the Campaign for the Fair Sentencing of Youth

RIGHTING WRONGS

THE FIVE-YEAR GROUNDSWELL OF STATE BANS ON LIFE WITHOUT PAROLE FOR CHILDREN

SEPTEMBER 2016

A Publication by the Campaign for the Fair Sentencing of Youth

the CAMPAIGN for the FAIR SENTENCING of YOUTH

The Campaign for the Fair Sentencing of Youth is a national coalition and clearinghouse that leads, coordinates, develops, and supports efforts to implement fair and age-appropriate sentences for youth, with a focus on abolishing life without parole sentences for youth.

Cover image: Ralph Brazel, pictured with his son in 2016. Ralph was given three life-without-parole sentences at 17 for his role in a drug ring operated by an adult. He became eligible for relief following 2010's U.S. Supreme Court decision in *Graham v. Florida*. He served nearly 22 years in prison, and was released in 2013, shortly before his 40th birthday. His son was born last year.

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A MESSAGE OF HOPE

The Campaign for the Fair Sentencing of Youth was launched in 2009 to coordinate, bolster, and build new strategies to end the practice of sentencing children to life in prison without parole—the most punitive sentence imposed on our children. It is a sentence to die in prison, imposed only in the United States.

Sentencing children to die in prison declares them irredeemable, defining their lives based on their worst mistakes. All children—even those convicted of the most serious crimes—are different from adults and should be held accountable for harm they have caused in age-appropriate ways. In addition, children who receive the harshest treatment are frequently the most vulnerable children in our society: children from poor communities, children of color, and children who have endured extensive trauma.

Our vision is to help create a society that respects the dignity and human rights of children through a justice system that operates with consideration of the child's age, provides youth with opportunities to return to the community, and bars the imposition of life without parole for children under age eighteen. This vision is turning into reality as states change their policies and individuals previously sentenced to life without parole as children begin to return home as productive members of society.

We are privileged to lead and work alongside a robust national alliance committed to banning life-without-parole sentences for children. Our partners include conservative and liberal policymakers alike, faith leaders from every major world religion, medical professionals, defense attorneys, prosecutors, judges, formerly incarcerated youth, victims' families, and child advocates. Together, we utilize advocacy, public education, and legal strategies to end the practice of sentencing our children to die in prison. The multi-faceted movement to ban life without parole for children has resulted in a culture shift, visible in the recent momentum to scale back these extreme sentences.

As a result, the United States is on course to replace life-without-parole sentences for children with less punitive and more age-appropriate accountability measures, informed by individuals and communities directly impacted by youth violence. This publication provides a glimpse of our recent progress in state legislatures, the widespread support for ending life without parole for children, and most importantly, the lives touched by this crucial work.

I invite you to join this growing movement of giving hope of a second chance to *all* of our children.

Onward,

Jody Kent Lavy
Executive Director
Campaign for the Fair Sentencing of Youth

AN EVOLVING STANDARD OF DECENCY

FIVE YEARS OF POSITIVE SENTENCING REFORM FOR CHILDREN

EXECUTIVE SUMMARY

In just five years—from 2011 to 2016—the number of states that ban death-in-prison sentences for children has more than tripled. In 2011, only five states did not permit children to be sentenced to life without parole. Remarkably, between 2013 and 2016, three states per year have eliminated life-without-parole as a sentencing option for children. Seventeen states now ban the sentence.

This rapid rate of change, with twelve states prohibiting the penalty in the last four years alone, represents a dramatic policy shift, and has been propelled in part by a growing understanding of children's unique capacity for positive change. Several decades of scientific research into the adolescent brain and behavioral development have explained what every parent and grandparent already know—that a child's neurological and decision-making capacity is not the same as those of an adult.[1] Adolescents have a neurological proclivity for risk-taking, making them more susceptible to peer pressure and contributing to their failure to appreciate long-term consequences.[2] At the same time, these developmental deficiencies mean that children's personalities are not as fixed as adults, making them predisposed to maturation and rehabilitation.[3] In other words, children can and do change. In fact, research has found that most children grow out of their criminal behaviors by the time they reach adulthood.[4]

Drawing in part from the scientific research, as well as several recent U.S. Supreme Court cases ruling that life-without-parole sentences violate the U.S. Constitution for the overwhelming majority of children,[5] there is growing momentum across state legislatures to reform criminal sentencing laws to prohibit children from being sentenced to life without parole and to ensure that children are given meaningful opportunities to be released based on demonstrated growth and positive change. This momentum has also been fueled by the examples set by formerly incarcerated individuals who were once convicted of serious crimes as children, but who are now free, contribute positively to their communities, and do not pose a risk to public safety.

In addition to the rapid rate of change, legislation banning life without parole for children is notable for the geographic, political, and cultural diversity of states passing these reforms, as well as the bipartisan nature in which bills have passed, and the overwhelming support within state legislatures.

Currently, Nevada, Utah, Montana, Wyoming, Colorado, South Dakota, Kansas, Kentucky, Iowa, Texas, West Virginia, Vermont, Alaska, Hawaii, Delaware, Connecticut, and Massachusetts all ban life without parole sentences for children. Additionally California, Florida, New York, New Jersey, and the District of Columbia ban life without parole for children in nearly all cases.

