

Mandatory judgment

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Which juvenile killers can be rehabilitated, and which are beyond salvation?

It's important to at least consider that question before sentencing a youth to life in prison with no chance of parole, the Supreme Court decided this week.

In the 5-4 opinion, the court did not prohibit life-without-parole sentences for killers under age 18. But it said such sentences could not be mandatory or automatic. That is, the sentencing judge must weigh each case individually, deciding whether the punishment fits the crime and the defendant's history.

The ruling strengthens a series of precedents recognizing that juveniles may have less "moral culpability" for crimes because their brains — unlike those of adults — are not yet fully developed. Furthermore, they may be more capable of reform.

Quite consistently over the past decade, a majority of the high court has adopted this stance — correctly, in our view. Yet the nine justices stand sharply divided on the issue, as the 5-4 split this week shows.

Judges should have discretion

Chief Justice John Roberts, dissenting, said that by limiting life-without-parole sentences for juvenile killers, the court majority interfered with the constitutional power of legislators to set punishments for crimes. "The Court's opinion suggests that it is merely a way station on the path to further judicial displacement of the legislative role in prescribing appropriate punishment for crime," Roberts' dissent stated in part.

Justice Samuel Alito, also dissenting from the majority, noted that "Seventeen-year-olds commit a significant number of murders every year, and some of these crimes are incredibly brutal."

There's no disputing Alito's statement, of course. Here in Sarasota, for instance, a 17-year-old was convicted this year of murdering two tourists when he was but 16.

Yet in the cases involved in this week's high court ruling, the defendants were 14 at the time of the crimes for which they received life without parole. Most disturbingly, one of the youths did not commit a killing. He was convicted of murder, essentially for going along on a ride that turned into a fatal robbery. Under such circumstances, it is cruel punishment indeed to sentence — on a mandatory basis — a youngster to prison for the rest of his life.

In crimes involving young murder defendants, we believe, judges should have discretion to weigh their record and their capacity for redemption.

Redemptive possibilities

As the Herald-Tribune's Robert Eckhart explained in a story Wednesday, the new court ruling means that the life sentences of hundreds of juvenile killers will be reviewed and, possibly, reduced.

Those decisions could be among the most difficult judges ever have to make.

Eckhart described one case to be reviewed: that of Dominic Culpepper, convicted at age 15 of leading a premeditated attack in which a 16-year-old Manatee County boy was beaten to death with a bat.

Though his crime was heinous, Culpepper — serving mandatory life without parole — has shown signs that he is not beyond rehabilitation. He earned a GED, became a certified teacher's aide at the prison, is taking college courses and leads a writer's group, Eckhart reported.

Judges and society can still decide, in such cases, that the crime was too unforgivable to ever warrant the killer's release. But it is the very nature of youth to grow, to change, to mature — and, often, to improve.

The justice system should not bar the door to those redemptive possibilities — much less, throw away the key — before they've had the chance to take root.

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