, Wyoming, Kentucky, Kansas, Colorado, and Alaska have all abolished or kept life without parole for juveniles off the books as a sentencing option in recent years. In light of several recent Supreme Court cases, many states are considering abolition measures during this legislative cycle as well. Other states, including California, Nebraska, and Delaware allow persons given an extended sentence as a child to petition for sentencing modification or a parole hearing.

Fiscal Burden

Aside from the human rights and constitutional reasons for why Hawaii should enact HB 1785, there is also a strong fiscal argument to be made in support of this legislation. In the U.S. it costs approximately \$2.5 million to incarcerate a child for the duration of his or her life. Collectively the 2,500 individuals sentenced to life without parole will cost taxpayers an estimated \$6.2 billion over their lifetimes. In contrast, a child with a high school education who is paroled after serving 10 years could potentially contribute \$218,560 in tax revenue. A formerly incarcerated child who obtains a college degree can potentially contribute \$706,560 in tax revenue over their lifetime. These figures do not include their contributions to the local economy, job productivity, or the intangible impact of being a positive role model for other at-risk youth.

The U.S. Supreme Court

The Supreme Court has increasingly weighed in on the use of extreme sentences for children in the U.S. In *Roper v. Simmons* (2005) the Court struck down the death penalty for children finding it to be a violation of the 8th Amendment's prohibition on cruel and unusual punishment. In that opinion, the Court emphasized the brain and behavioral development science showing

that children are fundamentally different than adults in their development and therefore not as culpable. In *Graham v. Florida* (2010) the Court struck down life without parole sentences for non-homicide offenses, holding that states must give children a "realistic opportunity to obtain release." Finally, in *Miller v. Alabama* (2012) the Court struck down mandatory life without parole sentences for homicide offenses, finding that sentencing courts must "take into account how children are different, and how those differences counsel against irrevocably sentencing them to a lifetime in prison."

HB 1785 will address the unjust sentencing schemes in Hawaii by (1) eliminating the use of life without parole as a sentencing option for children, (2) replacing it with life with parole no later than 25 years, unless it is set earlier by the Hawaii Paroling Authority, (3) preventing the transportation of children out of state to serve any portion of their sentence, (4) creating a special fund for providing needed therapy and rehabilitation services to young offenders, and (5) creating an advisory group for implementing the services for young offenders provided for by the special fund.

HB 1785 is the right policy to ensure public safety, fiscal responsibility, and the fair sentencing standards for Hawaii's children. It will bring the state into compliance with the UN Convention on the Rights of the Child and will be an example for common sense, practical solutions for treating children who come into conflict with the law.

Dr. Martin Luther King Jr. once said, "Darkness cannot drive out darkness; only light can do that. Hate cannot drive out hate; only love can do that." As a society we place a lot of emphasis on forgiveness and absolution. We all make mistakes in life, but we recognize that children are particularly susceptible to making mistakes – which is why we limit the types of decisions that they can make. We don't allow them to drink or smoke tobacco or engage in other adult activities until they are an adult. They don't have the mental abilities to make sound judgment. We should also look at children who commit crimes through this same lens. Even though some of them may have committed terrible crimes, it is important that every child be given an opportunity to show that they can be rehabilitated. This bill does that and provides a critical second chance to some of the most vulnerable people in our society. Therefore, we strongly urge this committee to vote favorably upon HB 1785 and give the children of Hawaii the chance to show that they can in fact change and be rehabilitated. Thank you for your time and consideration.

