



**Testimony Re: H-7546 - An Act Relating to Criminal Procedure -- Arrest
House Judiciary Committee**

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Madam Chair and members of the Committee, thank you for the opportunity to provide testimony. Rhode Island KIDS COUNT would like to voice its opposition to House Bill 7546 which would expand the definition of peace officers to include juvenile program workers and shift coordinators at the Department of Children, Youth, and Families (DCYF).

Last year, I attended a conference where the [Gualt Center](#) presented on life-long consequences of youth justice involvement. There were justice and education professionals in the room, as well as many youth and lived experts. When the presenter asked the question, "What is the purpose / what are the outcomes of the juvenile system?," the attendees responded with, "rehabilitation," "safety of separating youth from adult offenders," "more opportunities," and one youth raised his hand and said, "*to prepare the child for prison.*" The response completely silenced the room. This youth was from Atlanta, GA, and had very unfavorable experiences with a system that proclaimed it would provide services and rehabilitation. What it did for him was model the adult system. **If we in Rhode Island give juvenile program workers at the Training School the same authority as correctional officers, state police, and other law enforcement, what message would that send?** We would nullify the very purpose of their role - to provide care and services in the least restrictive setting and contribute to the rehabilitative environment that is unique from the adult correctional setting.

We believe there is a reason this General Assembly has rejected this legislation in the past, and that reason is simple – the Rhode Island Training School is not the Department of Corrections.

According to the American Academy of Child and Adolescent Psychiatry, the part of the brain that controls reasoning and helps us fully think through the implications of our behavior goes through many structural changes throughout childhood and is not fully developed until at least age 26. **This ongoing development means that adolescents are inherently different than adults. This is why we have two different justice systems in the first place.** Unlike the adult criminal justice system, which primarily aims to punish offenders, the youth justice system exists because it recognizes that children who commit crimes are different from adults, with a greater capacity for change and rehabilitation, and therefore requires a separate system focused on their unique needs and not a system that mimics adult correctional institutions.

Giving DCYF staff the power to arrest children in their care is in conflict with the rehabilitative process and would greatly undermine the trust youth have placed in the staff who care for them.

Over 65% of youth arrested annually in the United States have a diagnosable mental health disorder, and over 70% of youth in the youth justice system have a mental health condition. Youth with mental health needs that go unaddressed are often funneled into the justice system due to historic criminalization of behaviors associated with mental health needs. We fear that a mental health episode has the potential to be met with a harsh and unwarranted response if the authority of the very people hired to protect youth is expanded to that of correctional officers.

We continue to advocate for community prevention and diversion programs that are restorative and direct youth away from secure detention and commitment. These community-based programs are more cost effective, more appropriately aligned with the way youth learn from their mistakes and are often better at preventing recidivism than secure detention and commitment. Our stance continues to be that young children should not be subject to secure detention or commitment, and we certainly do not support measures that would change the existing environment to mimic adult correctional institutions.

Rhode Island KIDS COUNT urges you to reject this legislation, as this legislative body has in the past. Thank you for the opportunity to provide testimony.