

Rhode Island Chapter

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American Academy of Pediatrics

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RICCAP

Rhode Island Council of Child
and Adolescent Psychiatry

Testimony in Support of H7818

An Act Relating To Delinquent and Dependent Children—Proceedings in Family Court

April 14, 2026

Dear Chairwoman Hagan McEntee and Distinguished Members of the House Judiciary Committee,

We are writing to you on behalf of the Rhode Island Council of Child and Adolescent Psychiatry (RICCAP) and the Rhode Island Chapter of the American Academy of Pediatrics (RIAAP), which are the state's regional branches of the national professional organizations the American Academy of Child and Adolescent Psychiatry and the American Academy of Pediatrics. RICCAP represents over 100 child and adolescent psychiatrists and RI AAP represents 280 members in the state.

As a group of physicians with decades of collective experience working with children and families, **we strongly support HB 7818 An Act Relating To Delinquent and Dependent Children—Proceedings in Family Court.**

Incarcerated youth have high rates of mental illness, including developmental disabilities, anxiety, depression, and disorders associated with trauma such as post-traumatic stress disorder. Among youth at the Rhode Island Training School, 54% have a diagnosis of some sort, with a significant number of youth diagnosed with PTSD (30%)ⁱ. Detention in a correctional facility may exacerbate underlying psychiatric illness and symptoms associated with trauma. Research has also shown that individuals incarcerated at younger ages have worse physical and mental health outcomes than adultsⁱⁱ, suggesting that early incarceration has a life-long impact. This impact also contributes to significant racial inequity as the juvenile justice system disproportionately impacts black children and adolescents^{i, iii}.

Earlier contact with the juvenile justice system has been shown to increase likelihood of future criminal justice involvement, which occurs in part through labeling and developing a criminal identity, exposure to negative peer influence, and the removal of typical, positive experiences from a child's life. Additionally, it takes the place of other evidence-based, trauma-informed interventions that would otherwise be provided through developmentally appropriate health and social services.

Setting a minimum age of incarceration would prevent children ages 13 and younger (typically still in elementary or middle school) from exposure to the correctional setting, to the influence of older adolescents, to prolonged periods quarantine that have been necessary during the pandemic, and to the punitive approaches inherent to such a facility. Rather, it would ensure that Rhode Island's youngest children are connected to the appropriate mental health and social services.

We strongly support an ongoing focus on therapeutic interventions. Our RICCAP and RIAAP members stand ready to work in collaboration with our colleagues at the responsible state agencies within the Executive Office of Health and Human Services to strengthen the system of behavioral health care here in Rhode Island.

We also want to highlight the current national initiative underway to establish and raise the minimum age of incarceration that has been supported by a large group of professional organizations that work with children and families. In 2021 a joint statement made by American Academy of Pediatrics, American Academy of Child and Adolescent Psychiatry, American Council for School Social Work, American Psychological Association, Clinical Social Work Association, National Association of Social Workers, and Society for Adolescent Health and Medicine, can be found at this site <https://www.aap.org/en/advocacy/juvenile-justice/health-groups-call-for-minimum-age-of-jurisdiction>.

“On behalf of child and adolescent health professional organizations, we collectively endorse action to institute a minimum age of at least 12 years for juvenile justice system jurisdiction. Children and young adolescents who come in contact with the juvenile justice system need access to developmentally appropriate, trauma-informed, supportive health and social services, not inappropriate punishment.”

In 2023, AACAP reviewed their policy statement, recommending a minimum age of at least 14 years old.^{iv} The United Nations Convention on the Rights of the Child in 2019 also recommended that states consider the recent scientific findings in the fields of child

development and neuroscience to consider maturity and capacity for abstract reasoning that support establishing a minimum age for criminal responsibility of 14 years.^v The American Bar Association supports this same minimum age of 14 for juvenile justice involvement in its 2021 resolution #5054.^{vi}

In conclusion, we strongly support HB7818 to set a minimum allowable age of 12 for detaining or committing youth. HB7818 has the potential to improve outcomes ranging from recidivism to mental health for vulnerable Rhode Island youth. We sincerely hope that Rhode Island will engage in this opportunity to promote the physical and mental well-being of our state's youth. Thank you very much for your consideration and your commitment to protecting and nurturing the children and adolescents of Rhode Island.

Sincerely,

RI Chapter of the American Academy of Pediatrics

RI Council for Child and Adolescent Psychiatry

ⁱ RI DCYF Data & Evaluation Unit, (2025, Jan 14). Recidivism Among Youth Entering the Rhode Island Juvenile Justice System, FY20-23: Descriptive Statistics, dcyf.ri.gov/sites/g/files/xkgbur416/files/2025-01/Descriptive%20Statistics%20Recidivism%20FY20-23%2014JAN25%20final%20v1.0.pdf.

ⁱⁱ Barnert, E. S., Abrams, L. S., Dudovitz, R., Coker, T. R., Bath, E., Tesema, L., Nelson, B. B., Biely, C., & Chung, P. J. (2019). What Is the Relationship Between Incarceration of Children and Adult Health Outcomes?. *Academic pediatrics*, 19(3), 342–350. <https://doi.org/10.1016/j.acap.2018.06.005>

ⁱⁱⁱ Tolliver, D. G., Bath, E. B., Abrams, L. S., Barnert, E. (2021). Addressing Child Mental Health by Creating a National Minimum Age for Juvenile Justice Jurisdiction. *Journal of the American Academy of Child & Adolescent Psychiatry*.

^{iv} AACAP. (2023, May). Policy Statement on the Jurisdiction of the Juvenile Court System https://www.aacap.org/aacap/Policy_Statements/2023/Policy_Statement_Policy_Statement_Jurisdiction_Juvenile_Court_System.aspx

^v United Nations Convention on the Rights of the Child – General comment number 24 (2019) on children's rights in the child justice system.

^{vi} American Bar Association Resolution 505 (2021). <https://www.americanbar.org/content/dam/aba/directories/policy/annual-2021/505-annual-2021.pdf>