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## **World-Herald editorial: Proper penalties**

When someone chooses to take another person's life, society is right to deliver firm punishment, even when the perpetrator is a juvenile.

So, the U.S. Supreme Court was correct this past week when it declared that a Florida juvenile who beat a man to death with a baseball bat "deserved severe punishment."

The court quickly added, though, that states must do more to provide at least the possibility of parole down the road for youths under age 18 who are convicted of first-degree murder.

States such as Nebraska and Iowa can continue to sentence such juveniles to life without the possibility of parole, but such sentences need to become uncommon in America, the court majority emphasized.

The court's approach wasn't a surprise. Going back to 1988, the court has issued a string of decisions saying that juvenile offenders need to be considered differently by the courts.

What are the ramifications for Nebraska and Iowa? The court ruling will trigger at least two results.

First, the state legislatures will need to deliberate and adjust the sentencing language in state law. As World-Herald staff writer Martha Stoddard reported, "Douglas County Attorney Don Kleine said he expects that the Legislature will have to look at changing the penalties for juveniles convicted of first-degree murder before anyone can be resentenced."

Second, judges at resentencing hearings and new trials are required to weigh carefully the factors so that the sentence will be "proportional" (the Supreme Court's specific term) to the individual offender's situation. These factors include the individual's age, life experiences and his or her chances of becoming rehabilitated. The Supreme Court provided no specific guidelines, however.

Nationwide, there are more than 2,000 prisoners serving life terms for murders they committed as juveniles. In Nebraska, the number is 26. In Iowa, 40.

Given the court's ruling, one obvious way forward in Nebraska is to change state law, as State Sen. Brenda Council has proposed, to give the option of eventual parole hearings for juvenile offenders convicted of first-degree murder.

However it's accomplished, state governments need to move away from making a life sentence without the possibility of parole the common occurrence in these cases. Otherwise, as the Supreme Court has now made clear, those sentences could face the likelihood of being overturned in federal court.

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