

Ohio Senate
Senate Government Oversight and Reform
Chairman Bill Coley
May 11, 2016

My name is Tom Smith. I am Public Policy Director for the Ohio Council of Churches. The Council represents 18 mainline Christian Denominations in Ohio.

We are providing written testimony as a proponent of HB 521 sponsored by Rep. Manning. We refer to an article written in *The Crime Report* by Jody Kent Lavy entitled "The Court Is Right: Children Are 'Constitutionally Different'". The article indicates that the U.S. Supreme Court in *Montgomery V. Louisiana* banned mandatory life without parole sentences for children. This was their fourth decision from the highest in just over a decade establishing that children are constitutionally different from adults, and that their child status is therefore relevant to sentencing—thereby making them less deserving of our harshest available punishments.

Most importantly, the court's ruling means that authorities must look beyond the facts of their crimes—even those with the most tragic outcomes—to see the growth and potential for rehabilitation of the individuals before them. If a child can be rehabilitated he or she cannot be sentenced to life without parole. Tremendous growth and maturity often occurs in the late teens through the mid-20s. The current system provides no viable mechanism for reviewing a case after a young person has grown up and matured. Our law should give young people motivation to focus on rehabilitation and give them reasons to prove that they merit a second opportunity at freedom.

Existing sentencing law ignores recent scientific evidence on adolescent development and neuroscience. Research has shown that certain areas of the brain, particularly those that affect judgment and decision-making, do not fully develop until the early 20's. Clearly it is wrong to deny someone who commits a crime under the age of 18 the opportunity to demonstrate rehabilitation.

Given the unhealthy state of our present prison overcrowding, this seems like the perfect time to pass such meaningful legislation.

Thank you for this opportunity to share the faith community's thoughts on this important legislation initiated by the Ohio Office of the Public Defender.