It is also important to note that three additional states—Maine, New Mexico, and Rhode Island—have never imposed a life-without-parole sentence on a child. Several other states have not imposed the sentence on a child in the past five years, as states have moved away from this inappropriate sentence both in law and in practice.

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[1] Laurence Steinberg, Adolescent Development and Juvenile Justice, 5 ANN. REV. CLINICAL PSYCHOL. 459 (2009).
[2] *Id*; Laurence Steinberg, A Social Neuroscience Perspective on Adolescent Risk-Taking, 28 DEVELOPMENTAL REV. 78 (2008).
[3] Jay N. Giedd, The Teen Brain: Insights from Neuroimaging, 42 J. OF ADOLESCENT HEALTH 335 (2008); Mark Lipsey et al., Effective Intervention for Serious Juvenile Offenders, JUV. JUST. BULL. 4-6 (2000).
[4] Terrie E. Moffitt, Adolescence-Limited and Life-Course-Persistent Antisocial Behavior: A Developmental Taxonomy, 100 PSYCHOL. REV. 674, 675 (1993).
[5] See *Miller v. Alabama*, 132 S. Ct. 2455 (2012); and *Montgomery v. Louisiana* 136 S. Ct. 718 (2016).

STATE LEGISLATIVE CHAMPIONS

"I believe that children, even children who commit terrible crimes, can and do change. And I believe they deserve a chance to demonstrate that change and become productive citizens. In the end, I gathered a very diverse set of legislators from across the political spectrum and passed the bill with solid margins."

Senator Craig Tieszen
South Dakota State Senator (R), Chair of the South Dakota Senate Judiciary Committee and former Police Chief of Rapid City, South Dakota

"In many aspects of our culture and society, we recognize the recklessness and impulsivity in children, which is why we don't allow them to make adult-decisions relating to voting, buying alcohol or tobacco products, entering into contracts, marrying, or joining the military. HB 2116 creates parity in our laws by recognizing that children are different from adults when it comes to criminal sentencing and that they should not be subject to our state's toughest penalties.

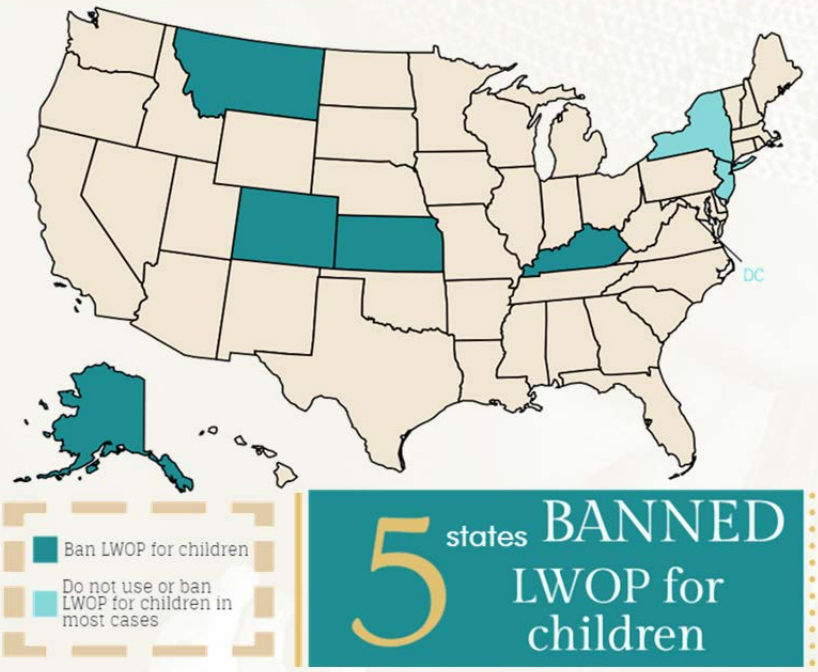
Representative Karen Awana
Former Hawaii State Representative (D)

"Utah's criminal justice system has long recognized the fundamental difference between children and adult offenders. Passage of HB 405 is an expression of that important recognition and it provides a clear statement of Utah's policy regarding the treatment of children placed in custody for serious offenses."

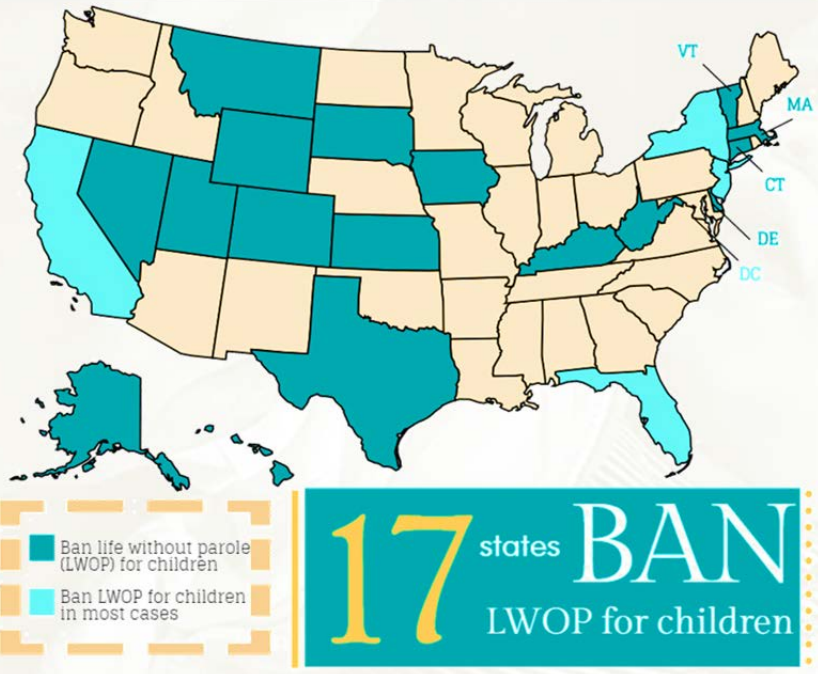
Representative V. Lowry Snow
Utah State Representative (R)

