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**TESTIMONY IN SUPPORT OF 15-S 389,
RELATING TO LIFE IMPRISONMENT WITHOUT PAROLE
March 31, 2015**

The ACLU of Rhode Island strongly supports this bill, which would ban imposing on juveniles the punishment of life imprisonment without parole (LWOP). While Rhode Island thus far has not yet subjected a juvenile to this penalty, we urge passage of this legislation to prevent it from ever happening.

In 2012, in the case of *Miller v. Alabama*, the U.S. Supreme Court ruled that it was unconstitutional to impose mandatory LWOP sentences on juveniles. The reasons that the Supreme Court found for banning mandatory sentences in this context apply just as well for a complete ban on the practice – a practice that no other country in the world embraces. In fact, since the *Miller* decision, a number of states, including Massachusetts, have taken the step of enacting laws, like this one, banning LWOP sentences for juveniles.

The psychological research is clear that juveniles have an underdeveloped sense of responsibility, are more vulnerable to peer pressure, are less capable than adults of perceiving and comprehending long term consequences, and have much less control of their environment in ways that are transient and change with age. Imposition of this penalty on a person under 18 years of age – essentially condemning children to death in prison – constitutes, in our view, cruel and unusual punishment and violates basic human rights standards.

It is worth noting the incredibly broad range of national organizations that oppose juvenile LWOP. They include the American Bar Association, the American Correctional Association, the American Probation and Parole Association, the American Psychological Association, the National PTA, and the United States Conference of Catholic Bishops. In addition, Attorneys-General in Vermont, Connecticut and Hawaii have expressed support for legislation banning juvenile LWOP. Nobody should ever presume to know that a 16 year old child should never be let out of prison; a life sentence can address those situations.

In short, no person under the age of 18 should be treated as completely irredeemable, beyond reform and of no future value to society. We urge the committee's support of S-389.