

# OFFICE OF THE PUBLIC DEFENDER

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April 16, 2026

## **TESTIMONY OF THE OFFICE OF THE PUBLIC DEFENDER REGARDING:**

**House Bill No. 7132**

**ENTITLED, AN ACT RELATING TO CRIMINAL OFFENSES—HOMICIDE**

Chairwoman Hagan McEntee and Members of the House Judiciary Committee:

The Office of the Public Defender **writes in strong support of H7132**, which would prevent any person who has committed a crime before the age of twenty-one from being sentenced to life without the possibility of parole. Our support is not in any way intended to diminish the serious nature of the crimes or the suffering of the victims; rather, it is in recognition of the fact that it is impossible to know whether someone is capable of rehabilitation at such a young age.

The brain science supports this concept. The OPD has long promoted the idea that children and young adults are fundamentally different than adults—a belief that is well-grounded in decades of social science research.<sup>1</sup> There is a multitude of 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.<sup>2</sup> **In addition, children and young adults have an exceptional capacity for rehabilitation, proven by the success** of those like Mario Monteiro, the inspiration behind “Mario’s Law,” (a.k.a. the “Youthful Offender Act”), which the General Assembly passed in 2021. Mr. Monteiro, who committed a gang-related murder at 17, successfully rehabilitated himself over twenty-three years at the prison, and now runs a non-profit organization—The Rhode Island Freedom Collective—helping formerly incarcerated people live fruitful, safe, and healthy lives post-incarceration.

**Importantly, this is not a bill that would prevent anyone who committed a heinous crime from receiving life without parole.** In an appropriate case, the parole board can—and does—refuse to grant parole when it believes a person has not fully rehabilitated, deserves further

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<sup>1</sup> See, e.g., *Roper v. Simmons*, 543 U.S. 551 (2005); *Graham v. Florida*, 560 U.S. 48 (2010); *Miller v. Alabama*, 567 U.S. 460, 479 (2012), (all relying heavily on developmental sciences sources to distinguish the juvenile brain from that of an adult, and that the frontal cortex continues to develop well into a person’s mid-twenties).

<sup>2</sup> 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 April 16, 2026).

punishment, and/or would be a danger to society. For example, take the case of Samuel Fuentes, who is currently serving a sentence for a murder that he committed in 1987, when he was seventeen years old. He received a life sentence for this crime, and has been up for parole twenty-one times, with no success.<sup>3</sup>

Mr. Fuentes is just one example of a case we are aware of; anecdotally, we could provide many more to show that the parole board ensures that in some cases, a life sentence does mean life. In others, it does not. The problem with removing the Parole Board's discretion at the outset, is that it would prevent the DOC from releasing people who have well and truly reformed—at an extraordinary cost. Not only in terms of human life and experience, but cold, hard cash as well. The cost of incarcerating a person at Maximum Security for a year is \$131,752. There are times when it is necessary to spend this money, of course. But when it is unnecessary, it is a waste of human capital and taxpayer dollars at the same time.

**For all these reasons, we strongly support the passage of H7132.**

Sincerely,

/s/ Angela M. Yingling  
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<sup>3</sup> This example is not in any way meant to insinuate that Mr. Fuentes should never be paroled. He is merely a defendant that we are aware of who committed a murder in his youth and has yet to be paroled almost fifty years later.