BANS **TRIPLE** IN 5 YEARS

2011



2016



BROAD SUPPORT FOR REFORM

LEGISLATIVE MOMENTUM TOWARD AGE-APPROPRIATE ACCOUNTABILITY

REFORM IN EVERY REGION

Legislative reform has passed in every region in the country, including New England, the Mid-Atlantic, the South, the Midwest, the West, and the Pacific.

Legislation to prohibit life without parole for children has passed in states that historically have been Republican-led, including Utah and Wyoming, and states that historically have been Democratic-led, including Connecticut and Delaware.

BIPARTISAN SUPPORT FOR REFORM

Sentencing reform to end life-without-parole sentences for children has gained the support and co-sponsorship of Republicans and Democrats, resulting in robust passage rates. In Delaware, Wyoming, Hawaii, West Virginia, and Utah legislation passed in one chamber unanimously, and in Nevada, legislation passed both chambers unanimously. In many states, legislation has passed with retroactive application.

HIGHLIGHTS OF REFORM

Several states have led the movement for age-appropriate accountability for children. In addition to banning life without parole for children, these states have enacted legislation that ensures all children receive an opportunity for review and the possibility of release. For example, laws enacted in Delaware, West Virginia, Connecticut, and Nevada have allowed hundreds of individuals who were sentenced to lengthy prison terms distinct from life without parole for crimes committed as children a chance to demonstrate how they have matured and changed. Each law prioritizes giving individuals opportunities to lead meaningful lives where they can finish school, establish careers, and start families. As a result of these laws, individuals who were once told as children that they would die in prison have returned home and now are contributing members of their communities.

Legislation from states has included:

- consideration of factors related to a child's age, maturity, life circumstances, and capacity for rehabilitation at the time of sentencing for all children tried in adult court
- judicial discretion to depart from mandatory minimums, sentencing enhancements, and lengthy terms of years for children being sentenced in adult court
- meaningful and periodic reviews for all children sentenced in adult court
- due process protections, including legal representation during parole and resentencing proceedings

West Virginia and Nevada are geographically and politically diverse states which can serve as examples for other states to follow.

SNAPSHOT: WEST VIRGINIA

HB 4210 (2014)

VOTE MARGIN

House: 89 yeas, 9 nays

Senate: 34 yeas, 0 nays

SENTENCING PROVISIONS

In 2014, West Virginia passed HB 4210 which, among other things, banned the use of life without parole as a sentencing option for children. On the "sentencing front-end," the bill also specified that anytime a child is being sentenced for a felony offense as an adult in criminal court, a judge must consider the following mitigating circumstances:

"We all fall short at times, and, as a person of faith, I believe we all can be redeemed, particularly our children. Young people, often exposed to violence, poverty, and neglect in home environments they cannot escape, sometimes make tragic mistakes. We should and can still hold them accountable for the harm they have caused but in an age-appropriate way that motivates them to learn from their mistakes and work toward the possibility of release. As minority chair on the Judiciary Committee, I can report that we passed this bill with widespread bipartisan support. I hope it will serve as a model for other state legislatures."
Former Delegate John Ellem (R)

(1) Age at the time of the offense;
(2) Impetuosity;
(3) Family and community environment;
(4) Ability to appreciate the risks and consequences of the conduct;
(5) Intellectual capacity;
(6) The outcomes of a comprehensive mental health evaluation conducted by an mental health professional licensed to treat adolescents in the State of West Virginia;
(7) Peer or familial pressure;
(8) Level of participation in the offense;
(9) Ability to participate meaningfully in his or her defense;
(10) Capacity for rehabilitation;
(11) School records and special education evaluations;
(12) Trauma history;
(13) Faith and community involvement;
(14) Involvement in the child welfare system; and
(15) Any other mitigating factor or circumstances.

REVIEW PROVISIONS

West Virginia established parole eligibility for all children convicted of any offense or offenses after no more than 15 years. Additionally, the parole board is required to take into consideration "*the diminished culpability of juveniles as compared to that of adults, the hallmark features of youth, and any subsequent growth and increased maturity of the prisoner during incarceration.*" The parole board also must consider the following mitigating factors when determining whether or not to grant parole to an individual who was a child at the time of their offense(s):

(1) A review of educational and court documents;
(2) Participation in available rehabilitative and educational programs while in prison;
(3) Age at the time of the offense;
(4) Immaturity at the time of the offense;
(5) Home and community environment at the time of the offense;
(6) Efforts made toward rehabilitation;
(7) Evidence of remorse; and
(8) Any other factors or circumstances the board considers relevant.

