



Massachusetts Bill H.2051/S.1087: An Act to End Lifetime Parole for Juveniles and Emerging Adults

Patrick R. Webb, North Carolina Agricultural and Technical State University

The Honorable Senate and House of Representatives of the Commonwealth of Massachusetts,

Greetings! My name is Dr. Patrick Webb, and I am a criminal justice professor at North Carolina Agricultural and Technical State University. I have over 27 years of academic and research experience in the areas of criminal and juvenile justice in the United States. I am submitting testimony in support of Bill H.2051/S.1087, An Act to End Lifetime Parole for Juveniles and Emerging Adults.

Developmental Differences and Populations

Overall, my position is consistent with numerous **psychological and bio-social studies associated with the developmental nature of youth** and young adult populations. I support House Bill 2051/Senate Bill 1087 based upon research which identifies clear and significant differences between youth and young adults (e.g., emerging adult population) and adults. For example, the misguided decisions that young people make should not serve as a barrier to having the opportunity to contribute as adults. This includes a vast number of studies in the area of neuroscience which highlight the difference in developmental aspects and maturity among individuals under the age of 25. Moreover, these sources of information also underscore the unhealthy and negative outcomes associated with decisions which fail to consider fundamental differences between the impressionable stages of youthfulness and adulthood.

The Failure of the Justice System and Youth Disparities in the United States

Unfortunately, based upon research in both criminal and juvenile justice systems in the United States, important distinctions between youthful populations and adults are not reflected in important decisions being made. These disturbing disparities are identified in, but not limited to, arrests, interrogations, criminal convictions, and **sentencing decisions**.

Overall, failure to support House Bill 2051 would likely perpetuate these disparities along with the following consequences:

- It will continue to escalate a negative trend in this country regarding the use of carceral control measures in how we treat (or rather mistreat) youth and young adults in the United States. By exposing youth, especially minorities, to the insensitive and callous processes of the juvenile and criminal justice systems, we will continue to exacerbate unfounded bias, misguided fears, and acts of hopelessness among the vulnerable in the United States.

- By ignoring, discounting, or carelessly violating years of **documented developmental studies**, the use of lifetime parole among youth will undeniably result in further harmful outcomes. This includes, but is not limited to, 1) unreasonable cruelty, 2) harmful psychological conditions, 3) difficulty in securing meaningful and healthy levels of security (e.g., employment, education, housing), and 4) the inability to address factors that may explain offenses committed by youthful populations.

Unfair Allowances and Faulty Sentencing Philosophies

Imagine a 16-year-old young person who engages in aggravated assault or even manslaughter because of long-term and harmful victimization experiences. Examples of such include trauma, sexual and physical abuse, and the lack of basic necessities. Despite these mitigating circumstances, the youthful offender receives a prison sentence and eventually ends up on parole for life. Based upon the young person's age, this would include two distinct and unhealthy types of punishment: incarceration in a secure facility such as state jail or prison, and lifetime parole.

Studies which examine the effects of **exposure to secure confinement among youth** populations have revealed a vast number of negative outcomes. Examples of such include, but are not limited to, depression, poor health, suicide attempts, maltreatment, victimization, and anxiety. Upon release from confinement, the youthful offender will experience further harm as a result of being exposed to life on parole. Research has highlighted the disadvantages of this experience. Examples of such include, but are not limited to, trauma, denial of developmental opportunities (e.g., educational, social interaction, etc.), depression, anxiety, and poverty.

In short, youth who are exposed to both experiences will experience devastating and dangerous levels of trauma, short-term and long-term psychological harm, suicidal ideation, as well as social and behavioral problems. Moreover, recidivism among individuals sentenced to life is not common.

The use of lifetime parole among youth is also clearly in violation of numerous Supreme Court rulings (Graham v. Florida, 2010; Miller v. Alabama, 2012; Montgomery v. Louisiana, 2016) which highlight the diminished levels maturity and culpability among youth.

The Expectations and Potential of Youth Among Community Members

In addition to science and the judicial decisions associated with the vulnerability of youth populations, the use of lifetime parole among youth contradicts the expectations of community members in the United States. Members of the community are counting on youth and young adults to not only meet the necessary obligations of responsibility in the future, but to exceed their own limitations in meeting needs and connecting with those outside their respective communities. It is only through this type of service towards others whereby individuals are able to experience heightened levels of maturity, personal fulfillment, and community. Despite such expectations, the use of life without parole among vulnerable populations is both unnecessary and counter-productive. This is especially true given the minimal number of rehabilitative resources allocated to state level criminal and juvenile justice systems in the United States.

Development, Transformation, and Protection

I am in support of the bill. This position is not just based upon the dire consequences associated with the current law, but also upon the merits, possibilities, and the following potential impact of H.2051/S.1087. This includes, but is not limited to, the following:

- It is consistent with brain development studies and levels of responsibility (e.g., culpability) among youthful populations in comparison to adults.
- It offers hope for rehabilitation among people who caused harm as youth, who are more amenable to change compared to adults.
- It is in alignment with the 8th amendment, which provides protection from cruel and unusual punishment.

I urge the committee to consider the aforementioned reasons for my position. Thank you.