

Paul LaRuffa

March 12, 2020

**SUPPORT for Senate Bill 1038, *Juveniles Convicted as Adults – Resentencing – Limitations and Reduction (Juvenile Restoration Act)***

My name is Paul LaRuffa and I am writing this statement in support of Senate Bill 1038.

On September 5<sup>th</sup>, 2002, I left my restaurant as I had done for the previous 16 years. Immediately after sitting in the driver's seat of my car, the window next to my head exploded with a loud bang from a gunshot followed by four more shots. All five shots hit me. The two people who had left the restaurant with me and witnessed the person running up to my car and shooting, called 911. Help arrived in time to get me to Prince George's County Hospital Trauma Center where doctors operated for more than seven hours and saved my life.

Approximately fifty days later John Allen Muhammad and Lee Boyd Malvo were captured. It was soon determined that Malvo was the person who shot me, took my laptop and bank bag from the back seat of my car and ran away into the night.

When Malvo received a sentence of life without parole, I had no objection. I felt that the sentence was just, not for what he had done to me, but certainly for the killings in which he took part over the more than one and a half months after my shooting.

I felt I had good reason to subscribe to the idea of "put him away and throw away the key".

Why do I NOT feel that way today?

It is because I have learned many important facts.

I became aware that there were thousands of juveniles/children serving life without parole and other extreme sentences in adult prisons across the country. They had committed various serious crimes when they were between 14 and 17 years old but many of the crimes, if not all, were far less heinous than those of Malvo and Muhammad.

I also became acutely aware of the important differences between a child and an adult. Scientific studies show that the brain itself, as well as, the character and judgment of young people are areas that are not fully developed. Juveniles act and react on emotion rather than reason. Additionally and perhaps most importantly, it has been

shown that juveniles have a profound capacity for rehabilitation and positive transformation.

The Supreme Court certainly recognized this real difference between child and adult by banning the death penalty for juveniles in the 2005 Roper vs Simmons decision. The Court also reinforced this “difference” in 2010 by banning juvenile life without parole sentences in certain circumstances and in 2012 by ruling them as excessive punishment in the great majority of cases.

My support for House Bill 1437 and Senate Bill 1038 was greatly strengthened by meeting and interacting with members of the Incarcerated Children’s Advocacy Network (ICAN), a group of people who were incarcerated as children and have been given the opportunity of returning to society.

These individuals have demonstrated positive change in many ways starting with taking personal responsibility for the harm they caused. They are now contributing positively to society by serving their communities, supporting their families, and leading fulfilling lives outside of prison walls. Many of these individuals were only given a second chance after courts took another look at their sentences and found that they no longer resembled the teenagers who committed acts of harm so long ago. However, in Maryland, many people are serving life-without-parole or decades-long sentences for crimes committed as children and are not being given an opportunity to show they have changed.

Currently, 23 States plus the District of Columbia have banned “juvenile life without parole” (JLWOP) sentences and 5 States have no individuals serving a JLWOP.

The obvious question is: Has banning juvenile life without parole sentences (JLWOP) had a positive result?

There have been more than 600 people released in the States that have banned JLWOP. None of those who have been released have reoffended. A recidivism rate of “0” certainly indicates a great deal of success.

As a Maryland resident and a survivor of youth violence, I understand that others who have suffered at the hands of a juvenile may not support the ideas of an offender receiving a “second look” and the possibility of release after serving a punishment of 20 years.

However, I feel it is critically important to realize that not all victims and victims’ families feel the same way. I along with many others whose lives have been forever impacted by youth violence feel compelled to support Senate Bill 1038 and have Maryland join the other states which have demonstrated that a civilized, moral, fair and just society does not condemn children to die in prison.