



Date: February 7, 2024

To: Assembly Judiciary Committee

From: Cartécia Weaver, Senior Racial Equity Policy Analyst

RE: Support SB801/AB845 to End Juvenile Life Without Parole

Every young person in Wisconsin deserves the opportunity to get an education, grow up in safe communities, and realize their potential. However, severe community disinvestment, the over policing of communities of color, and racial bias in our legal system has led to youth of color being over-represented within the criminal legal system¹ —from policing to courts to incarceration. But, by supporting SB801/AB845 and ending juvenile life without parole (JLWOP), Wisconsin can take a step in the right direction.

Children Are Fundamentally Different Than Adults and Need Rehabilitation

Over 100 individuals are currently serving life sentences for crimes they committed as children in Wisconsin – several of whom were as young as 13 years old at the time of the offense². The JLWOP practice is in direct conflict with the Supreme Court decisions in *Miller v. Alabama* (2012) and *Montgomery v. Louisiana* (2016), in which the Court affirmed that children are fundamentally different from adults and must be held accountable in age-appropriate ways that focus on rehabilitation, not endless punishment. Wisconsin should reimagine a community-based continuum grounded in youth voice, emerging adult research, and cross-system collaboration. To end the reliance on incarceration, Wisconsin needs to consider ways to meet youth's basic needs such as health, housing and employment.

Juvenile Life Without Parole Causes Deep and Lasting Harm

Even though 28 other states, including Illinois and Minnesota, have banned JLWOP, Wisconsin continues to maintain it. JLWOP sentences eliminate the possibility that children receive developmentally appropriate services. Maintaining JLWOP will continue to cause deep and lasting harm on youth, their families, and their communities. Longitudinal studies have shown that incarceration during youth is associated with worse outcomes in adulthood.³ It is imperative that we shift our focus to addressing root causes and basic needs. Wisconsin cannot afford to continue to accept the current outcomes and disparities as inevitable.

Recommendation

Kids Forward urges you to support SB801/AB845 and eliminate juvenile life without parole. This critical advancement towards a more developmentally appropriate juvenile justice system will reduce and repair harm, decrease racial disparities, increase child and family wellbeing, and increase opportunities for community-based alternatives to incarceration.

¹<https://www.sentencingproject.org/app/uploads/2022/08/Racial-Disparities-in-Youth-Commitments-and-Arrests.pdf>

² WISDOM Wisconsin (2/6/24) Action Alert re: AB845 JLWOP Bill

³ <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC5260153/>



Contact

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About Kids Forward

Kids Forward is a statewide antiracist policy center that inspires action and advocates for children and families of color and those furthest from opportunity in Wisconsin. We envision a Wisconsin where every child thrives.