



RHODE ISLAND KIDS COUNT

ONE UNION STATION
PROVIDENCE, RHODE ISLAND 02903
401/351-9400 • 401/351-1758 (FAX)

Testimony Re: House Bill 6122, Budget Article 13, Sections 2 and 3 (Parole)

Senate Finance and Judiciary Committees

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Elizabeth Burke Bryant, Executive Director

Mr. Chairman, Madam Chair and members of the Committees, thank you for the opportunity to submit testimony today. Rhode Island KIDS COUNT would like to thank Governor McKee for including improvements to the parole system in his proposed budget for FY 22. **We strongly support the improvements related to youth and young adults included Sections 2 and 3 of Budget Article 13 with one important amendment.**

Article 13, Section 2, 13-8-14.2 would ensure that any person serving a sentence for a crime committed before age 18 would be provided a meaningful opportunity to obtain release through a parole hearing with the parole board, taking into account the **diminished culpability of juveniles as compared to adults** and any subsequent growth and increased maturity during incarceration. It further calls on the parole board to consider a review of educational and court documents; participation in rehabilitative and educational programs; age, maturing, and home and community environment at the time of the offense; efforts made toward rehabilitation; and evidence of remorse.

Section 3, 13-8-13.e would make any person serving a lengthy sentence for a crime committed before age 22 eligible for a parole review after the person has served ten years of their sentence. This section would not apply to any person serving a life sentence, and it would only apply to prisoners who are sentenced for crimes committed after January 1, 1991.

According to the American Academy of Child and Adolescent Psychiatry, the part of the brain that controls reasoning and helps us fully think through the implications of our behavior – the frontal cortex – develops beginning in adolescence and continuing into early adulthood. This ongoing development of the frontal cortex means that **adolescents make decisions and solve problems differently than adults**. Adolescents are more likely to be impulsive, misread social and emotional situations, get into accidents and fights, and engage in risk taking behaviors. They are also less likely to avoid risky situations and to fully consider all of the possible consequences of their actions. Adolescents need guidance from caring adults to develop these skills and learn to manage their behaviors as their brain develops.

Proposed Amendment: We would recommend amending Article 13 to remove the provision that would allow youth to be sentenced to life imprisonment without parole. The research on adolescent brain development is clear, and it applies to *all* youth, even those who have committed very serious crimes.

It is important to note that **Article 13 does not require parole**. It only mandates that any person sentenced to a lengthy sentence for a crime they committed as a juvenile or young adult would have **the opportunity**

for a review by the parole board that would take into account further development and efforts toward rehabilitation. Prisoners who are still determined to be a threat to public safety or have not shown that they have been rehabilitated would remain in prison.

Thank you for this opportunity to submit this testimony today.