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Life without parole for children? By Union-Tribune Editorial Board,

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It is easy to understand the pain, anguish and desire for justice of people who have suffered the loss of a loved one to violent crime. But justice is not always easy to define.

Virtually all first-degree murders are vicious and senseless, almost by definition. A sentence of life without the possibility of ever even being considered for parole is often the correct definition of justice.

But what if the killer was under 18 – a child under the law? What if he or she had never before been in serious trouble? What if he or she had long been abused? And what if the court considers those things and still imposes life without parole? Does that killer/child never deserve at least a shot at freedom?

The U.S. Supreme Court has already ruled that killers under 18 cannot be subject to the death penalty. But what about life without parole? What is justice in these cases?

These difficult questions come to a head today in Sacramento as the Assembly considers a bill that would allow courts to review cases of juveniles sentenced to life without parole after a minimum of 10 years. It passed the Senate with two votes to spare in June 2009.

The bill was believed to have perhaps 34 committed Assembly votes, with 41 needed to pass. Getting those last favorable votes little more than two months before Election Day is probably unlikely.

But if the legislation makes for difficult politics, it would in our view still be good public policy.

The bill's author, Sen. Leland Yee, D-San Francisco, a child psychologist, makes a compelling science-based argument that the brains of juveniles, like their bodies, are not yet mature – that their ability to control impulses, to plan and to think critically are not fully developed, and that juveniles have a greater capacity for rehabilitation than adults.

It is important to understand what this bill would and would not do.

It would not prohibit sentences of life without parole for juveniles. It would allow a court to review cases of juveniles who receive such a sentence after 10 years and, if a long list of conditions were met, to potentially allow that person to receive a new sentence of 25 years to life, meaning parole would be possible.

American justice has long included rehabilitation as one of its foundations. Admittedly, the concept of rehabilitation for most convicts in California today is a joke. But if anyone is capable of rehabilitation and redemption, it is children.