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EDITORIAL: Of juveniles and justice

Court bars mandatory life sentences for youths

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The U.S. Supreme Court's ruling last week prohibiting mandatory life sentences for teenagers convicted of murder represents a welcome shift in this country's judicial system. The courts are recognizing the potential for rehabilitation of even the most flagrant of juvenile offenders.

Ruling on two cases involving 14-year-old murderers, a five-member court majority struck down laws in more than two dozen states that require minors convicted of murder to be sentenced to life without the possibility of parole. Writing for the majority, Justice Elena Kagan said the Constitution forbids "requiring that all children convicted of homicide receive lifetime incarceration without possibility of parole, regardless of their age and age-related characteristics and the nature of their crimes."

The decision builds on a series of rulings over the past two decades, which, among other things, banned death sentences for juveniles and life sentences for young people convicted of crimes other than homicide.

Monday's decision rights an injustice that has seen many states throw away the key when locking up young people for crimes committed before they turned 18. Such draconian sentences fail to recognize the very real and scientifically documented differences between juvenile and adult offenders.

In recent years, research has made increasingly clear that the still-forming brains of young people make them less morally responsible than adults for their actions, and also make them more capable of long-term change. As the court has noted in past decisions that loosened the shackles of the juvenile justice system, minors also are more vulnerable to peer pressures than adults.

These and other findings make it clear that young people should be treated differently — and more compassionately — than adults, even when they commit the same heinous crimes.

The court's ruling is a reflection of the modern juvenile justice system, which increasingly in recent years has emphasized the potential for rehabilitating young offenders. That's not always possible, especially in the case of young people who commit homicides. But leaving open that possibility is preferable to the "lock-'em-away-for-life" mentality of some victims' rights groups and crack-down-on-crime legislatures.

It's important to note that the court's decision does not prohibit life sentences for juveniles convicted of murder. It applies to only those cases that involve mandatory life sentences. It would not apply, for example, to the 1999 sentencing of 17-year-old Kip Kinkel for the 1998 shooting spree that killed his parents and two fellow Thurston High School students and wounded 25 others.

Kinkel did not receive a mandatory sentence, but was sentenced under a plea deal for the four murders for a total of 25 years. Using his sentencing discretion for the remaining 26 attempted murder counts, Lane County Circuit Court Judge Jack Mattison imposed 87 additional years after hearing testimony that included victims' parents saying they opposed any sentence that would ever

let Kinkel go free, stop taking his medication or again pose a threat to others. Kinkel is currently challenging his 112-year prison sentence in federal court.

While the court did not ban all life sentences without parole for juveniles, it strongly discouraged the practice, citing the growing body of research that shows that the still-developing brains of young people make them fundamentally different from adult offenders. Indeed, the court's decision requires only that judges and juries, as Kagan wrote, "consider the characteristics of a defendant and the details of his offense before sentencing."

That's reasonable. It's compassionate. And it's also, as the Supreme Court has ruled, what the Constitution requires.

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