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SUN EDITORIAL:

# Crime and punishment

## Review of life without parole for juveniles should spur a new discussion

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In 2005 a 5-4 ruling by the U.S. Supreme Court declared that it is cruel and unusual — thus a violation of the Eighth Amendment — to execute juveniles for their crimes. The justices this week took up the question of whether it is constitutional to sentence juveniles to life in prison without the possibility of parole.

The court heard the cases of two Florida prisoners who were given that sentence. One, Joe Harris Sullivan, was 13 when he raped a 72-year-old woman. The other, Terrance Jamar Graham, was 17 when he admitted to several armed robberies. Both had criminal histories when they were sentenced.

During oral arguments Monday, Chief Justice John Roberts noted that the court has long held that “death is different” from other criminal punishments and added that the 2005 case showed that “juveniles are different” from adults. The question the justices wrestled with is what is an acceptable punishment for a juvenile, particularly given the seriousness of some of the crimes, as in the Sullivan and Graham cases.

Conservative members of the court argued for the principle of retribution, saying that society has a right to punish criminals, no matter the age.

Bryan Gowdy, representing Graham, argued that a juvenile is “less culpable” than an adult, saying that “over time he will change and potentially reform, as opposed to an adult.”

Gowdy raises an important issue. The juvenile justice system used to be based on the theory that young offenders could be rehabilitated. But as America became tougher on crime and as juvenile crimes became more violent, punishments became more severe. Juveniles often are treated as adults, resulting in long sentences for many underage offenders.

There certainly are juveniles who should be treated as adults and cases that demand prison sentences. However, it has been far too easy for society to ignore the fact that more and more young people are going to prison. Has society forsaken the concept of rehabilitation for juvenile offenders?

We hope not.

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