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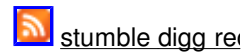


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Sentencing Children to Die in Prison

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Ian Manuel was 13-years-old when he participated in a robbery attempt in Florida, leaving the victim with a nonfatal gunshot wound, and his attorney told him he would receive a 15-year sentence if he pled guilty. Instead, he was sentenced to life in prison.

Ian's is one of several stories told in the Equal Justice Initiative's (EJI) new report, [Cruel and Unusual: Sentencing 13- and 14-year-olds to life without parole](#) (pdf). The Equal Justice Initiative of Alabama is a private, nonprofit organization that provides legal representation to indigent defendants. A study found 73 cases in the United States where 13- and 14-year-olds have been sentenced to life without parole -- in Alabama, Florida, and Louisiana. EJI argues that giving this harsh sentence to young teenagers violates the U.S. Constitution's Eighth Amendment prohibition on cruel and unusual punishment and is also counter to international conventions. The United States is almost alone in the world in imposing such sentences on juveniles. EJI notes that giving such sentences to juveniles has been condemned in international law, including the United Nations Convention on the Rights of the Child. This appalling pattern of injustice has prompted a challenge to these harsh penalties and have the children considered for parole-eligible sentences as soon as possible.

There were many common threads among the 73 cases. EJI found: "[M]ost of the children...come from violent and dysfunctional families."

physically and sexually abused, neglected, and abandoned.... They grew up in lethally violent, extremely poor areas where families could not afford.... [They] have in common the disturbing failure of police, family courts, child protection agency providers to treat and protect them.[...] Instead, in the adult criminal justice system, they are subject to mandatory sentencing circumstances and those of the offense in imposing the harshest available sentence." They also commonly receive poor negligent or incompetent attorneys. EJI also found that nearly two-thirds of the youths serving these sentences were

The EJI report observes that in other aspects of American culture, we accept that most 13- and 14-year-olds shouldn't have criminal accountability as adults or older teenagers. In most states they are still required to attend school and are barred from voting without permission. EJI cites the scientific research that has shown the areas of adolescents' brains that govern impulse control and moral reasoning are all still underdeveloped.

Many of the children EJI included in its report have tragic backgrounds. There are histories of neglect, like 13-year-old Joseph whose crack-addicted parents often left him to take care of his six younger siblings in their Newark housing project for Joseph with relatives in North Carolina. There, he was forced by his older teen uncle and an 18-year-old to take part in drug dealing. He was subsequently killed by the older youths.

Antonio Nuñez was a victim of violence who was shot and seriously injured at age 13 while riding his bicycle in his South Bronx neighborhood and whose 14-year-old brother was shot and killed when he ran to help him. At 14, Antonio got into a car with two men at a party. One of the men later claimed to be a kidnapping victim. No one was injured in the sequence of events, however, along with the 27-year-old driver, with aggravated kidnapping. There are also victims of substance abuse like Omer Nibbeling by his alcoholic parents. He began drinking daily himself at age 10 to help dull the pain of his life.

The EJI study echoes and reinforces the findings of the Children's Defense Fund's Cradle to Prison Pipeline® report, which shows how children and youth from a trajectory that leads to marginalized lives, imprisonment and even premature death. EJI's children and its nationwide campaign to challenge and end these harsh sentences are valuable contributions to dismantling the pipeline. For more about the Equal Justice Initiative and their crucial work, visit <http://www.ehi.org/>.

For more information about the Children's Defense Fund, go to <http://www.childrensdefense.org/>.

Marian Wright Edelman is President of the Children's Defense Fund and its Action Council whose Leave No Child Behind® mission is to ensure every child has a good Start and a Moral Start in life and successful passage to adulthood with the help of caring families and communities.

Join Marian Wright Edelman in Los Angeles on September 14 for the first annual People® Red Carpet Fun Run. Jessica Williams' Olympic Softball team will also be there! This 3 mile run (or 1.5 mile walk) through the iconic sets and stages of the Peacock Children's Defense Fund.

Mrs. Edelman will release her new book, *The Sea Is So Wide and My Boat Is So Small: Charting a Course for the Next Generation*. The book will be a look at what's been done and what still needs to be done to make our world safe and fair for all children.

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There are few I respect more than Marian Wright Edelman. And we applaud the "prevention focus" of this article. No d juveniles having to be tried and sentenced as adult offenders given the incredible seriousness of their offenses. Frank access to firearms in our nation would do more to keep younger offenders from serving the hardest of time than any o

Having said all this, there is a vital part of the equation described in this article that is not addressed in this article - the the victims families left behind. We agree this nation needs a dialogue about juvenile criminals being sentenced to ad dialogue without all the stakeholders at the table. And there would not be a reason for these sentences if horrific harm

We encourage all those who are interested in reforming the sentence of life for offenders under 18 or 15 at the time of Organization of Victims of Juvenile Lifers website - www.jlwopvictims.org.

We need to find the victims families of these crimes, bring them to the table and supporting them in the devastation let crimes.

Only using these principles of Restorative Justice will we ever be able to move the nation forward in discussing this dif

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