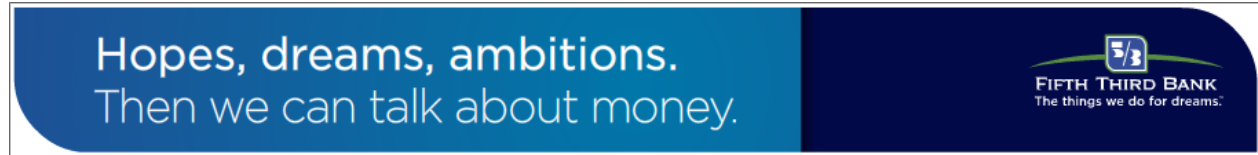


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High court says let juvenile offenders prove themselves

By [ROSE RUSSELL](#)

THE nation's youth have a friend in U.S. Supreme Court Justice Anthony Kennedy. He understands that juveniles are different from adults, and that in some cases, they should be afforded different treatment as a result.

This week, the high court ruled 5-4 that it is unconstitutional to sentence a juvenile to life in prison without the chance of parole when no one is killed during the offense.

"A life without parole sentence improperly denies the juvenile offender a chance to demonstrate growth and maturity," Justice Kennedy wrote in his majority opinion. He has previously played a significant role in limiting punishment for juvenile offenders. He wrote the majority opinion when the court ruled against the death penalty for juvenile offenders in 2005.

Nobody wants juveniles who commit grievous crimes to be treated lightly by the courts. However, sentencing them to life in prison when no one dies during the crimes they commit is barbaric.

Inmates sentenced to life without parole for nonhomicidal crimes committed when they were juveniles must be given "meaningful" opportunities for parole, Justice Kennedy said. Those juvenile offenders will not be automatically released from prison. Although 37 states make provisions for juveniles to be sentenced to life without parole, only 11 of them actually do so.

This week's ruling came in the case of Terrance Graham, now 23, who was implicated in robberies when he was 16 and 17 years old. He is in prison in Florida.

"The state has denied him any chance to later demonstrate that he is fit to rejoin society based solely on a nonhomicide crime that he committed while he was a child in the eyes of the law. This the Eighth Amendment does not permit," Justice Kennedy wrote.

Nationwide, 129 youths are serving life sentences without parole for offenses that did not include homicide. Seventy-seven of those youths are in prison in Florida, which has sentenced 302 juveniles to life without parole.

In Louisiana, 17 of 335 juvenile inmates were sentenced to life without parole for crimes in which no one was killed. In California, four of 249 juvenile inmates were similarly sentenced.

(As an aside, some states have large numbers of juveniles sentenced to life without parole for crimes in which someone died: In Pennsylvania, there are 375 and in Michigan, 347.)

Agencies that intervene to make sure that juveniles are treated fairly in the criminal justice system are pleased with the ruling.

Bryan Stevenson of the Equal Justice Initiative told me that the decision is a "significant victory for children. The court recognized that it is cruel to pass a final judgment on children, who have an enormous capacity for change and rehabilitation compared to adults. It's an important win .••. for all children who need additional protection and recognition in the criminal justice system."

Liz Ryan of the Campaign for Youth Justice in Washington told USA Today the decision "calls into question the broader set of state laws that treat children as adults."

Dissenting Justice Clarence Thomas was correct in his opinion that states have in the past two decades "consistently increased the severity of punishments for juvenile offenders."

Society is rightly outraged about the crimes committed by youth. In our frustration over what to do, we've resorted to putting juveniles behind bars and throwing away the key.

But such a feel-good solution is a bad practice for a nation that calls itself civil.

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