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### Editorial: High court rightfully realigns sentencing standards

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For good or for bad, people can change, and the Supreme Court recognized that this week, making it just as clear that sometimes they don't.

In a narrow 5-4 decision, the high court ruled that states cannot impose life terms without possibility of parole against those who committed any crime but murder as a minor.

It's odd and disturbing that this was a close decision by the court given that it's based on hundreds of years of precedence and a boatload of common sense.

The court ruled on the case of Terrance Graham, who was found guilty in taking part in multiple armed robberies in Florida when he was 16 and 17. He was sentenced to life in prison without parole and is now 23.

Writing for the slim majority, Justice Anthony Kennedy wrote that for generations, the United States has determined that children are different than adults and held to a different standard. Given that Graham, and similar convicts, were "children" when they committed their crimes, it would be wholly cruel to permit states to lock them away for the rest of lives without an opportunity for rehabilitation. Such a practice violates the Eighth Amendment, justices agreed, prohibiting excessive and cruel punishments.

Such extreme sentencing flies in the face of the fact that young adolescents make poor decisions because they are immature, which is why we regulate their ability to sign pacts, drink alcohol and drive cars.

Most important, the court's ruling doesn't mean that prisons must release convicts who committed crimes as juveniles — it simply means that they can, even if a court at one time forbade their release. If, after 10 years, a convict has shown serious signs of rehabilitation, why would taxpayers want to continue to be forced to harbor such a person, and why would society not want him to contribute to society?

Clashing with all of that logic was a coincidental decision this week that states that prisons have the right to continue to hold people convicted of sex crimes if prison officials determine that it would be likely a convict would strike out again if she or she were released, even if they've served their full sentence.

While it's a prudent policy to protect the public, it's unfair that the U.S. justice system chooses sex crimes above all others to practice a policy of endless sentences. The public is just as much in danger of being the victim of a robber, a drunken driver, or even a killer dutifully released from prison.

Since the Supreme Court has now ratified this practice, it's time for Congress to ensure there are adequate checks and protections in place to ensure "hopeless" sex offenders who have served out their sentences are given every opportunity to show they have been rehabilitated.

It's important that the U.S. justice system mete out punishments that act as a deterrent as well as a prompt for rehabilitation, but in all instances, a sense of fairness and equity must guide any changes, just like those qualities have shaped the justice system that modern democracies now have.



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