



# Young People Emerging Act

November 13

2018

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**Preamble:** Young People Emerging (YPE) Act is a criminal justice reform proposal to expand upon the Incarceration Reduction Amendment Act of 2016 (IRAA).



To: Nicole Porter

From: Young Men Emerging (YME) Mentors: Joel Castón, Michael Woody, Tyrone Walker, Momolu Stewart, Charles Fantroy, and Halim Flowers

Date: November 13, 2018

Re: Young People Emerging (YPE) Act

Please find the following proposal for your consideration:

◆ IRAA

- Under the IRAA, a Court may reduce a term of imprisonment imposed on a defendant for an offense committed before the defendant was 18 years old (1) if the defendant has served at least 20 years and is not yet eligible for parole; and (2) the Court finds that “the defendant is not a to the safety of any person or the community and that the interest of justice warrant a sentence modification.” D.C. Code § 24-403.03(a)(1)-(2).

◆ YPE Act

- YPE seeks to expand upon IRAA by raising the age limit for an offense committed before the defendant was 25 years old in consistence with science. “Recent research in neurobiology and psychology now strongly suggests that cognitive skills and emotional intelligence continue to develop into a person’s mid-twenties and even beyond.”<sup>1</sup>

◆ Abolishment of Indeterminate Life Sentences

- D.C. Code offenders whose criminal offenses occurred prior to August 5, 2000 were given so-called “indeterminate” sentences, which are sentences that include the possibility of parole. However, indeterminate life sentences have no maximum release dates, creating a sentencing disparity compared to offenders with determinate sentences for identical crimes. “...an assessment of the impact on sentence length and sentencing disparities likely to result from implementation of the Truth in Sentencing Amendment Act of 1998... A recommendation as to whether determinate sentencing should be extended to all felonies.” D.C. Code §3-104(a)(b)(2)

<sup>1</sup> Perker, S.S. and Chester, L. (June 2017), “Emerging Adult Justice in Massachusetts,” Harvard Kennedy School. See also, Giedd, J.N., Blumenthal, J., Jeffries, N.O., Castellanos, F.X., Liu, H., Zijdenbos, A., Paus, T., Evans A.C., and Rapoport, J.L. (1999). “Brain Development During Childhood and Adolescence: A Longitudinal MRI Study.” *Nature Neuroscience* 2:861-863; Howell, J.C., B.C. Feld, D.P. Farrington, R. Loeber and D. Petechuk (2013). “Bulletin 5: Young Offenders and an Effective Response in the Juvenile and Adult Justice Systems: What Happens, What Should Happen, and What We Need to Know.” Study Group on the Transitions Between Juvenile Delinquency and Adult Crime. Final report to National Institute to Justice (grant number 2008-IJ-CX-K402).