

# Capitol Watch

Reports from the Courant's politics staff

## House Passes Sentencing Bill Giving Youth Offenders Chance At Parole

By **Jenny Wilson**

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**T**he state House of Representatives Tuesday approved a juvenile sentencing bill that would give youth offenders serving long prison terms the chance at parole.

The measure cleared the House in a bipartisan vote of 135-11 late Tuesday; an amended version now goes back to the state Senate.

The bill is a response to two recent U.S. Supreme Court decisions addressing juvenile sentencing, and designed to conform Connecticut law to what the Court held in two separate cases in the past five years: That automatic life sentences without the possibility of parole are unconstitutional for juveniles under the Eighth Amendment protections against cruel and unusual punishment. In both cases, the high court's majority ruled that lack of maturity, susceptibility to peer pressure, and differences between juvenile and adult brains should be taken into account in sentencing - reasoning that the teenage brain is not developed enough to be deemed incapable of reform. A 2010 case, *Graham v. Florida*, struck down juvenile life sentences without parole for non-homicide offenses. In 2012, a divided Court ruled in *Miller v. Alabama* that the constitutional protections extend to homicide offenses as well, prohibiting automatic sentences of life without parole for juveniles.

State Rep. William Tong, D-Stamford, the House chairman of the judiciary committee, said the bill was necessary to comply with the two landmark Supreme Court decisions.

"Under the Eighth Amendment, we have to adjust the way we sentence juveniles," Tong said.

As the system stands now, "you make a decision at the outset that the child is incorrigible," Tong said. "Very few children are incorrigible."

The bill includes provisions that would require courts to take mitigating factors, like brain development, into account when sentencing someone who committed a crime between the ages of 14 and 18.

It would provide sentencing review to some juveniles serving lengthy sentences for crimes committed at a young age, and it would allow some juveniles a chance at parole sooner if they committed a crime when they were younger than 18 and received a sentence of longer than 10 years in prison.

Supporters of the bill insist that it would not result in the automatic release of any juvenile offenders; it would simply give them an opportunity to demonstrate to the state Board of

Parole and Pardons that they have rehabilitated. If the legislature does not address this issue, supporters of the bill say, the battle is likely to be fought in the state court system as juveniles, citing the recent Supreme Court decisions, demand sentence review.

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