

Life without parole for young criminals -- it's too cruel

The U.S. Supreme Court has agreed to hear two cases brought by inmates in Alabama and Arkansas who were sentenced to life in prison without parole for killings they committed as 14-year-olds. On the face of it, that sounds right; in the popular imagination, it's those Bible-belt states in the South that subject children to unthinkable lifelong punishment before they are deemed, by society's cooler heads, to have had the mental and emotional capacity to vote, smoke a cigarette or even see a movie made for older teens.

It was in a Florida case last year that the Supreme Court rejected life without parole for juveniles whose crimes fell short of murder. Once again, it was the federal judiciary that had to straighten out a Southern state only too willing to impose the too-cruel and, for a teenager, too-unusual sentence of life without parole for a crime in which no one died, committed by someone with less than full adult capacity.

But those stereotypes of Southern justice are misleading; it is not only in the South that such cruel and uneven punishments are meted out. In fact, we in supposedly enlightened California come close to first place for cruel treatment of youth offenders. Year after year, California Democrats who live in fear of the county prosecutors' and victims' families' lobbies have voted down attempts to eliminate sentences of life in prison without parole for juveniles.

Now the Supreme Court will consider what California and so many other states have not: whether it is inherently cruel and unusual, under the 8th Amendment, to lock up someone forever for a crime committed when the perpetrator hasn't yet developed an adult capacity to grasp the consequences of his or her actions.

If the justices rule as they should — if they reject life without parole for a crime committed as a juvenile — the impact of their action will be stunningly modest. Prison doors will not swing open. Convicted murderers will not be set free. Rather, inmates convicted of murder will be resentenced, most of them to life with the possibility of parole. That means that one day they will be able to ask — merely ask — a parole board to deem them to be, as adults, people who have sufficiently repented and gone through enough rehabilitation to live their later lives outside of prison. That's how civilized nations (meaning every other nation on Earth) treat their youth criminals. It's not too late for the U.S. to catch up.