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A right to hope

DO JUVENILE criminals sentenced to life without possibility of parole have a constitutional right to hope? That's the question before the U.S. Supreme Court in two Florida cases.

In arguments last week, lawyers for two young men serving life sentences for nonlethal crimes they committed as teenagers challenged the justices to take the Eighth Amendment's prohibition against cruel and unusual punishment seriously. They argued that there is a demonstrable lack of proportionality in sentencing minors who haven't killed to die in prison decades after their crimes were committed.

The cases involve Joe Sullivan, 34, who raped a 72-year-old woman when he was 13, and Terrance Graham, 22, who orchestrated a home invasion while on parole for armed burglary when he was 17.

Such crimes deserve years of punishment, reflection, and repentance. But does society require that a minor, whose judgment was still in a formative stage when he did the crime, be forced to give up all hope of freedom even decades later?

The Supreme Court has drawn hard lines recently with rulings in related cases. In 2005, it declared in *Roper vs. Simmons* that states could not execute offenders under 18. Last year in *Kennedy vs. Louisiana* the court forbade states from putting to death inmates of any age who were convicted of crimes against individuals other than murder.

Both were sensible and just calls by the court. Now the question is whether the principles behind those decisions should be applied to the Florida juveniles' crimes. We believe they should.

Age should be a relevant factor for sentencing in nonlethal crimes. Juveniles, even those who appear incorrigible, shouldn't be treated like programmed evil-doers who are incapable of changing. They certainly deserve to be punished for their crimes, but after years, and perhaps decades, in prison they and their rehabilitation should be eligible for review.

Society has an interest in being protected from juvenile predators, but it also has an interest in redemption. Most criminals, while serving a necessary and appropriate sentence, deserve the opportunity to reform.

We would put juveniles convicted of nonlethal crimes in this category. The Eighth Amendment demands it.