

## **A Landmark Victory for Juvenile Justice**

The U.S. Supreme Court issued a landmark decision for our movement yesterday, ruling in the companion cases of *Jackson v. Hobbs* and *Miller v. Alabama* that mandatory life-without-parole sentences imposed on children violate the Eighth Amendment's prohibition on cruel and unusual punishments. Juvenile life without parole is the most extreme example of our country's misguided youth sentencing policies.

Today's historic ruling holds that it is unconstitutional to sentence any child under age 18 convicted of homicide to a mandatory life-without-parole sentence. Kuntrell Jackson and Evan Miller, both of whom were sentenced to life in prison without parole for crimes committed at 14, are now entitled to new sentencing hearings. The ruling will affect hundreds of other individuals whose sentences did not take their age or other mitigating factors into account. It requires the lower courts to conduct new sentencing hearings during which children's age, life circumstances, and other mitigating factors must be considered.

In its ruling, the Court recognized the grave injustice in mandatorily sentencing children to die in prison, which effectively removes any discretion on the part of a judge or jury to consider relevant factors at sentencing such as the youth's age, history of neglect or abuse, or role in the crime.

This ruling reflects the continued recognition of the Court that because children are different from adults, they must be treated accordingly in the context of sentencing. In 2005, the Supreme Court prohibited the death penalty for children younger than 18, acknowledging that youthfulness is an important factor in determining whether a punishment is cruel and unusual.

Then in 2010, the Supreme Court struck down the practice of sentencing children to life in prison without parole when their crimes did not result in death. It also represents a significant step forward in our movement to abolish the practice of sentencing children to life without the possibility of parole. Congratulations to our colleagues at the Equal Justice Initiative, who successfully argued these cases before the Court, and to all of our partners working together on this critical issue.

Today's historic decision brings our nation closer in line with the rest of the world, as the United States alone sentences children to life in prison without the possibility of parole. We are deeply heartened that the Court has brought hope to those who were told as teens that they deserved nothing more than certain death in prison. We know young people have a unique capacity to grow and mature over time, and therefore should never be sentenced to die in prison. Today we celebrate a significant victory before the nation's highest court, and recommit ourselves to keep on pressing to ensure all children are held accountable in an age-appropriate way with a focus on rehabilitation and hope of, one day, returning home to our communities.

By Jody Kent, Campaign for the Fair Sentencing of Youth