

1 so, we're looking forward to the recommendations and the  
2 work of the Commission.

3           CHAIRMAN WALTON: Thank you very much, Senator.  
4 We hope we can meet the challenge that you've given to us.  
5 From the testimony we've heard today and otherwise, we know  
6 the consequences that young people suffer when they are  
7 incarcerated in adult facilities, and hearing from the  
8 corrections community, they don't relish the idea of having  
9 a large number of young people housed in their institutions  
10 because of those problems, so, hopefully there will be a  
11 sensitivity to the plight of young people when they are  
12 incarcerated under those circumstances, because the reality,  
13 because of their age, they will come back into society, and  
14 if they've only become worse as a result of their  
15 experiences, it's only going to result in further infliction  
16 of harm on society at their hands. So, we hope we can  
17 contribute to the debate.

18           COMMISSIONER SMITH: Senator, first of all, thank  
19 you. And my question would be, in all of these, in this  
20 legislation, the gang legislation, is there significant  
21 presence of the corrections community making that position  
22 known, that they are really not in favor of having youth in  
23 adult systems? Because it seems to me that that would be  
24 very persuasive.

25           SENATOR KENNEDY: Well, clearly not enough. It's

1 a good suggestion, and I'll certainly make sure that we  
2 would like to hear, maybe ask you outside the hearing or  
3 after the hearing maybe for some recommendations of people  
4 that we ought to, at least in the Senate, that we --  
5 testimony that we ought to have that's related to this, and  
6 I will certainly make sure that it gets to our chairman and  
7 also to Senator Feinstein who's very involved and active in  
8 this, and to Senator Schumer. I am, too, but Senator  
9 Feinstein is particularly the lead one on our side. But I  
10 think that would be very, very useful. I'd welcome to get  
11 some of the -- I'll be glad to send them the language you  
12 give me, give me some ideas of the people that we ought to  
13 send, I'll send them language, we'll get their reports, and  
14 I'll have it included in the record. It would be very, very  
15 useful.

16 CHAIRMAN WALTON: I see some of the correctional  
17 people writing down information now.

18 SENATOR KENNEDY: Okay. Well, see Christine right  
19 behind me here. We've got contact on this now and we'll be  
20 glad to follow up. It's a very useful suggestion.

21 COMMISSIONER SMITH: And we have names.

22 SENATOR KENNEDY: Good.

23 CHAIRMAN WALTON: Well, thank you, Senator. A  
24 pleasure seeing you again.

25 SENATOR KENNEDY: Nice to see you. And, again,

1 many thanks. This is -- we can do better as a country and  
2 as a society, and we have great challenges in our criminal  
3 justice system that we all need to give focus and attention,  
4 but it's inexcusable at the end of the day after the system  
5 functions and works that we are not going to have those that  
6 are going to pay their price to society not have the respect  
7 that civilized society should give to all humanity, and this  
8 Commission is playing an extremely important role that this  
9 country live up to its ideals, and particularly with regard  
10 to the youth. For that, we're enormously grateful and  
11 appreciative of the time and the effort and the energy that  
12 all the Commissioners are spending on it. Thank you.

13 CHAIRMAN WALTON: Thank you, Senator.

14 We'll take a five-minute recess before our next  
15 panel.

16 (Recess.)

17 CHAIRMAN WALTON: Good afternoon. We'll proceed  
18 with our next panel which is entitled "Improperly Detained  
19 Juveniles." We have three panelists on this panel: Mr. Earl  
20 Dunlap who is Chief Executive Officer for the National  
21 Partnership for Juvenile Services, the Honorable Jay  
22 Blitzman, Judge of the Lowell Juvenile court here in Lowell,  
23 Massachusetts, and also Ms. Dianne Gadow who is the Deputy  
24 Director of the Arizona Department of Juvenile Corrections.

25 Thank you very much for your presence.