



**Testimony submitted to the Joint Committee on the Judiciary
In Support of S.940/H.1486 An Act to reduce recidivism among emerging adults
By Colleen Kirby, LWVMA Specialist, Criminal Justice Reform
October 8, 2019**

“Emerging adults” are young adults under the ages of 25 or 26, a time when the adult brain is still developing.¹ This age group accounts for the highest costs in the justice system and has the highest recidivism rates. Currently, we sentence this age group as adults, and the results are not good. It is time to treat emerging adults in a developmentally appropriate way while holding them accountable and to devise rehabilitation programs focused on their particular needs. This bill provides for enhanced, proven programs targeting this age group within the adult justice system including: (1) individualized case planning; (2) family engagement; (3) access to education, including post-secondary education; (4) abolish the use of solitary and restraints; (5) community-based pre-release; (6) access to physical, mental and dental health; (7) prohibitions against discrimination against LGBTQ individuals; and (8) prohibition of incarceration solely due to lack of placement by another state agency.

The League of Women Voters “believes alternatives to imprisonment should be explored and utilized, taking into consideration the circumstances and nature of the crime.” The League of Women Voters of Massachusetts, which has 47 local Leagues in the state, supports “the use of adequately funded and supervised alternative punishments for offenders where mitigating circumstances exist” and supports “measures to protect the civil and individual rights of the offender and to promote the offender's rehabilitation through individualized treatment.”³

Even though emerging adults make up 10% of the population in Massachusetts, they account for nearly one-third of the arrests, nearly one-quarter of Houses of Corrections detentions and one-fifth of commitments to the Department of Correction.⁴ Our highest recidivism rates are in this population, with over 75% returning to Houses of Correction within three years, especially young adults of color.⁵ Developmentally, this age group is more prone to risk-taking, and, if engaged in criminal behavior, most age-out by their mid-twenties.⁶ Studies show that for best results, young adults should be kept in the community, and have access to rehabilitative programs, such as Roca⁷ and UTEC.⁸ In addition, the Middlesex House of Corrections has recently implemented a special unit for emerging adults,^{9,10} in part based on the German system.¹¹

A high proportion of those incarcerated are minority youth in this age group, with particularly dire results, restricting a person’s life’s possibilities and diminishing the future of entire communities.¹² Incarceration does not present emerging adults with the normal opportunities to achieve developmental milestones, such as continuing an education, getting a first job, coping with their trauma, or forming a family. Being separated from family, or being put in solitary confinement are especially problematic for emerging adults,¹³ and even more so for youth who have been involved in the child welfare system.¹⁴

Ideally, we want the state to provide the screening and support emerging adults need to be successful and keep them from falling into a cycle of crime.¹⁵ This bill is a big step toward improving how the state deals with individuals in this age group and increases public safety.

The League of Women Voters of Massachusetts urges you to report this bill favorably. Thank you for your consideration.



1. Emerging Adulthood Brain Development, Chapter: [Emerging Adulthood Brain Development](#) by Bradley C. Taber-Thomas and Koraly Perez-Edgar Published by Oxford University Press, 2015.
2. Impact on Issues <https://lwmvma.org/advocacy/league-positions/>
3. Where We Stand <https://lwmvma.org/advocacy/league-positions/>
4. <https://www.cfjj.org/emerging-adult-justice/>
5. [Emerging Adults: A distinct population that calls for an age-appropriate approach by the justice system](#). By Selen Siringil Perker and Lael Chester, 2017.
6. [Community-Based Responses to Justice-Involved Young Adults](#) by Vincent Schiraldi, Bruce Western and Kendra Bradner, September 2015.
7. <https://rocainc.org/>
8. <https://utecinc.org/what-we-do/theory-of-change/>
9. <http://features.wgbhnews.org/in-billerica-young-prisoners-give-freedom-a-trial-run>
10. <https://www.lowellsun.com/2019/03/09/this-gives-me-a-fresh-start/>
11. <https://www.bbc.com/news/uk-37770576>
12. <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3433080/>
13. <https://www.vera.org/blog/why-reimagining-prison-for-young-adults-matters>
14. <https://rfknrcjj.org/events/dsy-symposium-april2016/>
15. <https://www.bbc.com/news/uk-37770576>