



RHODE ISLAND KIDS COUNT

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Testimony Re: Senate Bill 2272 Juvenile Life without Parole
Senate Judiciary Committee
February 13, 2018
Elizabeth Burke Bryant, Executive Director

Madam Chair and members of the Committee, Rhode Island KIDS COUNT would like to voice its support for Senate Bill 2272, which would provide the opportunity for parole consideration to inmates sentenced for crimes they committed as juveniles after completing 15 years of their sentence.

In 2012, the U.S. Supreme Court case *Miller v. Alabama* struck down mandatory life sentences for juveniles. While this decision did not impact Rhode Island (which never had *mandatory* life sentences for minors), the decision required that courts “take into account how children are different, and how those differences counsel against irrevocably sentencing them to a lifetime in prison.”

Although *Miller v. Alabama* allows life without parole to be a sentencing option for juvenile crimes, many states have eliminated the practice altogether. To date, 20 states and the District of Columbia, including Massachusetts and Connecticut, have banned life sentences without the possibility of parole for juveniles.

It is important to note that this bill does not ban life imprisonment for juvenile offenders. It only mandates that they have an opportunity for a review by the parole board after 15 years of their sentence has been completed. Inmates who are still a threat to public safety or have not shown that they have been rehabilitated will remain in prison.

As Justice Kennedy wrote in his *Miller v. Alabama* opinion, “Those prisoners who have shown an inability to reform will continue to serve life sentences. The opportunity for release will be afforded to those who demonstrate the truth of *Miller’s* central intuition — that children who commit even heinous crimes are capable of change.”

Fortunately, according to the Sentencing Project, a national advocacy organization, Rhode Island does not currently have any prisoners serving a life without parole sentence for crimes they committed as juveniles. While Rhode Island’s justice system has not engaged in this practice, we encourage the General Assembly to eliminate the possibility that a child could be sentenced to die in prison without having the possibility to be considered for a second chance.

Thank you for the opportunity to provide testimony today.