



Resolution of the AMERICAN ACADEMY OF PEDIATRIC NEUROPSYCHOLOGY relating to the imposition of death as a penalty for persons ages 18 years through 20 years.

The American Academy of Pediatric Neuropsychology (AAPdN) was established as a non-profit organization in 1996 to advocate for board certification in pediatric neuropsychology as a clinical specialty, provide continuing education for practitioners, and allow for collaboration among individuals and professional specialties with a passion for providing the best possible clinical neuropsychological services for children and adolescents, from birth through the age of 21 years. As such, the AAPdN has an interest in promoting best practice in the treatment of persons in this age range in the civil as well as criminal justice systems.

The AAPdN is aware of the US Supreme Court decision in *Roper v. Simmons*. In deciding *Roper v. Simmons*, the Supreme Court of the United States held that juvenile offenders under 18 years of age are categorically less culpable than the average criminal and subsequently ruled that application of death as a penalty to persons under age 18 at the time of the crime is unconstitutional. Our reading of this decision indicates the conclusion of lesser culpability was based upon three primary findings by the Roper Court. First, juveniles possess a lack of maturity and an underdeveloped sense of responsibility. Second, juveniles are more vulnerable/susceptible to negative influences, such as peer pressure and other outside pressures. Third, the Court found that the character of juveniles was not as fully formed as that of adults. The AAPdN believes the primary reason these findings are true and accurate is the level of maturity (or immaturity) of the brain at this age. However, there is no bright line regarding brain development nor is there neuroscience to indicate the brains of 18- year-olds differ in any significant way from those of 17- year-olds. An examination of the research on brain development indicates ongoing maturation of the brain through at least age 20. Thus, it is the opinion of the AAPdN that the same prohibitions applied to application of the death penalty to persons aged 17 should apply to persons ages 18 through 20 years and for the same scientific reasons.

Be it resolved by unanimous vote of the AAPdN Board of Directors on behalf of the AAPdN, that for the reasons given above, the AAPdN calls upon the courts, and the State and Federal legislative bodies of the United States to ban the application of death as a penalty to persons committing what is now considered a capital offense where the offense was committed prior to obtaining the age of 21 years.

Approved by the Board of Directors on Wednesday, September 23, 2020

Grace A. Mucci, Ph.D., ABPdN
AAPdN President, 2019-2020

5855 E. Naples Plaza, Suite 203
Long Beach, CA 90803
(949) 478-4503 office
(562) 856-6004 fax
Website: www.theaapn.org