



Juvenile and Criminal Justice

Juvenile Life Without Parole

The United States is the only country in the world that currently sentences juveniles to life without the possibility of parole. Approximately 2,600 inmates nationwide serve life-without-parole sentences for crimes they committed as juveniles; over 450 of them are serving in Pennsylvania—the most of any U.S. jurisdiction. In June 2012, in a landmark ruling in [Miller v. Alabama](#), the United States Supreme Court held that "mandatory life without parole for those under the age of 18 at the time of their crimes violates the Eighth Amendment's prohibition on 'cruel and unusual punishments' and that a 'judge or jury must have the opportunity to consider mitigating circumstances before imposing the harshest possible penalty for juveniles.'"

This ruling followed the Court's 2010 decision in [Graham v. Florida](#), the U.S. Supreme Court determined it's unconstitutional to impose such a harsh sentence on a juvenile convicted of a nonhomicide offense, largely because developmental and scientific research demonstrates how juveniles—including those who commit violent crimes—possess a greater capacity for rehabilitation, change, and growth than adults do, and are less blameworthy for their criminal conduct.



Watch Deputy Director Marsha Levick argue *Batts* before the Pennsylvania Supreme Court

Building on the amicus briefs we filed in *Graham* and *Miller*, Juvenile Law Center works to end the practice of sentencing any juvenile, regardless of how severe their crime, to life without the possibility of parole. We file petitions and appeals directly challenging these sentences in Pennsylvania and write briefs and assist colleagues in relevant cases around the country. For example, we argued [Commonwealth v. Batts](#), a Pennsylvania Supreme Court case in which a juvenile received a mandatory life without parole sentence for a murder he committed at age 14.

We've also submitted briefs on behalf of juveniles sentenced to life without parole for felony murder (see [Lemuel Session Whiteside v. State of Arkansas](#)), where their role in the actual murder may have been very limited but criminal law nevertheless permits their prosecution for homicide. We are also involved in challenges to sentences that, because of their length, are the functional equivalent of life in prison. These interminably long sentences have been meted out to many youth nationwide who were also convicted of non-homicide offenses (see [Chaz Bunch v. Keith Smith](#)). Finally, we support legislative efforts to amend state statutes to prohibit the imposition of juvenile life-without-parole sentences.

On July 12, 2012, Juvenile Law Center Associate Director Lourdes Rosado [testified](#) in a Pennsylvania Senate Judiciary Committee hearing on the implications of *Miller* in Pennsylvania. In light of *Miller*, we will continue to work both [in Pennsylvania](#) and nationally to determine how the Court's ruling will affect the sentencing of juveniles convicted of homicide.

<http://jlc.org/current-initiatives/promoting-fairness-courts/juvenile-life-without-parole>