

## **Juvenile Justice: Will teen killers ever see the light of day & is rehabilitation possible?**

- Objective: To explore issues relating to juvenile offenders. Specifically, discussing recent proposals to grant juveniles with life sentences a chance for parole after 40 years, and rehabilitation.
- Focus Questions: Should juvenile offenders and adult offenders be treated differently? Are juveniles capable of committing “adult” crimes and are they capable of rehabilitation?
- Relevant Terms:
- (1) Parole: the conditional release of a convicted offender, upon good behavior and rehabilitation in prison. The offender’s parole can be revoked and he or she can be sent back to prison for poor/unlawful behavior committed during this release.
  - (2) Rehabilitation: reform and education of the offender to treat underlying psychological and social problems that helped bring about the delinquency in the first place.
  - (3) Retribution: punishment; “paying them back” by matching every offense with a punishment of equal severity and weight.
  - (4) Deterrence: preventing other people from following offenders on a delinquent path.
  - (5) Incapacitation: removing the “bad apples” from society so they do not have the chance to strike again.
- Parole issue:
- There are a number of juvenile offenders, who are convicted for committing very serious crimes such as murder, and are charged as adults. A court can sentence these offenders to life in prison.
  - Some state legislatures are examining the issue, and proposing legislation that would allow juvenile offenders with life sentences to be eligible for parole 40 years after their sentencing.

--For instance, juveniles as young as 14 can be sentenced to life; they would be eligible for parole at age 54.

Pro-parole:

--Many proponents of such legislation argue that many of these teen killers should not lose their entire lives for a mistake made when they were young.

--Some cite to juvenile offenders who have been badly abused or had peripheral (minor, side-line) roles in the crimes committed by others.

--Such reform “provides a glimmer of hope to juveniles,” so that they do not simply shut down.

--Juveniles are not the same as adults, their brains aren’t fully developed, they make more bad judgments than adults. With time, they could become contributors to society and rehabilitated. They deserve the chance.

--It’s 40 years, not 2. The juvenile will be middle aged when he or she is eligible for parole, and he or she may not even be granted parole.

Anti-Parole:

--Juveniles can be dangerous, sociopaths who commit heinous crimes.

They should be punished for them, not given a free-pass because of their age.

--This legislation ignores the victim and the victim’s family, who deserve retribution and should not have to relive the horror of their loss again and again, with a parole hearing.

--Legislation and reform will eliminate the deterrent effect posed by life sentence for juveniles.

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Exercises:

- Written: -Where do you come out on this issue? Write a debate stating and supporting your position. Be sure to include counter-arguments and how you refute them.  
-You are a member of the state legislature and have to decide if you want to offer parole to juveniles. Write about your decision, and if you do want to offer parole, create a reform that will satisfy juveniles as well as victims’ families.

- Oral:
  - Role-play/Debate. Have students break into three groups: (1) victims' families who opposes parole; (2) juvenile or advocate for parole; (3) state legislature who has to decide if it will pass reform legislation or not.
  - Class Discussion/Presentation. Have students discuss the issue and excerpt profiles from the Michigan "Second Chances" packet. Have them discuss/argue about rehabilitation and parole with these examples.

Resources:

- Miles Moffeit, *Discord on youth sentencing-A bill giving past offenders hope for parole is moved forward over objections of DAs and victims' families*, DENV. POST, Mar. 17, 2006 (describing reform efforts in Colorado).
- Sue Lindsay, *House panel OKs parole bill-Measure would give juveniles who get life a hearing in 40 years*, ROCKY MTN. NEWS, Mar. 17, 2006 (from both sides).
- ACLU report, "Second Chances: Juveniles serving life without parole in Michigan prisons" <http://www.aclumich.org/pubs/juvenilelifers.pdf> (includes great statistics on juvenile offenders, pictures and profiles)

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Juvenile Rehabilitation. The Youth Justice text has a lot of information on this issue. There is an opportunity for good class discussion and debate on this issue, including, the ability of juveniles to be rehabilitated, especially in youth facilities. Also, are there contributing factors to delinquency that society should be addressing before and/or after juveniles commit offenses?

Three articles may be useful and could serve as supplements.

- (1) Michele N-K Collison, *Student Life; From Life's Bottom to the Top of her Class*, NY TIMES, Nov. 2, 1997. This article is about Sheila Secret, a former drug dealer and juvenile offender, and her journey toward rehabilitation. She currently lectures high school students on the dangers of criminal life and on how she got back on her feet.
- (2) Avi Salzman, *Redefining Juvenile Criminals*, NY TIMES, Apr. 2, 2006. This article discusses a movement to change the law so that 16- and 17-year-olds are treated as juveniles instead of adults, as long as their crimes are not too serious. It explores the economic, rehabilitative, and even gender issues concerned with this issue.

(3) Erik Eckholm, *Plight Deepens for Black Men, Studies Warn*, NY TIMES, Mar. 20, 2006.

This article describes the dire situation black men face that leads to crime and prison, including the impact of incarceration on employment and rehabilitation.