Mahalo,

James L. Dold, J.D. Advocacy Director Campaign for the Fair Sentencing of Youth



Date: January 27, 2014

To: Representative Mele Carroll, Chair, House Committee on Human Services; Representative Bertrand Kobayashi, Vice-Chair, House Committee on Human Services

From: Christiaan Mitchell, Richardson Students for the Rights of Children

Re: Strong Support for HB 1785

"[I]f you want to know what a man's values are do not ask him.... Observe a person's conduct over a period long enough to note the direction in which his activities tend and you will be able to tell where his loyalties lie, and knowing them, you will know the ends which stir and guide his actions: that is to say, the things that are values in actuality, not just in name." —John Dewey, "The Basic Values and Loyalties of Democracy"

Aloha Chair, Vice Chair, and Committee Members,

Richardson Students for the Rights of Children **strongly supports HB 1785**. The principle effect of HB 1785 would be to end Hawaii's practice of sentencing juvenile to life in prison without possibility of parole. Such permanent condemnation without any chance of subsequent review is an irrational and cruel punishment unsupported by science, and unjustified by morality.

In 2007, the Hawai'i State Legislature took the profound step of adopting House Concurrent Resolution 69, House Draft 2, Urging the Adoption of the United Nations' Convention on the Rights of the Child. The legislature was under no obligation to do so as the United States is one of only three nations world-wide that have not ratified the Convention on the Rights of the Child ("CRC"). However, it did so as a statement of Hawaii's support for the values recognized by the CRC and our commitment to going above and beyond for our children.

Despite our stated commitment to our children, Hawai'i remains one of a rapidly shrinking number of states in the U.S. that sentences juvenile offenders to life in imprisonment without possibility of parole. The State of Hawai'i is currently holding four individuals who were sentenced to life without parole for crimes committed when they were juveniles. Since 2006, sixteen states have introduced legislation ending life sentences without parole for juvenile offenders. The U.S. is the only country in the world that still sentences juveniles to life imprisonment without possibility for parole—such sentences directly contravene Article 37 of the CRC.

The United States Supreme Court has taken notice of the manifest injustice of sentencing juveniles to life in prison without parole. In its 2010 decision in *Graham v. Florida*, the Court held that sentencing juveniles to life without parole for any crime other than murder violated the U.S. Constitution's ban on cruel and unusual punishment. Following this, in 2012 the Court



found in *Miller v. Alabama* that mandatory life sentences without parole—even for murder—violated the Constitution.

Both of these decisions were built upon a growing body of psychological evidence that people under the age of twenty-five are simply not fully neurologically developed. This neurological underdevelopment causes individuals under the age of twenty-five to be unable fully to appreciate the scope of the consequences of their actions. The Supreme Court summed this up succinctly when it said "Imposition of a State's most severe penalties on juvenile offenders cannot proceed as though they were not children."

The Effects of HB 1785.

HB 1785 responds to these concerns by mandating that young adult defendants be given the opportunity for a parole review after serving twenty-five years in prison.

Young adult defendants are defined at HRS § 706-667(1) as anyone convicted of a crime committed when under the age of twenty-two, who has not been previously convicted of a felony as an adult, or adjudicated as a juvenile for an offense that would have been a felony had that person been an adult. Section 706-667 further provides special sentencing and correctional treatment for young adult defendants. This special category of defendants was carved out in recognition of the special status of young offenders. However, the section specifically excludes this special treatment in the case of murder.

Recognizing that this special treatment is principally about the status of the *defendant* and not the crime, HB 1785 removes the murder exclusion. Put most simply, we treat youth differently because they are not yet adults and this fact does not change due to the crimes they commit. If the Legislature were to adopt HB 1785, any offender classified as a young adult defendant could not be sentenced to life without possibility of parole.

In order to ensure that young adult defendants have the best chance of being rehabilitated, HB 1785 seeks to further supplement the special rehabilitative measures already in place for young adult defendants. Currently, provisions are made in the HRS that young adult defendants should receive (where practicable) "individualized correctional and rehabilitative treatment" and that they should be (where practicable) segregated from career criminals. HB 1785 creates a special fund and an advisory task force to investigate, evaluate, and suggest amendments to our rehabilitation practices for young adult defendants. This will further help to give our wayward youth the best chance possible to rejoin society as productive citizens.

