



Chairman Lang, Vice Chair Plummer, Ranking Member Leland, and members of the House Criminal Justice Committee. Thank you for allowing me the opportunity to give opposition testimony on Senate Bill 256.

I am the president of the National Organization of Victims of Juvenile Murderers (NOVJM).¹ NOVJM is dedicated to helping those whose family members were murdered by juveniles under 18. We represent hundreds of victims' families around the country who have lost loved ones to juvenile murderers. NOVJM usually does not take positions on how specific offenders should be sentenced. We support the victims' families' voices. But we do believe that justice is best served by giving courts the most sentencing options possible to deal with the wide range of offenders and crimes that they face, up to and including life sentences. A wider range of sentencing options prioritizes public safety against offenders who may always remain dangerous, as psychologically we do see sometimes.

And the availability of longer sentences, where appropriate, allows victims' families to experience some sense of justice and a sense of legal finality, especially when the

¹ <http://www.teenkillers.org/>

sentencing options keep frequent re-traumatizing parole hearings to an absolute minimum. Victims' families suffer staggering life and health problems when having to re-engage with those who murdered their loved ones.²

NOVJM opposes SB 256 because it would unnecessarily re-traumatize victims. Victims would be forced to endure agonizing parole hearings. Furthermore, because of the bill's retroactivity, many victims were never planning on or building these parole hearings into their lives, increasing the traumatic impact. Victims often walk away from long term and life sentences given to their loved ones' murderers believing that their ordeals with the criminal justice system are largely over. They do not make the preparations necessary for parole hearings. They often don't even register for victim notification, and then become lost to the record-keeping of the court. We believe that retroactively reducing criminal sentences raises serious legal issues with regards to Victims' Rights. Additionally, there is the issue of fairness. There are some crimes committed by juveniles that may warrant long term or life sentences due to the extreme depravity and cruelty involved. For example:

- Sam Young, 14, kidnapped, raped, asphyxiated, and murdered eight-year-old Dhyimia Woody.³
- 17-year-old De Marquise Elkins and his 15-year-old accomplice attempted to rob a woman as she strolled her one-year-old son Antonio Santiago. When the mother did not

² We explain the pain murder victims' families endure when forced to repeatedly engage with the murderers in our brief for the Supreme Court of the United States in the *Jones v. Mississippi* case. https://www.supremecourt.gov/DocketPDF/18/18-1259/150986/20200821165455372_18-1259bsacNOVJM.pdf

³ <http://www.teenkillers.org/index.php/juvenile-lifers/offenders-cases-state/south-carolina-offenders/sam-young/>

comply with the robbers' demands to give them her purse, the Elkins shot and injured her. He then intentionally shot baby Antonio in the face and killed him.⁴

- Laurence Lovette, 17, and his 21-year-old accomplice kidnapped 22-year-old UNC-Chapel Hill student body president Eve Carson at gunpoint. They held her captive at gunpoint for several hours, driving her to ATMs where they made her withdraw money and robbed her. During the ordeal, Eve tried to reason with her captors and begged for her life. But they showed no mercy and murdered her to eliminate her as a witness.

When Eve realized that the kidnappers were about to kill her she made one last plea for her life, asking them to “pray with me.” But neither captor was moved by the terrified young woman’s pleas. They executed Eve with a .25 caliber handgun and a sawed-off shotgun and left her body in the street.⁵

- Chad Kitchell, age 17 and nine months, and his 18-year-old partner robbed a grocery store and attempted to murder everyone inside. They shot and stabbed 12-year-old Robin Richardson to death. Kitchell’s partner shot Robin’s mother Hazel in the neck and attempted to murder her.⁶ Robin’s sister Latrisha has submitted written testimony.

- Seventeen-year-old Johnny Freeman lured five-year-old Shavanna McCann to a vacant 14th-floor apartment in a housing project. There, he raped the child and then tried to kill her by throwing her out the window. Shavanna was brave and managed to hold on to the edge of the window. Terrified, Shavanna dangled 14

⁴ <http://www.teenkillers.org/index.php/juvenile-lifers/offenders-cases-state/georgia-offenders/de-marquise-elkins-dominique-lang/>

⁵ <http://www.teenkillers.org/index.php/juvenile-lifers/offenders-cases-state/north-carolina-offenders/laurence-lovette-killer-of-eve-carson/>

⁶ <http://www.teenkillers.org/index.php/juvenile-lifers/offenders-cases-state/arkansas-offenders/chad-kitchell/>

stories above the ground and screamed for her mother. But the assailant showed no mercy for the frightened child. He shoved her again. This time Shavanna could not hold on to anything and plunged 14 stories to her death.⁷

