



Editorial: A fair chance at freedom

May 20, 2010

The U.S. Supreme Court rightly ruled that it is unconstitutional for a state to lock up teenagers for life in prison without any chance of parole if they didn't kill anyone.

The court's majority agreed that a life sentence without parole violates the constitutional ban on "cruel and unusual punishment" and deprives young prisoners the chance of turning their lives around and gaining freedom after serving a reasonable sentence for their crimes.

Putting young people away for life without a chance of parole for non-homicide crimes fits the Constitution's definition of "cruel and unusual punishment," which is prohibited by the Eighth Amendment.

While some youths clearly are irredeemable and beyond help, there are many who, with the right treatment, an opportunity for education and a chance at rehabilitation in prison, can make something good out of their troubled lives.

But there is little reason for prisoners to try to live better lives if there is no chance of freedom by demonstrating good behavior and improving their lives while in prison.

The ruling could well open the prison doors for at least some of the people serving life terms without parole for non-homicide crimes committed when they were younger than 18.

Florida leads the nation in punishing young people with prison sentences without a chance of parole. Of the 129 juveniles serving life sentences without parole in state and federal prison on non-homicide crimes, 77, or nearly 60 percent, occupy Florida prisons. Six are from Escambia County.

The court ruling stemmed from a case involving Terrance Graham, a Florida teen sentenced to life in prison when he was 16 for committing several robberies.

Dozens of other juveniles sentenced to life without

parole are now entitled to relief, including Joe Sullivan of Pensacola, whose case also was argued on this issue.

Because Florida in 1983 abolished parole, youths sentenced to life in prison would not be able to get out unless they are granted clemency. In eliminating life-without-parole sentences for juveniles, the court stressed the importance of rehabilitation, but made it clear that the decision is not a get-out-of-jail-free pass.

In his majority opinion, Justice Anthony Kennedy said, "A state need not guarantee the offender eventual release, but if it imposes a sentence of life, it must provide him or her with some realistic opportunity to obtain release before the end of the term."

For young people facing a lifetime in prison, the ruling at least gives them a fair and reasonable chance at freedom.

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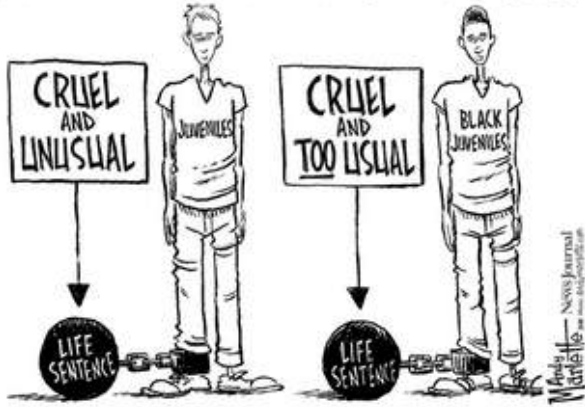
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