Finally, recognizing that contact with family and closeness to home is an important tool in helping to rehabilitate prisoners, HB 1785 denies the State the authority to transport any young adult defendant out of state to serve any of their prison term for offenses committed in Hawai'i. Richardson Students for the Rights of Children questions the wisdom of private prisons, and of ever sending one of our own to a distant place to pay their debt to *our* society. While we would



argue that *no* prisoner should be thus treated, nowhere is it more urgent than with our young adult defendants who, frankly, have the most to lose and the greatest chance at being rehabilitated.

Conclusion

In closing, we say again that sentencing juveniles to life imprisonment without the possibility of parole is a draconian practice unsupported by modern evidence and moral sensibilities, and that stands in direct contravention of internationally accepted norms. The thought that a child could permanently be condemned to live in prison as a ward of the State shocks the conscience and is not an appropriate practice for a state with such a clear commitment to our children. This bill does nothing more or less than remove a small tool from our penological toolkit that should not be there in the first place. As a consequence we strongly urge you to **pass HB 1785, unamended**.

Mahalo for your consideration,

Christiaan Mitchell Richardson Students for the Rights of Children <u>Richardson4ChildrensRights@gmail.com</u>

From:	mailinglist@capitol.hawaii.gov
Sent:	Friday, January 24, 2014 9:14 PM
То:	HUStestimony
Cc:	daylinrose.gibson@gmail.com
Subject:	*Submitted testimony for HB1785 on Jan 28, 2014 09:30AM*

<u>HB1785</u>

Submitted on: 1/24/2014 Testimony for HUS on Jan 28, 2014 09:30AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Daylin-Rose Gibson	Individual	Support	No

Comments:

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

From:	mailinglist@capitol.hawaii.gov
Sent:	Saturday, January 25, 2014 1:21 AM
То:	HUStestimony
Cc:	etelagi@hawaii.edu
Subject:	*Submitted testimony for HB1785 on Jan 28, 2014 09:30AM*

<u>HB1785</u>

Submitted on: 1/25/2014 Testimony for HUS on Jan 28, 2014 09:30AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Janelle Etelagi	Individual	Support	No

Comments:

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

From:	mailinglist@capitol.hawaii.gov
Sent:	Friday, January 24, 2014 11:40 AM
То:	HUStestimony
Cc:	ronman63@hotmail.com
Subject:	*Submitted testimony for HB1785 on Jan 28, 2014 09:30AM*

<u>HB1785</u>

Submitted on: 1/24/2014 Testimony for HUS on Jan 28, 2014 09:30AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Ronald D. Rodriguez	Individual	Support	No

Comments:

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Testimony in Support of HB1785 by Sadaf Kashfi.

I support this bill because Life without Parole for young defendants constitutes cruel and unusual punishment. I believe the community plays a significant role in young adult's decision making, and their decisions are reflective of the health of the community that raises them. Unfortunately, in Hawaii, there are many youths who do not have the support, love, and care that they require. Systematically, those who are outside the optimal socioeconomic status end-up making choices that lead them to prison. I believe the youth who go to prison for life without parole did not consciously make those decisions and as such are not deserving of such punishment. Moreover, I believe the resources that taxpayers pay to keep these youths in cages could be better utilized towards rehabilitation. Please support this bill in eliminating life without parole and allocate those resources to communities that can prevent atrocities from occurring in the first place.

From:	mailinglist@capitol.hawaii.gov
Sent:	Friday, January 24, 2014 5:37 PM
То:	HUStestimony
Cc:	thomas.michener@gmail.com
Subject:	*Submitted testimony for HB1785 on Jan 28, 2014 09:30AM*

<u>HB1785</u>

Submitted on: 1/24/2014 Testimony for HUS on Jan 28, 2014 09:30AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Thomas Michener	Individual	Support	No

Comments:

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From:	mailinglist@capitol.hawaii.gov
Sent:	Sunday, January 26, 2014 8:02 PM
То:	HUStestimony
Cc:	eebrowni@hawaii.edu
Subject:	Submitted testimony for HB1785 on Jan 28, 2014 09:30AM