Under existing law, individuals who are eligible for parole in West Virginia must be reviewed no later than every three years. This, coupled with the provisions outlined in HB 4210, make West Virginia's laws one of the national models that states should seek to imitate when holding children accountable for committing serious crimes.

SNAPSHOT: NEVADA

AB 267 (2015)

VOTE MARGIN

Assembly: 42 yeas, 0 nays

Senate: 21 yeas, 0 nays

"When we sentence a child to die in prison, we forestall the possibility that he or she can change and find redemption. In doing so, we ignore Jesus' fundamental teachings of love, mercy, and forgiveness."

Nevada Assembly Speaker John Hambrick (R)

SENTENCING PROVISIONS

In 2015 Nevada unanimously passed AB 267 with the support of the Nevada District Attorneys Association. The new law bans the use of life-without-parole sentences for children and requires judges to consider *"the differences between juvenile and adult offenders, including, without limitation, the diminished culpability of juveniles as compared to that of adults and the typical characteristics of youth"* any time a child under the age of 18 is being sentenced as an adult in criminal court.

REVIEW PROVISIONS

AB 267 also specifies parole eligibility guidelines for individuals who committed their crimes under the age of 18, as follows:

(a) For a prisoner who is serving a period of incarceration for having been convicted of an offense or offenses that did not result in the death of a victim, after the prisoner has served 15 calendar years of incarceration, including any time served in a county jail.

(b) For a prisoner who is serving a period of incarceration for having been convicted of an offense or offenses that resulted in the death of only one victim, after the prisoner has served 20 calendar years of incarceration, including any time served in a county jail.

As a result of AB 267, nearly every child who had been given a sentence that would have made them ineligible for release on parole for more than 20 years will now be eligible for parole after either 15 or 20 years. More than 100 people serving life or other life-equivalent sentences were directly impacted by the passage of this law.

A CONSERVATIVE PERSPECTIVE

by Nevada Assembly Speaker John Hambrick (R) and former West Virginia Delegate John Ellem (R)

It is time to ban life-without-parole sentences for children.

As conservative Republican legislators, we helped lead the efforts in our states to end these sentences and replace them with age-appropriate sentences that consider children's capacity to change and become rehabilitated. In West Virginia and Nevada, the states we represent, the legislatures overwhelmingly passed these measures.

The impact of serious crimes is no less tragic because a child is involved and youth must be held accountable for their conduct. However, as a modern society we must balance protecting public safety and justice for victims with the psychological and developmental differences between children and adults. In fact, many victims' families, who have come to know the child offenders in their cases, have found healing when the child was given the possibility of a second chance. Not everyone should be released from prison, but those children who change and become rehabilitated should be given that hope, and we should support healing for the victims' families and their communities.

Adolescent development research has shown children do not possess the same capacity as adults to think through the consequences of their behaviors, control their responses, or avoid peer pressure. Often times the children who commit serious offenses have suffered abuse, neglect, and trauma, which affects their development and plays a role in their involvement in the justice system. Drawing in part on this research, the U.S. Supreme Court has said children are "constitutionally different" and should not be subject to our harshest penalties.

But our motivation goes beyond what the Court said. Redemption is a basic tenet of nearly every religion. When we sentence a child to die in prison, we forestall the possibility that he or she can change and find redemption. In doing so, we ignore Jesus' fundamental teachings of love, mercy, and forgiveness. As Father Bernard Healey recently pointed out—Moses, David, and the Apostle Paul were all guilty of killing, but found redemption and purpose through the grace of God. Shouldn't we show this same mercy to our nation's children, allowing them a chance at redemption?

Seventeen states have banned life-without-parole sentences for children. The time has come for all states to do so. As Congress looks to criminal justice reform, they would do well to make banning these sentences a priority.

(This article first appeared in CQ *Researcher*).

PROSECUTORS FOR REFORM

PROTECTING PUBLIC SAFETY AND PROMOTING AGE-APPROPRIATE ACCOUNTABILITY

by Salt Lake County District Attorney Sim Gill

For the fourth time in just over ten years, the U.S. Supreme Court has weighed in on the constitutional sentencing parameters for juveniles who commit serious violent offenses. These four cases represent a major paradigm shift in how the state can and will pursue just outcomes in cases involving juveniles who commit serious crimes.

In *Roper v. Simmons,* 543 U.S. 551 (2005), the Court said that sentencing a juvenile to death violates the Eighth Amendment. In *Graham v. Florida*, 560 U.S. 48 (2010), the Court said that sentencing a juvenile to life without parole for a nonhomicide offense—even a serious, violent nonhomicide—violates the Eighth Amendment. In *Miller v. Alabama*, 132 S.Ct. 2455 (2012), the Court said that a mandatory life-without-parole sentence imposed on a juvenile for a homicide offense violates the Eighth Amendment, because the sentencer must take into account the unique factors of youth before sentencing a juvenile to life in prison. And on January 25, 2016 in *Montgomery v. Louisiana*, 136 S.Ct. 718 (2016), the Court said that the *Miller* decision applies retroactively and that life without parole is unconstitutional for the vast majority of juveniles who commit homicide. In its 2016 General Session, the Utah Legislature overwhelmingly passed H.B. 405, which eliminated life without the possibility of parole in cases where the offender was under the age of 18 at the time of the offense and where the offender is sentenced after May 10, 2016. I supported that bill because it was based on sound policy.