- Sixteen-year-old David Biro invaded the home of my sister Nancy and her husband Richard. When they returned home, he shot Richard in the head. My sister, who was pregnant, cowered in the basement corner, begging for her unborn child's life. Biro showed no mercy and shot her in her pregnant belly. He then left Nancy and her baby to die on the cold basement floor.⁸
- Jose Arredondo, 16, kidnapped two-year-old Katherine Cardenas and raped her. He then beat and strangled her to death.⁹
- Michael Woodmansee, 16, kidnapped five-year-old Jason Foreman and stabbed him to death. He wrote in his journal that he ate the boy's flesh. He was not apprehended until seven years later when he attempted to murder another boy. During the time between the murder of Jason and his capture, Woodmansee stored Jason's bones on his dresser as trophies.¹⁰
- Fifteen-year-old Scott Darnell lured 10-year-old Vicki Larson to a cornfield with the promise of a pony. He then raped her, strangled her to death, and buried her in a pre-dug grave.¹¹
- Seventeen-year-old Austin Sigg abducted 10-year-old Jessica Ridgeway as she was

⁷ <http://www.teenkillers.org/index.php/memorials/illinois-victims/shavanna-mccann/>

⁸ <http://www.teenkillers.org/index.php/memorials/illinois-victims/richard-and-nancy-bishop-langert-baby/>

⁹ <http://www.teenkillers.org/index.php/juvenile-lifers/offenders-cases-state/texas-offenders/jose-arredondo/>

¹⁰ <http://www.teenkillers.org/index.php/juvenile-lifers/offenders-cases-state/rhode-island-offenders/michael-woodmansee/>

¹¹ <http://www.teenkillers.org/index.php/memorials/illinois-victims/victoria-larson/>

walking to school. He took her to his house where he tried to strangle her to death. When little Jessica managed to survive the strangulation, he filled a bathtub with water and pushed her face into it, drowning her. Sigg then dismembered the child's body with a saw and a razor blade and removed many of her organs and labeled them. He kept Jessica's skull. Sigg later told police that he was fulfilling a sexual fantasy when he murdered Jessica.¹²

Many more examples of shockingly hideous crimes committed by juveniles are listed on our website.

We are not advocating for specific sentences for these criminals. Rather, we are illustrating the depraved nature of many crimes committed by juveniles. These are not youthful indiscretions. These are not childhood mistakes. These are cold-blooded highly aggravated murders committed by offenders who understood what they were doing.

And finally, there is the issue of safety. Unfortunately, there are some people who, for whatever reason, will always pose a risk to society. Some are diagnosed psychopaths or sociopaths. Psychopathy and sociopathy are incurable conditions characterized by a lack of remorse or empathy.¹³ Some of these offenders have been sentenced for crimes they committed when they were under 18. One might say parole boards can just avoid releasing dangerous criminals. But it is not that simple. Parole boards and judges often make mistakes and release extremely dangerous criminals into society. In fact, studies

¹² <http://www.teenkillers.org/index.php/juvenile-lifers/offenders-cases-state/colorado-offenders/austin-sigg/>

¹³ <http://www.teenkillers.org/index.php/juvenile-lifers/psychopathology-teen-killers/>

show that psychopaths are 2.5 times *more likely* to be granted conditional release than non-psychopaths due to their skills at manipulating.¹⁴

As of now, on our Dangerous Early Release page, NOVJM has documented over 90 examples of offenders, including many juvenile offenders, being given “second chances”, so to speak--being paroled early from prison, being given light sentences in juvenile court, etc.-and going on to commit more violent crimes in society.¹⁵

One example is that of Kenneth McDuff (example 7 in section 3). He was 20 when he committed an especially frightening and horrific triple murder. One summer night in 1966 he kidnapped three teenagers, two boys, and one girl. He shot both boys to death. He raped the female victim and strangled her to death with a broomstick. McDuff was paroled 23 years later and went on to kidnap, rape, and murder up to seven women.

We should also address the idea that it is safe to release criminals who have “aged-out” of crime. Yes, most offenders commit less crime with age. But there are some who continue with their criminal conduct at advanced ages. For example, Albert Flick (example 35 in section 3) was in his 70s when he stabbed a woman to death in front of her children after having been released from prison because he was deemed “too old” to be a threat. He had previously committed another similar murder, stabbing his wife to death in front of her daughter.

¹⁴ <https://onlinelibrary.wiley.com/doi/abs/10.1348/135532508X284310>

¹⁵ <http://www.teenkillers.org/index.php/myths-about-the-juvenile-lifesentence/dangerous-early-release/>

Thank you for considering NOVJM's opposition to SB 256. We respectfully ask that it not be made law. We have never ceased to be horrified by the amount of money and the huge advocacy effort that is being put into changing juvenile murderers' sentences with absolutely no effort to talk about or plan for how murder victims' families, who have already had to endure the worst experience of anyone's lifetime, will cope. We are shocked by the fact that advocates of juvenile murderers leave us out in regard to legislation that will profoundly affect our well-being and lives for decades to come. We stand ready to offer victim family testimony, research from the scientific community, and strategies that have worked well to balance the concerns of criminal justice reform with those of public safety and victim re-traumatization. We deeply appreciate your consideration of the needs of the victims' families in at least EQUAL force that you consider the requirements of justice for those who killed our loved ones.