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To: The Honorable Lamar Smith, Ranking Member of the House Judiciary Committee

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**RE: HR 2289, the Juvenile Justice Accountability and Improvement Act of 2009**

Dear Representative Smith and the Honorable Members of the Judiciary Committee,

It is my express desire that you consider co-sponsoring this important legislation with Representative Bobby Scott (D-VA) John Conyers (D-MI). This Bill requires states to enact laws and adopt policies to grant child offenders who are under a life sentence a meaningful opportunity for parole at least once after serving their first 15 years of incarceration and at least once every three years thereafter. This law defines a "child offender who is under a life sentence" as an individual who is convicted of a criminal offense committed before attaining the age of 18 and sentenced to a term of natural life or its functional equivalent in years. This Bill seeks a just alternative that will hold juveniles accountable for their crimes while offering them the opportunity to earn their release before they die.

Honorable, Members, in the U.S. children are prohibited from buying cigarettes, consuming alcohol, seeing certain movies unless in the presence of an adult, cannot serve on juries, vote, marry without parental consent, are not allowed to leave home and live alone, leave school, cannot make certain decisions relating to their medical treatment or education, cannot sign contracts, purchase firearms or be drafted in to military service.

They can, however, be sentenced to life in prison and its' equivalent in years without the possibility of parole, a sentence reserved for those people in our society for whom there is considered to be no redemption. Do you agree that children are beyond redemption? Juvenile life without parole sentences ignore the very real scientific facts and social differences between children and adults, abandoning the concepts of redemption and second chances upon which this country was built. Psychoanalytical studies have shown that children lack the capacity to both understand and control their actions, which reduces culpability. The human brain does not reach its full capacity in the frontal cortex, the area of reasoning, until age 25 (*Roper v Simmons*).

The U.S. disproportionately sentences child offenders to juvenile life without the possibility of parole (JLWOP). With more than 2500 people serving the sentence, and 42 of 50 states and the federal government permitting it, the U.S. is home to all of youths serving the sentence in the world. 10 states set no minimum age and 12 states set a minimum of 10-13 years of age and 16% who receive this sentence are indeed of this young age. Over 60% are serving as first time offenders. More than a quarter of the people serving were convicted of "felony murder," which means they were participants in a crime that resulted in a murder, but did not actually commit it. Of great concern are the tremendous racial disparities among the indigent and minority populations receiving this sentence. You should be acutely aware of the unthinkable fact that adult prisons are harsh on juveniles. The suicide rate for these juveniles is 8 times that of those in detention facilities.

I honor Representatives Scott and Conyers for their courage in introducing HR 2289. I encourage you, Honorable Members, to begin the hard work of discerning where justice truly lies concerning the youth of America. Please help HR 2289 on its way to the full House.

Sincerely,

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