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The Supreme Court case of a boy sentenced to a mandatory life sentence

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JOE HARRIS Sullivan was 13 when he was accused of raping a 72-year-old Florida woman. Later convicted, Mr. Sullivan was sentenced to life in prison without the possibility of parole.

This crime cries out for serious punishment, regardless of the age of the offender. But sentencing a boy of 13 to life in prison without a chance at eventual freedom only adds to the grotesque nature of the case.

Mr. Sullivan is now 34 and has spent more years in prison than he has in the free world. On Monday, he is scheduled to challenge his sentence before the Supreme Court; he argues that imposition of a mandatory life sentence on a juvenile who has committed a crime that is not a homicide amounts to cruel and unusual punishment in violation of the U.S. Constitution. Another Florida man, sentenced to life without parole for crimes he committed as a juvenile, is also scheduled to press his case before the justices.

Only 106 prisoners -- 77 of them in Florida -- have been given life without parole for offenses that did not involve a homicide or attempted homicide. Only two people -- including Mr. Sullivan -- have been handed this guaranteed life sentence for a non-homicide committed at age 13.

Most states have not consciously sanctioned imposition of mandatory life terms for juveniles. Instead, these sentences are the warped confluence of an increasing number of prosecutions in which juveniles are charged as adults and the increasing number of crimes that carry sentences of life without parole. The punishments fail to take into account the neurological, psychological and developmental differences that distinguish juveniles from mature adults.

Mr. Sullivan's lawyers make a compelling case that the frequent rejection of such draconian sentences by lawmakers, juries and judges shows "the country's radical repudiation of life without parole for children of this age." The Supreme Court cited similar trends and statistics in a 2007 case in which it ruled that the death penalty was unconstitutional in juvenile cases.

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A brief filed in support of Mr. Sullivan by, among others, actor-director Charles S. Dutton and former Wyoming senator Alan K. Simpson, a Republican, makes a powerful case for giving juveniles at least a shot at freedom. Both of these men experienced serious trouble with the law in their early years: Mr. Dutton, who grew up in a housing project in Baltimore, spent time in juvenile facilities and later years in prison for stabbing a man to death and for assaulting a prison guard. Mr. Simpson recalls taking part in arson and other crimes. These men's ascents to the tops of their professions could not have been predicted by their often violent childhoods.

Juveniles who commit serious offenses should face serious penalties. A life sentence in some circumstances may be appropriate. But that sentence should carry with it the opportunity for a second chance.

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