

Fair Sentencing for Youth Testimonies

Testimonies from youth offenders:

“My life in prison has been like living in hell. It's like living and dying at the same time, and with my sentence the misery never ends. Life in prison is no life at all. It is a mere existence.” – A youth offender, *The Rest of Their Lives Life without Parole for Child Offenders in the United States*.

“When I was 14-years-old, I agreed with two adults to participate in a robbery of a young man, Alexander. I never knew that the two men were planning on killing Alexander; I wasn't even there. Yes, I made a mistake. I associated with the wrong crowd. I engaged in committing a crime with them. However, is it fair that I spend the rest of my life in prison for a crime which was committed by someone else without my knowledge or without me being present? I feel sorry for the life which was lost in my case. I feel a deep sense of empathy for his family and what they must continue to endure in terms of pain. But this tragedy was never supposed to happen. I don't absolve myself of all guilt. I, out of naiveness, out of influence, out of the ignorance of knowing the consequences, agreed to do a crime: a robbery.” – Stacey, *The Rest of Their Lives Life without Parole for Child Offenders in the United States*.

“Words can't explain what I went through in the adult system. Tears hardly express the pain and discomfort of being judged as a criminal. At the age of sixteen, I got into an argument with my grandma. As she was disciplining me, I attempted to get her off me. I left the house and later on that day she died of a heart attack because of the argument. I was charged with her death. I was charged as an adult and spent eleven months in Baltimore City Detention Center. I was forced to shower with a woman twice my age and shamelessly exposed to a squat and cough in front of everyone while menstruating. I was neglected and did not receive the psychological and healthcare help I needed throughout my stay. I was treated as if I had been judged guilty of committing the crime or as they would say ‘as an adult.’” – Jabreria, charged as an adult at the age of 16, *Campaign for Youth Justice*.

“I killed someone in a robbery/drug deal. I was sentenced to life without parole. When I got to prison, I made a commitment to myself to lead a life of nonviolence. It was challenging; there was always a race war going on in the yard. I really wanted not to fall into that. I constantly tried to put myself far from situations that could get me in trouble. I very carefully separated myself from drugs. My good behavior allowed me to spend time in the Honor Yard, away from all the violence. I've changed since my crime. To say that someone doesn't change over time is a bizarre concept because everybody knows they are different from when they were younger—it's too obvious.” – Michael, *The Rest of Their Lives Life without Parole for Child Offenders in the United States*.

On December 31, 2009, 16-year-old Kenneth Ray Stephens and two friends stole a gun from a parked car. The following week, Kenneth and a friend were together in a house when two other teenagers in a different room of the house heard a gunshot, then heard Kenneth yell the victim's name and start to cry. The victim, while badly injured by a gunshot wound to the head, survived. Prosecutors disagreed with Kenneth's claim that the shooting was accidental, charging him in adult court with attempted murder. It was Kenneth's first arrest. At the time of his arrest, he was an honor roll student and member of the football team. No judge had the power to review the decision to charge Kenneth in adult court. Facing a 30-year maximum sentence on the attempted murder charge, Kenneth eventually pled to aggravated assault in exchange for a 15-year sentence. The Florida Department of Corrections has listed his release date as January 2, 2025. – *Branded for Life: Florida's Prosecution of Children as Adults under its "Direct File" Statute*.

“Several years ago I found myself facing adult time as a teen in Los Angeles. I was held in detention for two years, serving dead time fighting my ‘fitness,’ a court process where they were ‘determining’ if I would be tried as a juvenile or an adult for a crime for which I was later exonerated. Presuming that I would be charged as an adult, I was housed separately from other youth in the detention center, even though we were all the same age. When kids are locked up as adults they are immediately subjected to punishment instead of rehabilitation. Hence, they are deprived of the care and treatment necessary to turn their lives around; instead they are exposed to threats and acts, of physical, sexual and mental trauma and abuse. For their ‘protection’ from this abuse, they are welcomed into the beautiful world of solitary confinement, burying them alive and permanently interrupting healthy brain development.” – Former Incarcerated Youth in Los Angeles, *Campaign for Youth Justice: National Youth Awareness Month*.

How youth are different than adults:

“My grandmother was stabbed to death by a 15-year-old who broke into her home and robbed her. But I’m opposed to LWOP for teenagers. To say that a young person could never be released, regardless of what kind of transformation they go through—that’s wrong. We’ve got to recognize that they are not the same as adults in terms of mental capacity, and so the penalties they face should be different. We recognize that they are different by not letting them drink, by not letting them vote. It doesn’t make sense to give them the same criminal penalties as adults. Children are inherently different from adults in that they are able to change themselves and become rehabilitated.” – Bill, *The Rest of Their Lives Life without Parole for Child Offenders in the United States*.

“The US Supreme Court, in a series of four recent cases, has underscored what every adult knows—that children are different. Their bodies, personalities, and brains are in the process of maturing, which means they are uniquely suited to the rehabilitative programs offered in the juvenile justice system. Although they can be held accountable for crimes, their punishment should take into account their diminished culpability, because they are less able to reason logically, to withstand peer pressure, to predict future outcomes in order to guide their behavior, and to make careful decisions.” – Human Rights Watch, *Branded for Life: Florida’s Prosecution of Children as Adults under its “Direct File” Statute*.

“No one believes that locking a teenager in a closet is an effective way to improve either their behavior or their character, much less to protect them long term... Young people have rights and needs that are different from adults; jail and prison practices should reflect those differences and promote their ability to grow and change – we should invest in youth, not banish them.” – Ian Kysel, Human Rights Watch Fellow, *US: Teens in Solitary Confinement: Youths Suffer Serious Harm From Weeks, Months in ‘Lock-Down*.

Why we need fair sentencing for youth:

“Restorative justice and other efforts to keep students in school also make good economic sense. Losing even one grade of high school can cost taxpayers more than \$35 billion a year.” – Erika Strauss, Spanish teacher, *Spending on incarceration v. education tells the tale of our broken political system’s misguided priorities*.

“Our resources as a state are better spent investing in schools, health care, and job training than mass incarceration... Our communities have paid too heavy a price for these outdated, unsustainable, and inhumane policies. It’s time to re-evaluate them and get smarter on crime.” – SEIU California President Laphonza Butler, *Brown: More carrot, less stick*.