<u>HB1785</u>

Submitted on: 1/26/2014 Testimony for HUS on Jan 28, 2014 09:30AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Eliza Browning	Individual	Support	Yes

Comments: I strongly support HB 1785.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

From:	mailinglist@capitol.hawaii.gov
Sent:	Monday, January 27, 2014 1:13 PM
То:	HUStestimony
Cc:	okief@hawaii.edu
Subject:	Submitted testimony for HB1785 on Jan 28, 2014 09:30AM

HB1785

Submitted on: 1/27/2014 Testimony for HUS on Jan 28, 2014 09:30AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Nicole O'Kief	Individual	Support	No

Comments: I support HB 1785 because I know that the frontal lobe of children is not fully developed as with adults. I have a masters degree in psychology and part of my education focused on the social and psychological development of children. It is not fair to sentence a child to life without parole. It's inhumane. This Bill is not asking for anything unreasonable or dangerous to society. Granting a person a parole hearing does not open the flood gates for criminals to go on perpetuating horrific crimes. Further, it is only fair given the scientific findings that a child be isolated from career criminals and given a chance in life. If at the parole hearing the individual is not found to be ready for release from prison so be it. To deny the person the right to the parole hearing after actions taken in ones youth is not okay. Hawaii stands almost alone amongst the majority of the United States that have passed similar bills. How ironic given that Hawaii is so different in terms of our compassion for people. This policy of sending youths to prison without the possibility of parole is an ugly stain on our wonderful state and our values. Please pass HB1785. If you would like me to testify in person I would be happy to come down. This is too important. Thank you! Sincerely, Nicole O'Kief

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.



Board of Directors Sherry Broder, Esq. David Derauf, M.D. Naomi C. Fujimoto, Esq. Patrick Gardner, Esq. John H. Johnson Nathan Nelson, Esq. David J. Reber, Esq.

Executive Director Victor Geminiani, Esq.

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Testimony of Hawai'i Appleseed Center for Law and Economic Justice Supporting HB 1785 Relating to Young Adult Offenders House Committee on Human Services Scheduled for Hearing Tuesday, January 28, 2014, 9:30 AM, Room 329

Hawai'i Appleseed Center for Law and Economic Justice is a nonprofit, 501(c)(3) law firm created to advocate on behalf of low income individuals and families in Hawai'i on civil legal issues of statewide importance. Our core mission is to help our clients gain access to the resources, services, and fair treatment that they need to realize their opportunities for self-achievement and economic security.

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The U.S. is the only country in the world, and Hawai'i is one of a rapidly dwindling number of states, that still sentences juveniles to life imprisonment without the possibility for parole. The reasons for eliminating the sentence are compelling.

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It costs approximately \$2.5 million to incarcerate a child for life in the United States. We should use our money wisely to support a criminal justice system that reduces violence and helps victims. Sentencing a juvenile to life with a commitment to *never revisit the decision again* regardless of what the person has become wastes money that could be used better elsewhere.

HB 1785 is a thoughtful approach to sentencing youth. The bill would:

- Follow the lead of brain development research by investing resources on rehabilitation instead of blindly continuing to pay for the incarceration of a person who may be far different from the youth who committed the crime years ago.
- Increase potential for rehabilitation by keeping young adults in state where they will be able to maintain contact with local support groups.
- Allow rehabilitated people who committed crimes in their youth an opportunity to eventually leave prison and contribute to their communities instead of unnecessarily being a life-long drain on them.

Thank you again for this opportunity to testify. We respectfully urge the Committee on Human Services to pass this bill.

From:	mailinglist@capitol.hawaii.gov		
Sent:	Monday, January 27, 2014 8:51 PM		
То:	HUStestimony		
Cc:	kat.caphi@gmail.com		
Subject:	*Submitted testimony for HB1785 on Jan 28, 2014 09:30AM*		

<u>HB1785</u>

Submitted on: 1/27/2014 Testimony for HUS on Jan 28, 2014 09:30AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Kat Brady	Individual	Support	No

Comments:

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