



MISSOURI HOUSE OF REPRESENTATIVES
WITNESS APPEARANCE FORM

BILL NUMBER: SB 22		DATE: 4/12/2023	
COMMITTEE: Judiciary			
TESTIFYING: <input checked="" type="checkbox"/> IN SUPPORT OF <input type="checkbox"/> IN OPPOSITION TO <input type="checkbox"/> FOR INFORMATIONAL PURPOSES			
WITNESS NAME			
INDIVIDUAL:			
WITNESS NAME: JUDY GEORGE		PHONE NUMBER:	
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EMAIL: jgeorge01@hotmail.com	ATTENDANCE: Written		SUBMIT DATE: 4/12/2023 10:42 AM
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Thank you for allowing me to submit testimony in favor of Senate Bill 22. SB 22 will address changes caused by SB 26 from 2021. I am one of many, many victims SB 26 has impacted. On May 16, 1996, I was robbed at gunpoint by Tyrone Hill. This happened at a Dollar General store, where I was a customer. Hill first demanded money from the cashier. But she panicked and could not open the cash register. Hill then grabbed me by the shoulder, put a shotgun to my neck, and told the cashier to hurry up or he would blow my neck off. The cashier called for her manager, who was also unable to open the register. As he tried to open the second register, Hill repeatedly told him to "Give me the money or I'll kill the customer." I've been through hell since May 16, 1996. But let's ramp that hell back up since September 2021 when I was informed that Hill was coming up for his first parole hearing in November 2021. The parole hearing was supposed to be in 2040. The anxiety and PTSD hit me again at an all-time high. Sleepless nights, weight loss, counseling and missed days of work because I didn't want to leave my home. My offender was approximately 40 days from turning 18 when he committed his crime with a weapon. Were those 40 days before his 18th birthday really going to make a difference in making him accountable for his actions? I attended the offender's parole hearing. I had to see him again to determine if I could witness a change in him. Instead, I saw the same cold, empty eyes. Rehearsed canned responses to the questions asked of him. All in a dead, emotionless voice. Then I had to wait to find out what decision the Parole Board made. The Parole Board decided that Hill will be released on November 9, 2024, and have supervised parole until 2051. I am the victim. Repeat those words "I am the victim" but I have a lifetime of incarceration because I have to live every single day with the actions of someone who has no remorse for his sociopathic behavior. So I ask you . . . what about the victims? What is the Missouri Legislature going to do for us? How will you keep us safe from our offenders when you release them back into society? Thank you for your attention. I urge you to vote "Yes" on Senate Bill 22. Judy George



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WITNESS NAME: ROSE RIDNOUR		PHONE NUMBER:	
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WITNESS NAME: ARNIE C."HONEST-ABE" DIENOFF-STATE PUBLIC ADVOCATE		PHONE NUMBER:	
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WITNESS NAME			
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WITNESS NAME: ELIZABETH UNGER CARLYLE		PHONE NUMBER: 816-525-6540	
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I apologize that I could not be present for today's hearing, On behalf of the Missouri Association of Criminal Defense Lawyers, I wish to express our opposition to SB22, which undoes significant progress made by the legislature two years ago. In 2021, this legislature wisely implemented a partial solution to issues that have plagued this state since the United States Supreme Court rightly found that life without parole was unconstitutional for juveniles, making juvenile offenders other than those who had committed first degree murder eligible for parole after fifteen years. Making second degree murder, when committed knowingly, an exception to the parole eligibility of youth offenders as SB 22 now proposes is a giant step backward. Second degree murder is not a purposeful crime. It does not require forethought, deliberation, or even intent to kill. Mo. Rev. Stat. § 565.021(1). This aspect of these crimes—that they are often spontaneous, not well-thought-out, and the result of other, much less-harmful intentions—is why a second-degree murder is the exact kind of crime that is often a result of the immaturity of the youthful brain. More and more research establishes that the human brain, particularly those portions that restrain impulsive behavior and enable careful decision-making, do not mature until a person is at least 21 years old. Cognitive science research confirms that, “in the heat of the moment, as in the presence of peers, potential threat, or rewards, emotional centers of the brain hijack less mature prefrontal control circuits during adolescence, leading to poor choice behaviors.” Alexandra O. Cohen and B.J. Casey, *Rewiring Juvenile Justice: The Intersection of Developmental Neuroscience and Legal Policy*, 18-2 Trends in Cognitive Sciences 63, 65 (Feb. 2014). A juvenile's criminal offense may be “due, in part, to brain immaturities that enhance risk taking” and lead to decisions that would not be made later in life. Luna & Wright, *supra*, at 108. Indeed, a study of juvenile offenders found that “even among those individuals who were high-frequency offenders at the beginning of the study, the majority had stopped these behaviors by the time they were 25.” Laurence Steinberg, *Give Adolescents the Time and Skills to Mature, and Most Offenders Will Stop*, MacArthur Foundation 3 (2014), <http://bit.ly/2FC0w40>. In other words, kids make rash decisions that they might never make as adults. After 15 years' imprisonment, they will be much better equipped to make good decisions. Second degree murder is no doubt a tragic and terrible crime. The law as it currently stands takes that into account by making even young perpetrators of such a crime eligible for parole only after serving fifteen years in prison. It is important to remember two things about this: 1) For these offenders, who are very young at the times of their crimes, fifteen years feels like a life sentence, because it is almost as long as they lived prior to their crime; and 2) Many, if not most, will not be paroled after fifteen years. Only those that the parole board deems worthy of release after a full review of the crime, the person's criminal history, institutional adjustment, victim input, and other factors, will be released on parole. Finally, it would seem highly inefficient to come back this year and undo what this legislature so recently did, without even a chance to see the results of its work. The law as passed

