

Kenza Kamal, Policy Director, Juvenile Justice Coalition
Written Testimony to the Ohio Senate Judiciary Committee
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Good morning Chair Eklund, Vice Chair Manning, Ranking Member Thomas and Committee Members. My name is Kenza Kamal and I am the Policy Director of the Juvenile Justice Coalition, writing to encourage the passage of SB 256.

For juvenile offenders, a mandatory life sentence without the possibility of parole (JLWOP) is unconstitutional. Following the 2012 U.S. Supreme Court ruling in *Miller v. Alabama* and the 2016 *Montgomery v. Louisiana* decision, states and the federal government are required to consider the unique circumstances of each juvenile defendant in determining an individualized sentence and ensure that the decision applies retroactively. It is critical to note that the court made these decisions in cases where violent crimes had been committed, showing that even under harsh circumstances, we must consider youth and their ability to change when determining appropriate sentencing.

Much research shows that individuals 'age out' of crime.¹ Research suggests that 16- and 17-year-olds are at their most likely age to make risky decisions because of social, emotional, and neurological development factors.² Most youth are unlikely to offend as they get older, and have a high potential for reform and rehabilitation. By eliminating JLWOP, the state allows the justice system to do its job and consider these specific aspects of a youth offender's case.

In seeking justice, our goal should be for people to do two things: to remedy the harm they have done, and to become positively-contributing members of their community. JLWOP wastes the state's resources by being counterproductive to these goals; it gives people a dead-end sentence for wrongs they did as a middle school or high school-aged child or adolescent. Eliminating JLWOP will give people the opportunity to remedy their wrongs and give them the motivation of possibly eventually reentering society as good family members, workers, and citizens. A young person entering prison before they have entered adulthood, spending decades in incarceration, is more than sufficient time to grant them a parole hearing.

Opponents of this bill may cite the most egregious crimes to appeal to the fear of supposedly-dangerous people being released. However, I ask you to remember that eliminating JLWOP does not in any way guarantee release - it simply institutes the opportunity for review of a person's case after a reasonable period of incarceration.

In closing, I would like to express gratitude to Vice Chair Manning, Committee Member Lehner, and any other proponents for their leadership on this commonsense legislation. Thank you to the Committee for your attention to this matter. If I can be of further assistance, I can be reached at kenza@jjohio.org.

¹ https://scs.org/wp-content/uploads/2017/06/6_Final_Manuscript.pdf

² <https://www.mdpi.com/2075-471X/3/4/744/htm>