

Senate Judiciary Committee
Camille R. Quinn, PhD, AM, LCSW, LISW
Proponent Testimony on Senate Bill 256

Chair Eklund, Vice Chair Manning, Ranking Member Thomas and members of the Senate Judiciary Committee, thank you for this opportunity to submit proponent testimony for Senate Bill 256 (SB 256). I am Dr. Camille R. Quinn, an Assistant Professor in the College of Social Work at The Ohio State University. I have 20 years of experience as a practitioner and administrator in social and health services with youth and families involved with juvenile justice and child welfare systems. In addition, I am an expert with justice involved youth and young adults. I have over 15 years of experience as a researcher with Black youth and young adults (girls and young women) who are involved with or at risk of involvement with the juvenile justice system to determine factors that can curtail their delinquent behavior.

I learned that SB 256 was under consideration and wanted to offer my written support. SB 256 provides timelines for board review of parole eligibility for juvenile offenders serving extended prison sentences. It abolishes the sentences of juvenile life without the possibility of parole, and it requires the sentencing court and parole board to consider the developmental stage of youth, and its characteristics, as mitigating factors. The Eighth Amendment to the United States Constitution requires a juvenile sentence review procedure (Mills et al., 2015). In 2010, the United States Supreme Court prohibited it for “non-homicide offenses, then proscribing its mandatory application for any offense, and, in 2016, clarifying that it may only be imposed in the rare instance in which a juvenile’s homicide demonstrates his or her “irreparable corruptio” (Mills et al., 2015, p. 535). Similarly, the SB 256 bill does create an exception for youth convicted of “aggravated homicide offense,” defined as the killing of three or more individuals as the principal offender. Youth convicted of this offense will not receive parole eligibility.

A review of empirical literature suggests two aspects of youth and young adult offending that must be considered: 1) the changes in brain development are experienced by many justice-involved youth and young adults, and 2) the likelihood that they have experienced repeated violence and abuse. When we do not consider that the brain is still changing we are interrupting the chance for healthy development and penalizing behavior that might be partially rooted in development and can be addressed with appropriate intervention. For example, changes in the brain are critical for the continuous development of emotions, especially in emotionally charged situations (like those that may be cursory to delinquent acts) from late childhood to young adulthood (Casey et al., 2019; Cohen et al., 2016). Furthermore, many justice-involved youth also have histories of involvement in dependency court following findings of abuse and/or neglect by their parent or caregiver. Between 9% and 29% of youth involved with the child welfare system also become involved with the juvenile justice system (Herz, 2008; Herz et al., 2010; Yoon et al., 2019). In addition, families involved with the criminal justice system are disproportionately involved with the child welfare system, and adolescents involved in both systems (i.e., dual system involvement) exhibit higher levels of delinquency (Chavira et al., 2018). Consequently, they are more likely to be arrested for felony offenses given their histories of abuse and violence exposure.

In my work with youth and families who were involved with the juvenile and criminal justice systems it was not uncommon for them to also have histories of trauma and violence exposure that was associated with their law-breaking behavior. Specifically, youth and their families who were receiving services in a trauma center (<https://www.psych.uic.edu/research/urban-youth-trauma-center>) participated in trauma-informed interventions to reduce traumatic stress, violence exposure and substance abuse associated with their law-breaking behavior. Furthermore, for some justice-involved youth, the presence of both mental health and substance use disorders increases the risk of suicidal behavior (Quinn et al., 2017). Findings from that work has important implications for laws like SB 256, including the protection and treatment of youth and suggests a need for rethinking ways to meet their needs as they transition to adulthood and have hopes of desisting from crime in the future.

I strongly encourage this committee to support SB 256. Its passage will ensure that most youth with adult sentences have the opportunity for parole review. Specifically, youth incarcerated for a non-homicide offense will have a parole hearing after serving 18 years in prison, and youth serving prison time for homicide offenses will have a parole hearing after serving 25 years. Some opponents of SB 256 suggest that the timeframe for review be substantially increased to 40 or 50 years before review. Similar to reviews for death penalty cases, SB 256 parole reviews would benefit from including records from a youth's history with child welfare and juvenile justice services; all collateral documents should be considered. Further, SB 256 would not automatically provide a juvenile offender release after 18 or 25 years. It would merely allow a parole board hearing to determine whether the youth has been sufficiently rehabilitated to be considered for release. This type of hearing is what the United States Constitution mandates.

Thank you for the opportunity to testify in support of SB 256. I am thankful that the sponsor reintroduced this bill and I look forward to working with all members to pass this needed framework for juvenile life sentence review. I am available to answer any questions you may have.

References

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