

Testimony of Congressman Bruce Westerman
House Judiciary Committee
Member Day Hearing
October 22, 2021

Thank you, Chairman Nadler and Ranking Member Jordan, for the opportunity to testify at the Judiciary Committee's Member Day hearing. Today, I would like to discuss my bill that would address juvenile sentencing reform.

H.R. 2858 would give federal judges more discretion when sentencing juveniles. It codifies *Miller v. Alabama* and will allow children who have been caught up in the justice system to have a second chance to succeed.

For those who do not know, H.R. 2858, is named after Sara Kruzan who at the age 17 was imprisoned for killing her sex trafficker. Sara was convicted of murder and sentenced to life in prison. Throughout her trial, there was little notice of what Sara had been through as an adolescent. After serving nearly 20 years in prison, in 2013, California Governor Arnold Schwarzenegger commuted Sara's sentence. Unfortunately, Sara's case is only one instance in our country where the law is not malleable enough for sentencing children.

H.R. 2858 provides that juveniles found guilty of crimes against persons who sexually trafficked, abused, or assaulted them shall not be required to serve the mandatory minimum sentence otherwise associated with the crime.

H. R. 2858 also allows judges to consider "the diminished culpability of juveniles compared to that of adults" when sentencing those who committed crimes as juveniles and allows federal judges to depart from mandatory minimum sentences by up to 35 percent if deemed appropriate based on the juvenile's age and prospects for rehabilitation. The presiding judge may also suspend any portion of an otherwise applicable sentence if the circumstances so warrant.

Additionally, it prohibits federal judges from sentencing juveniles to life in prison without parole and brings federal law into compliance with the 2012 Supreme Court decision *Miller v. Alabama*. Juveniles sentenced to life in prison would be guaranteed a parole hearing after serving 20 years.

A bipartisan solution is needed when it comes to juvenile justice reform, and I am proud to sponsor this bill along with Representatives Bass, Cardenas, and Trone.

Thank you for allowing me to testify before your Committee, and I look forward to working with you to see that this important bill becomes law.