



Justice: Guaranteed a chance

Source URL: <http://jacksonville.com/opinion/editorials/2010-05-21/story/justice-guaranteed-chance>

By all accounts, Terrance Jamar Graham of Jacksonville deserved to go to prison.

He was 16 when he and three other youths tried to rob a barbecue restaurant.

Less than six months later, he was 34 days short of his 18th birthday when he was arrested again after a home invasion robbery.

Graham had continued to commit crimes, despite the leniency shown by the court system after his first arrest.

And these were serious crimes, too.

Graham needed to be removed from society. But life in prison when no lives were taken?

The Supreme Court on Monday struck down life without parole for Graham by a 6-3 vote. And by a 5-4 vote, the court overturned all life sentences for all juveniles in non-homicide cases.

The issue was not the need for punishment.

In fact, Graham and others like him could still spend the rest of their lives in prison.

"Those who commit truly horrifying crimes as juveniles may turn out to be irredeemable," the court stated. But they must be given "some meaningful opportunity to obtain release based on demonstrated maturity and rehabilitation."

What the court struck down was making the judgment that such juveniles could never be rehabilitated.

And it seems that Florida prisons are filled with juveniles that the courts believed could never be rehabilitated. In the United States 129 juvenile offenders are serving life without parole for non-homicide crimes, but 77 of them (60 percent) are in Florida.

The court noted that juveniles are a special class. Deterrence, for instance, is less likely to work with juveniles due to their less developed maturity level.

So the court made a reasonable decision. Society must be protected.

Juvenile offenders like Graham must illustrate they can be released safely. How Florida will do that is up in the air, since parole was abolished in 1983.

But Graham would not be the first to commit a heinous crime and find redemption in prison. Or he may not change and remain in prison.

The Supreme Court simply ensured that he has a chance.