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It's cruel to sentence teens ages 13, 14 to die in prison

By [ROSE RUSSELL](#)

IF YOU cup your ear, you won't hear many objections from the public to the sentencing of teens ages 13 and 14 to die behind bars - sometimes for crimes in which no one was killed, in which they were also victims in some manner, and on charges that lawyers should have challenged.

And no. We're not talking about a Third World nation where the military or a dictator rules. It happens in this country.

Though it's a result of America's zeal to deal with high crime rates and wayward youth, what kind of country incarcerates for life such young offenders with other juveniles or with adults who get starry eyed about showing them the prison ropes?

Let's be clear: Teens who commit offenses deserve to be punished. Toledo has had its share. But sending such young ones to prison for life is barbaric. Animal rights activists work to recoup the life of abused, neglected, and abandoned animals. Why not the same for teen offenders?

In steps the Equal Justice Initiative of Montgomery, Ala., and New York City. The nonprofit agency objects to the policy of sending teens 13 and 14 to die in prison. No other country does that.

Bryan Stevenson, distinguished in his own right, is the founder and executive director of the agency, which provides legal counsel for poor defendants and prisoners denied fair and just legal treatment. He is a Harvard Law School graduate who could easily command a salary at any major law firm. But the nationally known professor and lecturer prefers to wage these battles, and passionately works to get the youths resentenced with a chance for parole.

About 2,300 juveniles currently serve sentences for life in prison without parole. EJI has taken up the cause in 73 of the most egregious cases where the offenders got life sentences when they were 13 or 14.

The haunting images of some of the incarcerated teens in an EJI publication should help convince even the deeply cynical that the policy is misguided and in need of change. Immigrants flock to America because it offers hope. This policy removes every glimmer of hope from these juveniles.

One of the youths featured in "Cruel and Unusual: Sentencing 13- and 14-year-old Children to Die in Prison," is Kuntrell Jackson. At 14, he was charged in a store robbery and shooting that prosecutors conceded was carried out by another teen. But Arkansas sentenced him to die in prison.

In California, police chased a car that Antonio Nunez of South Central Los Angeles was in with two older men. When one man said he was kidnapped, Antonio, who was 14, and the other man, 27, were charged with kidnapping. No one was injured, but Antonio was sentenced to prison for life. EJI says he is the only child sent to prison for life in a case in which no one died.

Florida sentenced Ian Manuel in a robbery in which a woman received a nonfatal gunshot wound. He was 13. His attorney said he would get 15 years, so he pled guilty. He got life. The victim has petitioned for his release. Florida demands life in prison.

The Eighth Amendment says, "Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted." Though these penalties are handed to 13 and 14-year-olds, the issue gets little attention.

The Nevada Supreme Court struck down a life without parole sentence that was imposed on a 13-year-old. The court said it was a "denial of hope."

If there is no reason for these teens to behave, then there is no reason for them to act humanely. We expect better from our pets.

Earlier this year, though, Supreme Court Justice Antonin Scalia said torture may be appropriate when there is an immediate terrorist threat. He also said it was "extraordinary" to assume that the constitutional ban on cruel and unusual punishment also applied to "so-called" torture.

Something else he said brought these teens to mind: "To begin with the Constitution ... is referring to punishment for crime. And, for example, incarcerating someone indefinitely would certainly be cruel and unusual punishment for crime."
