March 3, 2021

The Honorable R. Michael Young

200 W. Washington St.

Indianapolis, IN 46204

*Via Email*

Dear Chairman Young:

My name is Sarah Stelzner, and I write on behalf of over 900 pediatricians and pediatric advance practice nurses that make of the Indiana Chapter of the American Academy of Pediatrics to urge you to vote against passage of HB 1256.

Trying and sentencing children in the adult system is not an appropriate or trauma informed justice response to youth in trouble with the law, but that is exactly what this bill will help achieve. HB 1256 would roll back much of the progress already made in Indiana’s juvenile justice system over the last decade. Children and adolescents who become involved with the justice system often do so with complex medical, mental health, developmental, social, and legal needs. Most have been exposed to childhood trauma or adversity, which both contributes to their involvement with the justice system and negatively impacts their health and well-being. While on its face this bill appears to only ensure that certain offenses make an offender subject to the jurisdiction of *juvenile* court, the result would be that more children are brought into the criminal justice system and subsequently tried as adults.

Research has established the significant impact of childhood trauma and adversity on the health and well-being of children and adolescents. Multiple studies have documented high prevalence rates of childhood trauma among justice-involved youth, with many studies finding over 90% of youth in the justice system have experienced at least one form of childhood trauma. \* Youth who are likely victims of trauma themselves are not well served in adult court where punishment, and not rehabilitation, is the primary purpose of incarceration. **Research in adolescent development shows that children are more amenable to treatment and intervention.**

In the adult system, children are not afforded services that provide opportunities to mitigate toxic stress, acquire critical skills, competencies, and experiences essential to their success asadults. Youth still have developing brains that are very resilient in the right settings with stable, protective adult relationships. These youth need education, skills training and stable adult relationships in order to be rehabilitated, decrease recidivism and improve public safety. this is clearly not available the adult court or justice system.

Tragically, children and youth in adult facilities are five times more likely to be sexually assaulted, are up to 9 times more likely to commit suicide and have a twofold increase in likelihood of being attacked with a weapon by other inmates or beaten by staff than those in juvenile facilities. It is unacceptable to put any child or youth in an environment with this level of risk. Furthermore, placement in isolation (solitary confinement) to protect them from assaults causes permanent and detrimental impacts on mental and physical health and brain development. Children who are tried in adult court are 34% more likely to commit additional and more violent offenses than those children treated for similar offenses in the juvenile system due to lack of rehabilitative services in the adult system, the dangers discussed previously that cause further toxic stress to developing brains as well as the collateral consequences of an adult criminal conviction that disadvantages youth’s opportunities and undermines communities. These consequences include barriers to obtaining school loans, education, employment, joining the military, housing, voting and other essential aspects of rehabilitation into a successful life.

**Finally, direct file disproportionately impact minority youth** in Indiana. In 2017-18, 69% of all cases filed pursuant to the Direct File Statute involved African American children.  The Indiana Chapter of the American Academy of Pediatrics opposes any effort that will exacerbate the mass incarceration of youth of color. We must have a juvenile justice system that utilizes a culturally responsive, trauma-informed developmental approach that is based on the science of brain development. Research has shown that such an approach lowers recidivism rates, promotes public safety, and leads to improved outcomes for children.

\*The American Academy of Pediatrics Policy Statement “Advocacy and Collaborative Health Care for Justice-Involved Youth”

Sincerely,



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Sarah Stelzner, MD, FAAP

Advocacy Chair, Indiana Chapter

of the American Academy of Pediatrics