Juveniles and adults are treated differently under the law in the United States in any number of ways: juveniles can't vote, serve in the military, buy cigarettes or alcohol, or enter into contracts. And now the Supreme Court has made clear that juveniles and adults must be treated differently for sentencing purposes as well, at least as regards the use of extreme sentences, like the death penalty and life imprisonment without the possibility of parole. It's worth noting that with the exception of *Graham* (which involved an armed burglary with assault or battery), all of these cases involved juveniles convicted of serious homicide offenses. So when the Court assessed the constitutional uniqueness of juveniles at sentencing, the Court did so in the context of some of the most violent and terrible crimes that come through our courts.

In *Roper*, *Graham*, *Miller*, and *Montgomery*, the Supreme Court looked to the underlying research for why juveniles and adults are treated differently under the law—namely, that juveniles are physiologically impulsive, impressionable, and engage in risky behavior, but that given time, juveniles can outgrow antisocial adolescent behavior. According to the Court, brain science shows that "ordinary adolescent development diminishes the likelihood that a juvenile offender [who commits a serious homicide] forever will be a danger to society." *Montgomery*, 136 S.Ct. at 733. The Court also emphasized that the "relevance of youth as a mitigating factor derives from the fact that the signature qualities of youth are transient; as individuals mature, the impetuousness and recklessness that may dominate in younger years can subside. . . For most teens, risky or antisocial behaviors are fleeting; they cease with maturity as individual identity becomes settled." *Roper*, 543 U.S. at 570.

The constitutional uniqueness of juveniles for sentencing purposes highlights new and challenging responsibilities for prosecutors, and *Miller* and *Montgomery* in particular have created a complex landscape for prosecutors to navigate. Whereas *Roper* and *Graham* instituted a categorical bar on a particular punishment, *Miller* did not. However, *Montgomery* clarified that "*Miller* did bar life without parole . . . for all but the rarest of juvenile offenders, those whose crimes reflect permanent incorrigibility. . . Before *Miller*, every juvenile convicted of a homicide offense could be sentenced to life without parole. After *Miller*, it will be the rare juvenile offender who can receive that same sentence. The only difference between *Roper* and *Graham*, on the one hand, and *Miller*, on the other hand, is that *Miller* drew a line between children whose crimes reflect transient immaturity and those rare children whose crimes reflect irreparable corruption. The fact that life without parole could be a proportionate sentence for the latter kind of juvenile offender does not mean that all other children imprisoned under a disproportionate sentence have not suffered the deprivation of a substantive right." *Montgomery,* 136 S. Ct. at 734.

The state must uphold the laws and Constitution on behalf of all its citizenry—and that includes criminal defendants. Following *Roper*, the state no longer pursued death for juveniles who committed homicide. Doing so would have undermined the very law we as prosecutors strive to uphold. The same is now true for pursuing life without parole for juveniles. To seek life without parole in the vast majority of cases in which we are statutorily permitted is not justice under the Constitution.

In jurisdictions where life without the possibility of parole is still a sentencing option for juvenile offenders, *Miller* and *Montgomery* present significant practical challenges for prosecutors in addition to ethical ones. Not only must prosecutors divine which crimes reflect irreparable corruption and which do not, the burden now rests on the state to prove irreparable corruption in order to secure a constitutional life-without-parole sentence. This is a high, if not impossible, burden to meet, given what we know about juveniles' biological capacity for positive change.

Therefore, instead of wasting resources prosecuting the thorny issue of which juveniles who commit homicide are irreparably corrupt and which are not, prosecutors should come out in support of ending the practice of life without parole for juveniles altogether. I supported the legislative effort in Utah because I believe our law must demand accountability and rehabilitation from juveniles who commit terrible crimes. Public safety will be served best when the law empowers parole boards (or judges in states without a parole system) to make release determinations based on a juvenile offender's actual—rather than future hypothetical—maturation and rehabilitation. As prosecutors, it is our responsibility to uphold the Constitution and to seek just outcomes. It is time for us to seek just and age-appropriate outcomes for the juveniles we prosecute.

"I am proud of our legislators for acknowledging that the minds of children are different from those of adults in very specific ways. Certainly, when children commit serious crimes, we in law enforcement must respond and protect the community; however, putting a child in prison and throwing away the key is not a humane or cost-effective solution to this problem."

Kauai County Prosecuting Attorney Justin Kollar

"I supported the legislative effort in Utah because I believe our law must demand accountability and rehabilitation from juveniles who commit terrible crimes. Public safety will be served best when the law empowers parole boards (or judges in states without a parole system) to make release determinations based on a juvenile offender's actual—rather than future hypothetical—maturation and rehabilitation."

Sim Gill, Salt Lake County District Attorney

CHILDREN CAN CHANGE

INCARCERATED CHILDREN'S ADVOCACY NETWORK (ICAN)

As an initiative of the Campaign for the Fair Sentencing of Youth, the Incarcerated Children's Advocacy Network (ICAN), is a national network of leaders who were formerly incarcerated as youth and who are living proof of the unique capacity for change that resides within every child. Members humbly recognize their responsibility to humanity and serve as a source of motivation to others that it is never too late to become a positive force in the community. Every ICAN member was previously convicted or pled guilty to a homicide-related offense and/or was sentenced to life without parole for a crime committed as a child. ICAN members champion the cause for age-appropriate and trauma-informed alternatives to the extreme sentencing of America's youth.

