

V I E W P O I N T

Human Rights And Juvenile Justice

(The Human Rights Watch Student Task Force at Palisades Charter High is celebrating its 10th anniversary of advocating on behalf of children in Los Angeles and around the world. The PaliHi activists have campaigned to end the use of child soldiers, protect U.S. child farmworkers and support the people of Darfur. Pali Student Task Force Co-President Pilar Garcia-Brown writes here about the group's most recent campaign: advocating for fair sentencing for juveniles in California).

By PILAR GARCIA-BROWN, *Special to the Palisadian-Post*

Under international human rights law, it is illegal for youth to be sentenced to life imprisonment with no real chance of ever being released. In the United States, however, approximately 2,500 youth are currently sentenced to Life Without Parole (LWOP), and 260 of these are incarcerated in California's legal system.

The Human Rights Watch Student Task Force has taken a stand against this injustice by supporting the Fair Sentencing for Youth Act (SB 399). This California legislature bill recognizes that all young people have the capacity to change, regardless of whether or not they are imprisoned. By providing an opportunity for review and re-sentencing after ten years or more of incarceration for youth sentenced to life without parole in prison, this act would enable young people to work toward rehabilitation.

In fact, 81 percent of West Coast residents agree that youth should not spend the rest of their lives in prison, based on the opinion that they do have the ability to change and mature. Recent studies confirm that brain maturation is a continuous process that extends through adolescence up to early adulthood and that young people who commit crimes have a higher chance of reforming their behavior than adults.

Contrary to widely accepted beliefs, evidence clearly shows that life sentences for youth don't reduce crime. In addition, in most Life Without Parole cases, the teen committed his or her crime with an adult co-defendant, and in approximately 56 percent of these cases, the adult received a more lenient sentence than the teen. In fact, 45 percent of youth sentenced did not actually commit the murder, but were charged as accessories. So, in essence, life sentences for youth are implemented unfairly. Further compounding this injustice, much of the time the sentence is applied in a racially disproportionate manner. In this regard, California has the worst record in the nation: 85 percent of youth sentenced to LWOP are of color. African-American youth are sentenced at a rate that is 18.3 times the rate for whites, and Hispanic youth at a rate that is five times that of white youth.

Once in prison, life is bleak. There are very few opportunities to access programs and rehabilitative services, especially once teens turn eighteen and are transferred to state prisons for adults. For many, daily violence is a reality. One male prisoner, sentenced at age fifteen, says: "Every day I grow inside. But I have no place to grow in here...it's lonely. You're surrounded by 1,500 people and it's still lonely."

As students committed to human rights, this particular abuse truly resonates with us because, in an informal survey taken of Student Task Force club members, about one third of the students knew someone caught in the juvenile justice system. As teenagers ourselves, we personally know that we have the capability to grow and change for the better. So we constantly ask ourselves: Why is it considered fair that some youth be denied this opportunity?

One youth named Gregory, who is currently serving out his life sentence, says: "A kid does something — whether it's an accident or intentional. I mean personally, me, I was fifteen years old. I didn't know what I was doing. I was still a kid."

For more information, visit www.hrwtf.org and www.fairsentencing-foryouth.org