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TESTIMONY OF THE OFFICE OF THE PUBLIC DEFENDER REGARDING:

House Bill No. 5650 – ENTITLED, AN ACT RELATING TO DELINQUENT AND DEPENDENT CHILDREN – PROCEEDINGS IN FAMILY COURT.

Chairman Craven and Members of the House Judiciary Committee:

The Office of the Public Defender writes to express our support for HB5650, which would prohibit the detention or commitment of juveniles under the age of 12 years, with exceptions for certain violent offenses. This proposed legislation would bring Rhode Island in line with the growing movement to adjust juvenile justice systems in a way that recognizes youth developmental needs.

There are currently twenty-three states that have set a statutory minimum age of adjudication in juvenile court.¹ The states that have set these minimums undoubtedly considered the plethora of scientific research regarding adolescent brain development, and the fact that the pre-frontal cortex, crucial for decision-making and impulse control, continues developing until a person reaches their mid-20s. *Id.*

In addition, children under 12 are at a critical stage in emotional and social development; detaining them in a restrictive environment can have lasting psychological harm and lead to increased recidivism. Finally, young children have an exceptional capacity for rehabilitation,² so a focus on programs that would support education, counseling, and other support services would ensure they can become productive, well-adjusted people.

By including exceptions for the most violent offenses, the bill strikes an appropriate balance between public safety concerns and growing trends in juvenile justice reform. We urge the Committee to recommend passage.

¹ Brief of the National Governors Association, *Age Boundaries in Juvenile Justice Systems*, (Aug. 12, 2021), available at <https://www.nga.org/publications/age-boundaries-in-juvenile-justice-systems/>, last accessed 4/1/25.

² See *Miller v. Alabama*, 567 U.S. 460, 479 (2012).

Sincerely,

A handwritten signature in black ink, appearing to read "Megan F. Jackson". The signature is fluid and cursive, with a large initial "M" and a long, sweeping underline.

Megan F. Jackson

Legislative Liaison

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