ICAN has played a central role in advocating for and informing recent youth sentencing policy reforms. Featured below are profiles of current ICAN members who have been involved in advocacy efforts to end the practice of sentencing children to life without parole.

PROFILES OF ICAN MEMBERS

XAVIER At the age of 13, Xavier McElrath-Bey was sent to prison for murder, but, through faith and maturation, turned his life around.

While he was incarcerated, Xavier earned both his Associates and Bachelor's degrees from Roosevelt University. Upon his release, he worked as a barista at Starbucks, earned a Master's Degree, and worked in various youth intervention and juvenile justice research positions.

Much of Xavier's advocacy efforts have been highlighted by various media sources and news outlets, such as the *New York Times*, *Chicago Tribune*, PBS NewsHour, The Steve Wilkos Show, the *Huffington Post*, Al Jazeera America, the podcast *Undisclosed*, and many others. He also delivered a powerful TEDx Talk at Northwestern University, titled "No Child is Born Bad," in which he shared about his childhood experiences of abuse, neglect, incarceration, and the unique capacity for change that exists within every child, demonstrating that children should never be defined by their worse act. He currently serves as Youth Justice Advocate and ICAN Coordinator at the Campaign, and is a founding member of ICAN.

DOLPHY Dolphy Jordan's early life was challenging. Born in San Diego, Dolphy grew up in Seattle in an impoverished and abusive home environment. His father was addicted to drugs, and Dolphy's mother relied on public benefits to raise him and his sister.

By the 9th grade, Dolphy had attended 15 or 16 different schools. He acted out and was kicked out of some schools for truancy and bad behavior. At one point, his mother also kicked him out of the house. For a while, Dolphy bounced between the streets and various foster homes.

At 16, Dolphy was convicted of murder in Washington State. After serving 21 years he received a second chance. Upon release, he enrolled in college and graduated with honors, earning the Presidential Award at commencement. He currently works full time with King County Drug Diversion Court as a Resource Specialist connecting people

dealing with substance use disorders and mental health issues to community resources. He also works with another nonprofit and talks with youth at truancy workshops.

He is very active in the community, loves the outdoors, and is an avid Seahawks fan.

"Through my experiences, I have learned to truly appreciate the value of life and know that people have the capacity to change despite whatever circumstances they may face."

SEAN Sean Ahshee Taylor's formative years in Denver were filled with challenges: his mother battled crack addiction, and his father, who was not a major presence in his life, was incarcerated.

When he was about 14, Sean joined the Bloods street gang. To adolescent Sean, the gang offered the potential of financial stability. In 1990, at 17, a jury convicted Sean of first-degree homicide.

While in prison, Sean taught fellow incarcerated people adult basic education. Sean, who speaks some Spanish, also taught English as a Second Language. In 2011, a juvenile clemency board created by Colorado Gov. Bill Ritter (D) granted clemency to Sean and three other people who were minors at the time of their crimes. Sean was released at age 38.

Shortly after he gained his freedom, Sean found work as a case worker by the Second Chance Center in Aurora. The center aspires to reduce the recidivism rates of men and women who have been incarcerated by helping them transition into successful lives in society. Sean is a role model for the people he works with and has worked his way up and is now the organization's deputy director. He is also a gang intervention specialist.

"Those of us who are formerly incarcerated are modeling what is possible. The ones we left behind are saying, if we can get out and be successful so can they. That's priceless seed planting."

FRANCESCA Francesca Duran learned from her abusive, alcoholic mother to respond to problems not with dialogue, but with violence.

At 13, during a fight with several other teenagers, Francesca's cousin pulled a knife and stabbed one of the girls, killing her. New Mexico authorities charged Francesca with accessory to commit first-degree murder, conspiracy, and harboring a felon.

At 16, Francesca eventually pled to lesser charges, including battery resulting in great bodily harm, and was sentenced to two years in juvenile detention. She gave birth to her son, Joedamien, while incarcerated. Francesca's mother, who had received treatment for alcoholism, took care of the baby while Francesca served her time. She was released in 2003, when Joedamien was a year old.

In 2006, Francesca began work at PB & J Family services, which provides social

services to families in the Albuquerque area. Francesca started as a home visitor, conducting home visits to ensure that children were in healthy environments. Today she supervises six workers in that unit.

"All families matter, all parents are human beings who deserve respect, people are greater than their circumstances people can change. It's strong leaders like ICAN and the Campaign that exemplify these values."

ELLIS Ellis Curry was convicted of murder in Florida at 16 years old. He is currently an entrepreneur and small business owner in Jacksonville and volunteers with Compassionate Families, where he travels around the state with Glen Mitchell, the father of the victim, talking to at-risk youth about the perils of bad choices. He is also a loving husband.

"I believe that every child should get a second chance because, if you would have met me at the age of 16, you would have thought I was a monster, but now I'm a business owner and a law-abiding citizen."

ERIC Eric Alexander was sent to prison at 17 for aggravated robbery and murder in Tennessee. Since his release he has a become a mentor to other at-risk youth and currently serves as the Program Director for the YMCA Community Project in Nashville, Tennessee. He is happily married and recently became a father to a baby girl. He and his wife have also adopted a teenage boy.

