

February 14, 2023

Re: Testimony in Support of SB 0093  
Youth Equity and Safety Act

Dear Members of the Judiciary Committee:

I am a registered voter who resides in District #41. I am a returning citizen and parole advocate working for a non-profit providing parole and reentry services. After being adjudicated in the criminal justice system at the age of fifteen, I served over four consecutive decades in prison. So, I know firsthand the intricacies of adjudicating children as adults based solely on the nature of their offenses.

The existing law allows for children over the age of thirteen to be charged as adults based solely on the allegation of having committed a violent offense. On one hand the legislature acknowledges the immaturity of children by prohibiting them from registering to vote, enlist in the military, enter binding contracts without parental consent, purchasing tobacco, alcohol, or firearms, and driving a motor vehicle. Yet, the alleged commission of a specified crime somehow gives these children the wherewithal to responsibly engage in the adult criminal justice system.

Developments in psychology and brain science indicate that children under the age of eighteen are not as mentally or emotionally developed as adults. As sensation-seeking is high and self-regulation is low in adolescents, they are vulnerable to risky behavior, increased susceptibility to outside influences, and poor decision making. The judiciary branch even acknowledges the difficulty of expert psychologists to differentiate between juvenile offenders whose crimes reflect transient immaturity and the rare juvenile whose crime reflects irreparable corruption. Furthermore, this legislature enacted the Juvenile Restoration Act in 2021 which recognized that juvenile offenders are less culpable, more amenable to change, and deserving of second chances.

I am a rare example of a child who served adult time. Kids like me do not fare well in the criminal justice system. Several of my friends, who only smoked weed, huffed glue, and drank beer, would later overdose and die from cocaine, heroin, fentanyl. Some were forced into gang life and became full-fledged members. A number have caught jailhouse charges increasing their stay. I know one who was murdered as he slept, two who committed suicide, several who were subjected to sexual degradation, and many who have becoming habitual offenders.

How can the police, state's attorneys, and courts be authorized to charge and adjudicate our children as adults without any adolescent clinical background. This has resulted in great disparity among children of color. The criminal justice system does not afford the designed to! So, adjudicating weak, impressionable, misguided children as adults condemns them to a hapless fate.

I question whether this practice which has not deterred crime is a necessary injustice. In my humble opinion, it is less difficult to teach children how to become good, productive adults than to try to repair broken adults. Therefore, I support the Youth Equity and Safety Act and urge this honorable committee to vote favorably for Senate Bill 93.

Truly yours,

Gordon R. Pack, Jr.  
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