



## Brain scientists, young people talk to justices about youthful mistakes

Science sheds new light on why youth make decisions that are rash or worse.

**By John Stang**

**May 21, 2014.**

**Impulsiveness.** Anger. Confusion.

These were the common threads in the stories that five young people with juvenile records told the Washington Supreme Court Tuesday. The tales gave punch to neuro-scientific lesson presented to the justices minutes earlier: Teen brains literally are not ready for many of the bad things that life throws at them.

"Fifteen- or-16-year-olds — putting us into an adult system and expecting us to adapt to that system?" Sione Matau, a 19-year-old near the end of his juvenile incarceration, asked the Supreme Court Tuesday. Mantu said, "We come from rough environments, negative environments, and we're convicted as adults."

Nineteen-year-old Josiah Rashid, who has also been incarcerated, said, "At 12 years old, I was living on my own, living in the streets. I didn't know how to deal with those emotions."

New Supreme Court Justice Mary Yu said: "Neurological science simply confirms what every parent knows about their teenager."

The state Supreme Court hosted the symposium Tuesday on teen brain development and how it interacts with the juvenile justice system. The symposium gave justices, judges and interested lawmakers a chance to catch up with the rapidly developing science on the issues, which has captured widespread attention. In the past three years, National Geographic and Time Magazine have written about the development of teen brains.

**Parts of the human brain begin to change** in the later elementary school years, and continue to do so until a youth is roughly 20 years old, said B.J. Casey, director of the Sackler Institute for Developmental Psychobiology at Cornell University. "During the adolescent period, there are major changes going on in the brain," Casey said.

As parts of the brain develop in adolescence, those pieces interact differently with other parts of the brain, increasing impulsive behaviors in kids until the additional brain development is complete, according to studies done within the past five years.

Lab tests on children, teens, adults and mice show that the brain functions in adolescents create more fearlessness, more impulsiveness, a heightened "fight-or-flight" tension and less realization of long-term consequences, Casey said. Even succumbing to peer pressure can be linked to developing changes in the brain, she said.

Nineteen-year-old Sabrina Phillip, who hopes to be the first in her family to graduate high school, said she had been in and out of juvenile facilities because of fighting. Each time

that she entered a juvenile facility, she said, "I felt like I had to run or fight. I couldn't run. So I decided I had to fight my way through."

The five told the justices and symposium attendees that anger, uncertainty and frustration led to the crimes that sent them to juvenile facilities — with thoughts about consequences showing up only as they got older. "I didn't learn from my mistakes. When I see the thing (from Casey's presentation) about the brain, it makes sense now," Matau said.

The science translates to an adolescent having diminished capacity, said Marsha Levick, chief counsel of the Juvenile Law Center, a national public interest law firm. told the symposium. "Youth matters," she told the symposium.

**The U.S. Supreme Court has already pushed toward recognizing** that young people have less capacity to recognize the consequences of their actions. Levick cited the cases of Roper vs. Simmons, in which the court ruled death sentences for juveniles are unconstitutional, and Miller vs. Alabama, in which the court ruled life sentences without parole for juveniles are unconstitutional. In the Roper case, the Supreme Court concluded children are impulsive, susceptible to peer pressure and have the capacity for rehabilitation when they grow up, Levick said.

Levick suggested that there are nuances that the Washington Supreme Court and trial judges need to keep in mind. A group-related statistical finding and an individual defendant's circumstances may not line up. Also guilt and blameworthiness are separate concepts because of the diminished capacity issue, Levick contended. "If there is reduced blameworthiness, there should be less punishment," she argued.

Tuesday's teen neuro-science presentation likely won't directly factor into Washington Supreme Court's rulings, said Chief Justice Barbara Madsen. But the symposium's purpose was to educate judges and legislators, so they can factor those studies' findings into their decision-making, she said. Two legislators heavily involved in youth issues — Reps. Roger Goodman, D-Kirkland, and Ruth Kagi, D-Seattle — attended. Goodman is on a legislative task force on juvenile sentencing, where youthful impulsiveness could become an increasing consideration.

*John Stang is a longtime Inland Northwest newspaper reporter who earned a Masters of Communications in Digital Media degree at the University of Washington. He can be reached by writing [editor@crosscut.com](mailto:editor@crosscut.com).*

**View this story online at: <http://crosscut.com/2014/05/21/Kidsatrisk/120188/brain-scientists-young-people-talk-justices-about-/>**

**© 2014 Crosscut Public Media. All rights reserved.**

Printed on May 21, 2014