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Limiting life without parole

Ruling on Florida case offers justice for juveniles

Published: Tuesday, May 18, 2010 at 1:00 a.m.

A state can lock up a juvenile but should not throw away the key, the U.S. Supreme Court ruled Monday.

It is an important and proper decision.

The court majority decided that life-without-parole sentences are unconstitutional for juveniles convicted of non-homicide crimes.

Justice Anthony Kennedy's majority opinion concluded that these young people should not be deprived of a chance, at some point in their imprisonment, to be considered for release if they have turned their lives around.

Refusing them this opportunity violates the constitutional ban against cruel and unusual punishment, the court reasoned.

Kennedy took note of an increasing body of evidence indicating that juvenile offenders' minds and morals are still developing.

"By denying the defendant the right to reenter the community, the state makes an irrevocable judgment about that person's value and place in society," Kennedy wrote. "This judgment is not appropriate in light of a juvenile non-homicide offender's capacity for change and limited moral culpability."

No hope, no incentive

Though some youths incarcerated for violent crime may indeed prove unsalvageable, many might be turned around with education and therapy while in prison. They would have no incentive toward self-improvement or good behavior, however, if they have no hope of ever getting out.

The court decision has special significance in Florida.

As the Tallahassee reporter Lloyd Dunkelberger detailed in articles last August, "Florida has handed out more life sentences to juveniles for non-murder crimes than have all other states combined."

Of the 129 juvenile offenders serving life-without-parole sentences for nonhomicide crimes, 77 are in Florida, Justice Kennedy noted.

Not a free pass from prison

In fact, the case before the Supreme Court revolved around a young Florida man, sent to state prison for life following his involvement -- at ages 16 and 17 -- in serious but non-fatal crimes.

"Because Florida has abolished its parole system ... a life sentence gives a defendant no possibility of release unless he is granted executive clemency," Kennedy explained.



"A life without parole sentence improperly denies the juvenile offender a chance to demonstrate growth and maturity," the justice added.

Kennedy emphasized that the ruling does not require states to free these offenders. "Those who commit truly horrifying crimes as juveniles may turn out to be irredeemable, and thus deserving of incarceration for the duration of their lives," he wrote.

"What the state must do, however, is give defendants some meaningful opportunity to obtain release based on demonstrated maturity and rehabilitation."

It is the humane thing to do.

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