"There is not a greater gift than to be given a second chance and then use that opportunity to give back to youth who are in desperate need of someone who they can relate to while helping them to navigate through brokenness."

A PATH FORWARD

JOIN THE MOVEMENT

As a nation built on second chances, the United States shines as a beacon of hope to people all around the world. But that hope has been stripped from children in this country told they were worth nothing more than dying in prison. Fortunately, with the leadership of courageous policymakers from diverse geographic, political, and ideological backgrounds, that message is being replaced by an affirmation that there is no such thing as a throwaway child. The extraordinary rate of legislative change banning life-without-parole sentences for children across the U.S. in the past five years reflects an emerging consensus that no child should be sentenced to die in prison. The momentum demonstrates a shift from draconian punishment toward approaches that hold our children accountable for harm they have caused in age-appropriate ways.

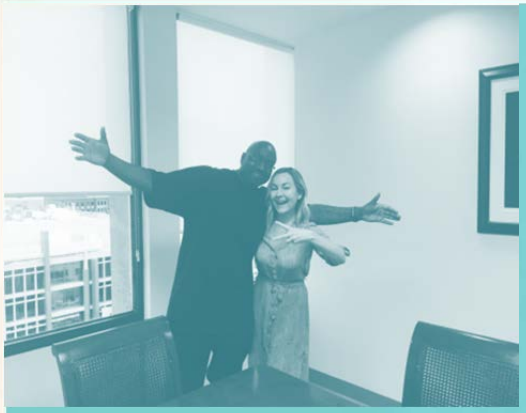
Now is the time to join the movement to end life sentences for children and ensure all children have an opportunity to demonstrate positive growth and a second chance at life.

LIVES TOUCHED

Assembly Speaker John Hambrick (R) watches as Governor Sandoval (R) signs AB 267 into law

"The work that the Campaign for the Fair Sentencing of Youth is doing is changing the lives, the hopes and aspirations of men, women and families across America. I have witnessed first-hand how families rejoice and celebrate when their loved ones have benefited from their work."

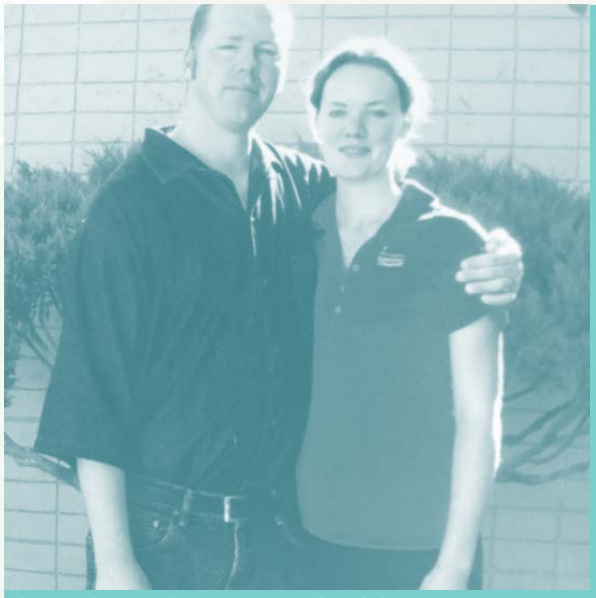
-Assembly Speaker John Hambrick (R)



Donald Lee with his attorney Maggie Lambrose after being released as a result of AB 267

"I wish there was something I could say that would adequately express how grateful I am, but there simply are no words to describe the feeling that comes from breathing fresh air as a free man or hugging your aunt in your grandmother's kitchen. I grew up in prison. I spent 31 years incarcerated, to be exact, and I still cannot believe you [the Campaign] have made it possible for me to have kids, get married, and help others. We cannot stop until every child sentenced to life without has the chance to one day sit in their grandmother's kitchen and hear their aunt say, 'I love you.'"

- Donald Lee



Christopher Williams, pictured with his sister LeAnna Williams, was given hope of a second chance because of AB 267

"AB 267 has enabled me to truly see hope; hope in what was an impossibly hopeless set of circumstances that I had realized as my life; hope that even though I spent three years on Death Row and the last 20 years serving life without parole, that all was not lost, as I now have the hope of a future life outside of prison."

-Christopher Williams, sentenced to life without parole

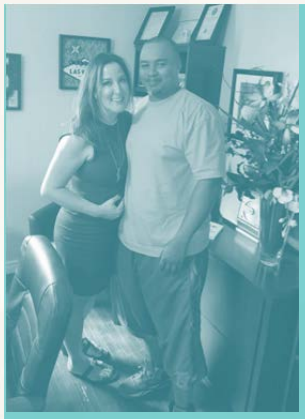
"Instead of counting days he is there, now we are counting days till his next parole hearing. I want to thank everyone at the Campaign for the Fair Sentencing of Youth, Speaker John Hambrick, and everyone involved with AB 267 not only for changing the future of Christopher's life, but for also changing the quality of my own life as well. I will be forever grateful."

