

Bill Number: SB494

Title: **Juvenile Restoration Act**

Committee: Judiciary/Judicial Proceedings

Date: February 15, 2021

Support for House Bill SB494 Juvenile Restoration Act

Dear Honorable Members of the Legislative Committee:

My name is Kymberly Nelson. I reside in Prince George's County, Maryland. I am the Aunt of an Inmate who is currently incarcerated at the Jessup Correctional Institution.

I am in support of the House Bill SB494 - Juvenile Restoration Act. Due to many factual reports on the human brain of adolescents regarding development, I have to agree with the Supreme Court statutes. The Supreme Court has held that because juveniles are less able to foresee risks and anticipate consequences and are especially ripe for rehabilitation, they should be treated differently than adults in the criminal legal system. Yet in Maryland, juveniles are subject to a sentence of life in prison based on a legal doctrine that rests on foreseeability. This has created a grave injustice.

My nephew was second to the oldest of seven children. At the young tender age of six, he took the leadership role in his home. He had two younger siblings, a younger brother who was four, and his younger sister was two. They were all being neglected by their parents due to drug abuse that the rest of the family was oblivious to initially. One morning I noticed my nephew walking to his bus stop by himself. That troubled me. So the next day, I went to walk him to the bus stop. When I arrived at the house, his parents were asleep. My nephew opened the door and let me in. He had on a dirty school uniform and went in the kitchen to warm up some rice for himself and his siblings which were 4 and 2 at the time.

Soon after, my nephew and his siblings moved into our household. Even after he moved in with us, he was still trying his hardest to be the parental figure for his siblings. They were all severely traumatized. He would wet the bed. He became somewhat withdrawn. He had abandonment issues and communicated to me all the terrible things that he witnessed while he was with his parents. Even though his home life wasn't easy for him. School was. He was very intelligent. His teachers and guidance counselor were particularly fond of him. They often bragged about how smart he was and how helpful he was. Some years later, his mom rehabilitated herself. She got a job, an apartment and she regained custody of her kids. She didn't live in the best neighborhood and my nephew became heavily influenced by his environment. With a lack of positive role models accompanied by low self-esteem, he started to use marijuana and PCP to cope with the emptiness he felt. He started using drugs around 13-14 to my knowledge. With drug use, he lacked good judgment and critical thinking skills.

He committed a tragic crime and was arrested at sixteen years old and sentenced at seventeen to Life in Prison all suspended except thirty-five years. To date, he has been incarcerated longer than he was alive at the time he was arrested. Since his incarceration, he has received his GED, successfully completed an Auto Mechanic Program. He hasn't been in any trouble. He has a constant desire to learn. He reads all kinds of books. We discuss the books that he and I have read. He talks about wanting to become an Entrepreneur when he is released and starting a nonprofit to help the youth.

This is why I am in support of SB494. If you commit a crime you have to be punished but the amount of time one is punished, should be fair and just. There are things that I have done as a juvenile that I wouldn't dare do today as an adult. Even though Juveniles commit crimes and the courts charge them as adults, the fact is, they are not adults. You have to give juveniles the opportunity to mature, reform, rehabilitate and redeem themselves as productive Adults. Sixteen years is a short life. When you think of yourself at sixteen, and all the mistakes that you have made, you look back and say I was just a kid. Juvenile lifers don't get that same respect. They were kids who committed a crime and served adult time.

People serving life sentences don't generally elicit much public sympathy. They were generally convicted of heinous crimes, usually first-degree murder. We understand that the victim's family have suffered and may continue to suffer. But educating the victim's family on all the proven brain studies for juveniles may be helpful in softening the blow for them. I also don't believe that that a decision should be solely based on the victim's family because they may want to see that juvenile lifer die in jail but we all know that isn't fair and just as the law is concerned.

In conclusion, this bill is very important to the families of Juvenile Lifers. We would love to be able to see my nephew outside of Prison, functioning and thriving as a productive citizen. We want to be able to see him fulfill his greatest potential.

Thank you for your time, consideration, and understanding.