

Los Angeles Times

Youthful offenders deserve a second chance

A California measure would ensure that juveniles sentenced to life in prison are given at least the possibility of parole.

By Miriam Aroni Krinsky, Ernie Pierce and Jeanne Woodford

June 2, 2010

One of us is a retired police officer who daily put his life on the line to catch criminals. Another is a former Department of Justice attorney who spent years prosecuting violent drug dealers and organized crime organizations. The third, a former warden of San Quentin State Prison and director of the California Department of Corrections and Rehabilitation, spent her career ensuring that those convicted served out their sentences as required by law.

Collectively, we have put or kept a lot of people in prison. Prison is where some people justly belong, many for long periods of time. But it is exactly our experience in law enforcement that causes us to agree with the Supreme Court's recent decision to abolish the sentence of life without parole for teens in nonhomicide cases.

That decision, however, did not finish the reforms needed in juvenile sentencing. There are thousands of lifers in the nation's prisons — about 250 in California alone — who as teenagers participated in crimes involving homicides. They all deserve a second chance, and at least some of them may deserve to be released.

As the high court recently recognized, there are inherent differences between teenage and adult criminals. A teen who

commits a crime, even a terrible one such as murder, is not forever defined by that one act. Indeed, in our work, we have witnessed dramatic transformations among young people in our correctional facilities and in our neighborhoods.

Experts confirm that youths have greater potential for reform than adults; in many cases, young people "age out" of the type of behavior that leads to crime. Our laws should recognize that they are capable of redemption and reform.

California is on the threshold of doing just that. The Legislature is considering a bill, SB 399, that would allow those who prove they merit a second chance an opportunity to be considered for parole, but only after serving at least 25 years.

Clearly there are offenders who have committed heinous crimes and are unfit to be released regardless of the age they were when they committed their crime. SB 399 would not allow these people to return to our communities. Instead, it would allow for a thoughtful review to determine whether, years later, individuals sentenced as youths continue to pose a threat to the community.

We know that sentencing youngsters to a life in prison with no possibility for review of their sentence as they mature

into adulthood isn't simply excessive; it is contrary to the interests of our state.

Life without parole does not deter criminal behavior among youths. Most kids get caught up in crime without analyzing the consequences of their acts. Indeed, research confirms that teenagers have weak impulse control and reasoning abilities.

Life without parole is also a very costly policy. In the case of young people, these sentences cost California about \$2.5 million each. And without SB 399, there is no way to revisit these sentences and account for the adult that teen has become.

It is time for California, and our nation as a whole, to take the Supreme Court's decision to its next logical step and join the rest of the world by revisiting

inflexible life-without-parole sentences for young offenders. Juvenile offenders are different; our laws and system of justice must acknowledge those differences.

Let us hope that state legislators will see their way through the all-too-common "tough on crime" mantra and find a way, instead, to be smart, just and fair on crime.

Miriam Aroni Krinsky was a federal prosecutor for 15 years, both in Los Angeles and with an organized-crime and drug enforcement task force in the mid-Atlantic region; Ernie Pierce retired after almost 30 years with the San Diego Police Department; Jeanne Woodford is the former warden of San Quentin State Prison and former director of the California Department of Corrections and Rehabilitation.