

## background

Report # 106

Characteristics Of Juveniles Sentenced To Life

April 2009

**Children  
In Prison  
For Life****Child Offender, Adult Time***Studies profile juveniles serving life prison terms*

**W**ho are these U.S. prison inmates serving life terms for crimes they were convicted of when they were children? All were adolescents who were tried as adults in criminal court. For most, the crime that put them behind bars for life was their first. In most cases, that crime was homicide. But their roles in those crimes vary. Studies find that most did not act alone and that almost half of those convicted of homicide did not commit the actual murder.

Regardless of what puts them there, once in prison, they become the most vulnerable of inmates, more likely than adult inmates to be physically and sexually abused.

The more than 2,300 inmates serving life prison terms for crimes committed when they were children were tried as adults and sentenced by judges in adult criminal courts. Unlike their colleagues in juvenile court, criminal court judges work under federal and state laws that set rigid sentencing guidelines and prescribe mandatory minimum sentences – rules that limit their ability to consider circumstances specific to adolescents, such as age and maturity, that are important in assessing the blameworthiness of adolescents.

**Unlike Adults**

Adolescents who commit crimes do so during a tumultuous stage in their development that is marked by profound biological, psychological, emotional and social changes.

Puberty, for example, is accompanied by physical changes and the onset of sexual maturity, but it also sparks new drives, impulses, emotions, motiva-

tions, changes in arousal, and behaviors and experiences that challenge an adolescent's self-regulation abilities. Changes in arousal and motivation tend to outpace more slowly-developing self-regulation abilities.

While much of the brain develops during the first few years of life, shaped by both biology and experience, important stages of development continue through a child's adolescent and teenage years. Recent research reveals that several key regions of the brain, including areas of the frontal cortex and the cerebellum, undergo remodeling during adolescence. These studies have demonstrated that much of brain development during adolescence occurs in the regions and systems that play critical roles in regulating behavior and emotion and in perceiving and evaluating risk.

Researchers have also found that risk taking and poorly regulated behavior tend to lessen with maturity, sug-

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*No other nation sentences more children convicted of major felonies to life in prison without the chance of parole than the United States. Tough juvenile crime laws adopted in the '90s are a big reason why.*

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gesting that as children age they are amenable to change.

In most cases, such factors have little weight when imposing sentences on adolescents in criminal court, including those sentenced to life in prison without parole.

**Profile Of Juvenile Lifers**

A study of California inmates serving life without parole for crimes committed when they were juveniles offers a detailed profile of this prison population.

An estimated 227 youth have been sentenced to life in prison without the chance of parole in California, which is among the highest totals in the nation. In Pennsylvania, the state Department of Corrections reports that 360 inmates in prison are serving sentence of life without parole that were imposed when they were under the age of 18 years.

The nonprofit Human Rights Watch studied the population of California in-

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mates who received sentences of life without parole when they were juveniles. The study relied on a range of data, including survey responses from 130 of the inmates and interviews with about 10% of those serving life without parole for crimes committed as a minor.

Homicide convictions put the vast majority of those 17 years old and younger in prison for life without the possibility of parole. However, in 45% of the homicide cases surveyed, juveniles sentenced to life without parole did not themselves commit the murder. One, for example, was a look-out in a car theft that ended in murder.

In nearly 70% of cases in which the juvenile was not acting alone, at least one of the codefendants was an adult. The study found that in 56% of cases in which there was an adult codefendant, the juvenile was sentenced to life without parole, while the adult codefendant received a lower sentence that offered the possibility of later release from prison.

The study reports that 85% of the juveniles who were sentenced to life without parole in California were non-white and that 75% of all cases involved African-American or Hispanic youth.

Also, the study estimated that the current juvenile life without parole population in California will cost the state's taxpayer about \$500 million dollars by the end of their lives.

**As Young As 13 Years Old**

Most inmates serving prison terms of life without parole for crime committed as children were older teenagers – 16 years old or older – when sentenced. But some are considerably younger.

A study by the nonprofit Equal Justice Initiative identified 73 inmates nationwide who were 13 or 14 years old when sentenced of life in prison without

parole. These cases were confined to 19 states. Pennsylvania's 18 cases of 13- and 14-year-olds sentenced to life without parole is the highest in the nation, followed by Florida with 15 cases. Pennsylvania is also one of only six states that have sentenced children as young as 13 years old to life without parole.

Nationwide, nearly 49% of the 13- and 14-year olds who received these sentences were African American; 30% were white; and 10% were Hispanic. The majority of these children were from low-income families.

In the vast majority of cases, these children received their sentences as a result of a homicide conviction. However, the study identified six 13- and 14-year-olds who received a sentence of life without parole for crimes that did not result in a death. One non-homicide, for example, involved a 13-year-old Florida youth who was con-

victed with an adult co-defendant for sexual battery. Due to the lack of physical evidence, the prosecution was unable to prove which of the defendants committed the offense.

**A Vulnerable Population**

Juveniles sentenced to life without parole are the most vulnerable inmate population. They typically are victimized because they have no prior prison experience, are often smaller and weaker than many adult inmates, and have few friends within the prison walls or social support.

For many, violence is a daily reality. Studies suggest that children are more likely to be abused in prison than adults. In the California study, 59% of those surveyed who answered questions about victimization in prison reported that they have been physically or sexually assaulted.




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## references

*This article was largely based on the following publications:*

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