



**Written Testimony of Daniel Landsman
Vice President of Policy
In Support of HB 1325
Washington House Committee on Community Safety,
Justice, and Reentry**

Chair Goodman, Vice Chair Simmons, and Members of the House Committee on Community Safety, Justice, and Reentry:

Thank you for the opportunity to submit written testimony in support of HB 1325 – a commonsense piece of legislation that would bring Washington state in line with the best and most up-to-date evidence around brain development in emerging adults. House Bill 1325 would allow most people who were under the age of 25 at the time of their offense to go before the Indeterminate Sentencing Review Board (ISRB) for an *opportunity* to be released after serving 15 years. Individuals convicted of first-degree aggravated murder would become eligible for review after serving 25 years.

House Bill 1325 is a reflection of the best evidence around the brain development of young adults and the impact that has on sentencing in the justice system. We now know that the human brain does not fully develop until a person reaches the age of 25. This underdeveloped brain causes emerging adults under the age of 25 to be more impulsive, more susceptible to peer pressure, and less able to weigh the pros and cons of their actions.

The Washington State Supreme Court acknowledged these mitigating factors of youth in its decision in *Monschke*, where it found mandatory life without parole sentences for people under the age of 21 to be unconstitutional. This case relied on the same science that has informed HB 1325; however, given the age of the defendants in the case, the Court set the age parameter at 21. Passage of HB 1325 will not only conform with the Supreme Court's decision in *Monschke* but address sentences for people between 21 and 25 that would likely be taken up by the court in the future in the absence of this legislation.

House Bill 1325 is needed not only to address Washington's likely unconstitutional statutes but to reduce Washington's reliance on ineffective excessive sentences. We know that long sentences do not deter criminal behavior; rather it is the certainty of being caught and held accountable quickly that deters criminal behavior.

Additionally, sentencing anyone to a life or long sentence all but guarantees that the sentence will reach the point of diminishing returns on public safety. Decades of data and research has revealed the existence of an age-crime curve that shows that the likelihood of criminal behavior increases sharply during late adolescence and begins to drop off during a person's 20s. Once an individual reaches their 40s and 50s, the likelihood of offending is small and approaching zero. Too often, Washington

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Finally, HB 1325 is a matter of racial justice. There exist stark racial disparities among young people sentenced to life and long sentences. For example, 29.3% of people serving sentences greater than 15 years for crimes committed before their 25th birthday are Black – this despite Black Washingtonians making up only 4.3% of the state's population. These unjust disparities further exasperate the disproportionate harms Washington's prison system has on the state's communities of color.

House Bill 1325 is a smart, evidence-based reform to Washington's sentencing laws. Emerging adults under the age of 25 are clearly impacted by the mitigating factors of youth acknowledged by both the United States and Washington Supreme Courts. This bill does not guarantee a release for anyone but rather provides them an opportunity for early release after serving 15 years in prison – a substantial amount of time by any metric. By passing HB 1325, Washington will provide people sentenced as young adults hope and an incentive to engage in programming to better themselves and prepare for a return home. I urge the committee to advance HB 1325.

Thank you for your time and consideration of our views. I am happy to make myself available to the committee to answer any questions or address concerns you may have with this bill.