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They frequently know the difference between right and wrong and are competent to stand trial. Because of their impairments, by definition they have diminished capacities to understand and process mistakes and learn from experience, to engage in logical reasoning, to control impulses and to understand the reactions of others. Their deficiencies do not warrant an exemption from criminal sanctions, but they do diminish their personal culpability. This was the point made in Atkins Vs. Virginia Supreme Court which banned execution of the mentally retarded. And due to the more recent scientific research, this same argument applies equally to offenders under 18 years of age.

Along with everything else in the body, the brain changes significantly during adolescence. In the last 5 years, scientists found the brain developed far less than previously thought. Researchers at UCLA, Harvard Medical School, and the National Institute of Mental Health of Medicine began studies using MRI to map the brain in children and adolescents. What they are finding is that the brain undergoes an intense overproduction of gray matter during adolescence then the gray matter is shed and discarded. This is referred to as "pruning." At the same time myelination, which makes the white matter, is being processed as well. The pace and severity of these changes continue until one's early 20's. These changes mean that the brain is still developing. One of the Doctors. from the Harvard study has also found that the underdevelopment of the frontal lobe makes adolescents more prone to act with "gut instinct." Young people have a tendency to use the part of the brain called the amygdala, which is responsible for gut reactions instead of the prefrontal cortex, which is responsible for reasoning. Also, males use the gut or instinctual part of their brains more than females during this age of development.

It's also been found that the frontal lobe is involved in behavioral facets germane to many aspects of criminal culpability. Most relevant to this matter is that this area of the brain also controls aggression and other impulses. There is now clear biological evidence that adolescents do not have the same ability as adults to make sound decisions and to prevent impulsive behavior.

As a society, we recognize the limitations of adolescents and restrict their right to drive, drink alcohol, smoke, vote, marry, enter contracts, and even watch "R" rated movies. That's why we have a juvenile justice system in this country. We've long recognized that juveniles differ from adults in their decision-making abilities. Yet despite these type of laws, the US remains one of the few countries in the world that executes juveniles. The US also is the only country in the world that has not ratified the UN Convention, which is in your packet. I would urge you to make the right decision and recognize that the death penalties deterrent value has yet to be demonstrated. Life without possibility of parole is more of a punishment than being released from pondering one's actions. This bill simply goes hand in glove with the bill you've already passed to end capital punishment for the mentally retarded.