



**Written Testimony in Support of H5650
Relating to Delinquent and Dependent Children – Proceedings in Family Court**

April 1, 2025

Dear Chair Craven, First Vice Chair McEntee, Second Vice Chair Knight, and members of the Judiciary Committee,

My name is Melissa Coretz Goemann and I am the Senior Policy Counsel for the National Youth Justice Network (NYJN). On behalf of NYJN, **we urge the committee to support H5650**, which would set a much-needed minimum age of under 13 years old for detaining children in the Rhode Island Training School. NYJN is a membership organization comprising 73 state-based organizational members and nearly 100 Youth Justice Leadership Institute (YJLI) members and alumni in 42 states across the country, including Rhode Island. NYJN works towards our vision of community-based, healing-centered justice.

As a society, we recognize that young children need added protection and must not be exposed to harmful influences. Yet incarceration in a juvenile facility is in and of itself a traumatizing experience, particularly for younger children, due to intermingling with older youth that may be involved with more serious offenses, family separation, and disruption to a child's mental and physical development and education.¹ Research has found that incarceration at a young age (7 to 13 years old) is associated with the highest rates of poor adult health outcomes for physical and mental health—including worse adult general health, functional limitations, depressive symptoms, and suicidality, compared to youth first incarcerated at older ages and youth never incarcerated.² Of the individuals first incarcerated at age 7 to 13 years old, 21 percent reported subsequent poor adult health outcomes, compared to 13 percent of those first incarcerated at age 14 to 32 years old, and 8.4 percent of those never incarcerated.³ Furthermore, research has found that adults with a history of child incarceration were disproportionately Black or Hispanic, male,

¹ National Juvenile Justice Network, "The Real Costs and Benefits of Change" (Washington, DC: 2010), <http://bit.ly/10TTegO>; Justice Policy Institute, "The Costs of Confinement: Why Good Juvenile Justice Policies Make Good Fiscal Sense" (Washington, DC: 2009), <http://www.justicepolicy.org/research/78>; Barry Holman and Jason Zeidenberg, "The Dangers of Detention: The Impact of Incarcerating Youth in Detention and Other Secure Facilities" (Washington, DC: Justice Policy Institute, 2006).

² Elizabeth S. Barnert, Laura S. Abrams, Lello Tesema, Rebecca Dudovitz, Bergen B. Nelson, Tumaini Coker, Eraka Bath, Christopher Biely, Ning Li, and Paul J. Chung, "Child Incarceration and Long-term Adult Health Outcomes: A Longitudinal Study," *International Journal of Prisoner Health*, 14(1) (2018): 23-33, 29, ISSN 1744-9200 DOI 10.1108/IJPH-09-2016-0052, <https://pubmed.ncbi.nlm.nih.gov/29480767/>.

³ Ibid.



and from lower socio-economic backgrounds, enhancing the racial and ethnic disparities in the youth justice system.⁴

Rhode Island is out of step with the rest of the country in incarcerating young children. Nearly three-quarters of the states in the country (36) have set a minimum age for detaining children pre-trial and for committing children to secure facilities after adjudication of delinquency (37 states). Internationally, 14 is the most common minimum age of criminal responsibility and the United Nations Convention on the Rights of the Child (CRC) has urged nations to set their minimum age of criminal responsibility to at least 14 years old.⁵ As the United Nations Global Study stated, “depriving children of liberty is depriving them of their childhood.”⁶

Detention is the most expensive and least effective way to address youth misconduct. Youth in detention experience worse mental health outcomes, higher rates of reoffending, and lower educational attainment. We urge Rhode Island to stop incarcerating their youngest children by passing H5650.

Respectfully Submitted,
Melissa Coretz Goemann
Senior Policy Counsel

⁴ Laura S. Abrams, Elizabeth S. Barnert, Matthew L. Mizel, Antoinette Bedros, Erica Webster, and Isaac Bryan, “When Is a Child Too Young for Juvenile Court? A Comparative Case Study of State Law and Implementation in Six Major Metropolitan Areas,” *Crime & Delinquency* (2019): 26, <https://journals.sagepub.com/doi/abs/10.1177/0011128719839356?journalCode=cadc>.

⁵ United Nations Convention on the Rights of the Child (CRC), Committee on the Rights of the Child, General Comment No. 24 (2019) on Children's Rights in the Child Justice System (2019): 6, CRC/C/GC/24, https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/TBSearch.aspx?DocTypeID=11&Lang=en&TreatyID=5.

⁶ United Nations, General Assembly, “Global Study on Children Deprived of Liberty: report of the Independent Expert,” A/74/136 (11 July 2019): 4, available at <https://undocs.org/en/A/74/136>.