last year was well-intentioned and based on science that has been accepted and relied on by the highest court in our land. I hope this Committee will have some faith in the decisions it rightly made two years ago, and leave the law as it is in place.



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WITNESS NAME			
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WITNESS NAME: KORTNIE HUDDLESTON		PHONE NUMBER:	
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Don't strip away parole chances for kids convicted of 2nd degree murder. The Supreme Court has upheld a string of cases based on the idea that children are less culpable than adults, even when committing serious crimes. Children are less deterred by punishment, more vulnerable to peer, familial or situational pressure, and their personalities less fixed, which means there's a greater possibility for rehabilitation. Kids should be parole eligible and not doomed to a life in prison for a crime they committed as a child. Whether offenders are released from prison is up to the Missouri Probation and Parole Board. This bill takes control out of the Parole Board's hands in determining what is best for the offender and for society. I urge you to oppose this bill because kids deserve a second chance.



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WITNESS NAME: MICHAEL DREYER		PHONE NUMBER:	
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WITNESS NAME: TORI SCHAFER		PHONE NUMBER:	
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I write to provide information regarding the extreme sentencing of juveniles--individuals directly impacted by this proposed legislation--so that the General Assembly may make an informed decision regarding SB 22. The Supreme Court of the United States has issued a long line of decisions acknowledging that children are different from adults in significant ways, ways in which mitigate their culpability for committing even the most serious crimes, such as homicide. These differences are intuitive (we all know we are different at 35 than we were at 16), and also grounded in psychological and biological research. Humans' brains are still developing until their early or mid-20s. Prior to that age, during adolescence, our prefrontal cortex (sometimes called "The CEO of the brain") is under-developed, and our cognitive function is driven by our limbic system. As a result, adolescents are more impetuous, take more risks, and are more driven by reward than punishment. In addition, adolescents' character is less fixed, meaning they are more likely to mature, rehabilitate, and, studies show, age out of crime. None of this is to excuse the actions of young people. But the Supreme Court has told us that these significant and biological differences counsel against sentencing them to extreme prison terms. SB 26, passed last session, acknowledged these differences, and created an opportunity for individuals who have demonstrated maturity and rehabilitation, and readiness for release, to be released from prison on parole. But it only created the opportunity - it was not a get out jail free card. At the end of the day, the parole board is tasked with making release decisions following regular parole release hearings. Victim representatives are invited to participate in that process, and in fact play a significant role. The board considers a wealth of information, including the facts of the underlying offense, the individual's prison record, their risk assessment score, and any support they would have upon release. SB 22 would prohibit the parole board from exercising its discretion to release from Missouri prisons juvenile offenders who have demonstrated readiness for release, even in cases where victim representatives support their release back to our communities.