-LeAnna Williams

Jon Hawkins was recently granted parole under AB 267

"AB 267 is a big deal. Never did I expect to see a Parole Board, let alone anticipate the full scale of what being in the "free world" means. This bill has allowed many incarcerated persons to have an opportunity to be heard by the Parole Board, a feat that was never to be accomplished by those of us who had juvenile life without the possibility of parole, such as myself. All of my adult life has been in prison, until about a month and a half ago. Now, I have a job, I am learning to drive a car, and I can choose what I would like to eat for my meals. These things are taken for granted by John Q. Public, but to be without them is no way to exist."

- Jon Hawkins



Defense Attorney, Kristina Wildeveld, with her client Richard Gaston.

"In one fell swoop, this piece of legislation literally saved so many men and women and gave them new life. I have been proud to be a part of it and honored to watch as these individuals who lived without hope in the law, but filled with hope in their hearts, get released and become contributing members of society. Working with the professionals at the Campaign for the Fair Sentencing of Youth has been a great experience. They are always available and ready to step into any state at any time to help. The professionalism, experience, and knowledge they offer navigating the legislative system is invaluable and impressive."

-Kristina Wildeveld

Senator Craig Tieszen with members of CFSY and Coalition partners Libby Skarin and Lindsey Riter-Rapp

"The Campaign for the Fair Sentencing of Youth provided important testimony and support. As important as the sentencing reform is, I think it is equally valuable that legislators had the opportunity to think differently about how and why we incarcerate children."

-South Dakota State Senator Craig Tieszen (R)

Dr. Linda White, whose daughter Cathy was murdered by two teenagers

"I'm incredibly grateful to the Campaign for all the work they've done to change the dialogue regarding youthful offenders. In spite of being the mother of a young woman who was killed by two 15-year-olds, I see only waste - wasted lives and wasted funds better spent on prevention - in keeping children locked up until they die behind bars. It also seems really cruel to their families who become one more set of victims."

-Dr. Linda White

Representative Barbara Rachelson (D) watches as Governor Shumlin (D) signs H. 62 into law

"Working with the Campaign for the Fair Sentencing of Youth to pass legislation to ban life-without-parole sentences for children in Vermont was so very helpful. Their knowledge, availability and rapport with legislators made all the difference. I can honestly say that without CFSY's help, this never would have happened."

-Vermont State Representative Barbara Rachelson (D)

Sara Kruzan with her daughter

"The Campaign for the Fair Sentencing of Youth has been a tremendous pillar of support. It's with great admiration to say from the very core of my being I am not an Exception but a Reflection! It is an honor to be a pro-social advocate alongside the Campaign as well as ICAN. They are the Epitome of HOPE!"

-Sara Kruzan. At 16, Sara was sentenced to life without parole for first degree murder, and has been home for nearly three years and is a loving mother and advocate.

Ralph Brazel, Jr., with his son

"'Invaluable' and 'heaven sent' are words that come to mind when I think about the tremendous blessing the Campaign for the Fair Sentencing of Youth has been in my life. What better description is there for a people who pick up the shovel to uncover children who have been buried alive?"

-Ralph Brazel, Jr. At 17 was sentenced to life without parole for a non-violent drug offense, and has been home for more than 3 years now and is married with children.

Billy Harris with his sister Lisa

"The Campaign for the Fair Sentencing of Youth's support and guidance with regards to juvenile sentencing reform in the Missouri Legislature has been instrumental in my personal growth as an advocate for others like me, who deserve a second chance at a normal life."

-Billy Harris. At 16 Billy was sent to prison for second degree murder, and has been home for more than a decade now advocating for his sister, Lisa, who at the age of 17 was sentenced to life without parole.

STATEMENT OF PRINCIPLES

We believe that young people convicted of serious crimes should be held accountable for the harm they have caused in a way that reflects their capacity to grow and change. We believe in fair sentencing for youth that reflects our human rights, values and moral beliefs, and as such, the fundamental difference between youth and adults. Research has proven that youth are still developing both physically and emotionally and their brains, not just their bodies, are not yet fully mature. Because of these differences, youth have greater potential to become rehabilitated. Therefore, we believe that youth under the age of 18 should never be sentenced to prison for the rest of their lives without hope of release.

We believe that a just alternative to life in prison without parole is to provide careful reviews to determine whether, years later, individuals convicted of crimes as youth continue to pose a threat to the community. There would be no guarantee of release—only the opportunity to demonstrate that they are capable of making responsible decisions and do not pose a threat to society. This alternative to life without parole sentencing appropriately reflects the harm that has been done, as well as the special needs and rights of youth, and focuses on rehabilitation and reintegration into society.

We know that victims and survivors of serious crimes committed by youth endure significant hardship and trauma. They deserve to be provided with supportive services, and should be notified about sentencing reviews related to their cases. We believe in restorative practices that promote healing for the crime victims as well as the young people who have been convicted of crimes.

Sentencing minors to life terms sends an unequivocal message to young people that they are beyond redemption. We believe that society should not be in the practice of discarding young people convicted of crimes for life, but instead, should provide motivations and opportunities for healing, rehabilitation, and the potential for them to one day return to our communities as productive members of society.

OFFICIAL SUPPORTERS

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To become an official supporter, please contact the Campaign at info@fairsentencingofyouth.org

Dedicated to those still serving life-without-parole sentences for crimes they committed as children.

Campaign staff and ICAN members. 2016.

A special thanks to our official supporters, donors, and partners that make our work possible.

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