

V I E W P O I N T

Juvenile Justice

BY RABBI STEVEN CARR REUBEN
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After reading the moving Viewpoint in last week's *Palisadian-Post*, written by Pilar Garcia-Brown on behalf of the HRW Student Task Force at Palisades High, I can't help but echo their concern for the injustice of our juvenile justice system.

Every year as Jews gather on our holy days, we remind ourselves that repentance is possible, forgiveness is possible and we pray that our lives do not become defined by our worst moments or our worst acts. In fact, repentance and the recognition that human beings are capable of change is a fundamental Jewish ideal that we have taught for nearly 4,000 years.

So when I'm reminded that 2,503 children in the United States are currently sentenced to life in prison without the possibility of parole, I'm filled with sadness—and anger. How can we tell children, 14, 15, 16 years of age that their lives are over, there is no possibility of redemption, there is no possibility of growth and learning and change—there is only living and dying in prison?

For years, as a member of Faith Communities for Families and Children, I have visited youth incarcerated in juvenile hall and in the men's central jail. I sat with one 14 year-old whose life seemed thrown away by the juvenile justice system. He had been sleeping in the back seat of a car when someone in the front seat shot a gun out of the window, and even though no one was killed, he ended up being tried as an adult and sent to prison for attempted murder. He is just one of so many and one of the "lucky" ones – his sentence was only 15 years to life. In California, Human Rights Watch estimates that 45 percent of youth offenders serving life without parole were convicted of murder but were not the ones to actually commit the murder.

Juvenile incarceration is a social sin – it is throwing our youth away, telling them they are worthless, that in spite of all evidence of common sense and neuroscience to the contrary we are convinced they can never change. Scientific evidence is clear that there is a significant difference between children and adults, that the teenage brain is significantly different and underdeveloped compared to the adult brain. Do any of us think our 14- or 15-year-old children have the same capacity to make intelligent, thoughtful decisions, have the same impulse control, can think and plan ahead with the same rational ability as an adult of 25, 26 or 27? The idea is absurd, and yet our justice system in California allows prosecutors and judges to try those very same children as if they were adults, and send them to adult prison for the rest of their lives. This is not only cruel and unjust, it is immoral and contrary to the fundamental ethical imperatives of Judaism, Christianity and Islam alike.

Finally there is something being done about it with a proposed law (SB-399 "Fair Sentences for Youth Act") working its way through the legislature in Sacramento that will provide an opportunity for review and re-sentencing after 10 years or more of incarceration for youth sentenced to life without parole in prison. The embarrassing reality is this: the United States is the only country in the world that still sentences children to life in prison without the possibility of parole.

It's time we stood up for these children.

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