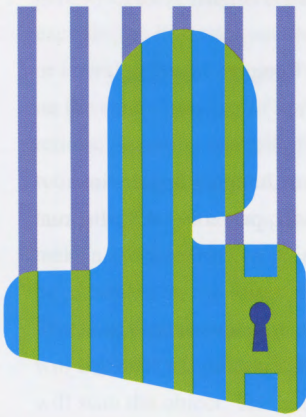


## Juveniles Serving Life Without Parole

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### Abstract

Serving life without parole for committing a violent crime is not unusual for an adult criminal, but what if your 13 years old! Today, over 1,700 teens are serving life without the possibility of parole. Knowing why teens choose to commit violent crimes may help curb this trend of violence. Data research of 15 teens, ages 13 – 17, show that parents who are neglectful or uninvolved with their children, will most likely seek acceptance with peers, gangs, or with negative outside influences. Parental involvement is vital in raising and nurturing a child, but when parents are “bad” themselves or don’t take time or care enough, they risk their teen

being doomed to suffer the consequences of crimes they may commit

### Introduction

Today there are 1,755 juveniles serving life sentences without the possibility of parole due to committing terrible adult crimes (Bikel, Ofra, 2007) . Understanding why juveniles commit violent crimes only to serve a life sentence behind bars, leaves many wondering what reason or event happened in the child’s life that may have triggered an act of crime (Sandon, Andrew, 2006). Although some juveniles who commit terrible crimes suffer from mental disorders that go untreated, most are due to sociological conditions that vary in circumstances. Reasons for juvenile delinquency are usually tied to family or home atmosphere, school and community environments, and peer groups (surgeongeneral.gov, 2001). If young offenders who commit minor offenses are held more accountable by parents, the school, and even some law enforcement agencies, it may curtail juveniles from recidivism and from committing these very serious violent crimes. Acts such as bullying start out as a minor problem, yet can end up becoming a more serious offense, and lead to a more serious act of crime later in life. Prevention of juvenile delinquency should begin in the home, but unfortunately many family environments create or even cause children and teens to become delinquent.

Advocates against juveniles serving life sentences without parole believe these young criminals should have a second chance at life. They also believe that sentencing juveniles to life without parole is cruel and unusual punishment which is a violation of the Sixth Amendment and is one of the cases being heard in the United States Supreme Court this year (Holland, Jesse J, 2009). Although there are some juveniles serving life without parole due to recidivism and long criminal records, there are juveniles convicted of felony murder, in which they actually didn’t commit the

murder, but were hanging out with the wrong crowd and got caught in their crime. Whether a juvenile is sentenced to serve life without parole not only depends on the crime they commit, but which state they commit their criminal act.

There are currently 6,807 juveniles serving life sentences and 1,755 are serving life without parole. According to the Human Rights Watch, 26 percent of those serving life without parole were convicted of felony murder (Bikel, 2007). The majority of juveniles serving life were charged as accessories because they were with a co-defendant, usually an older teen or adult, who actually committed the act of the crime. Statistics show that 77 percent of the youth sentenced are youth of color, while 28 percent of women serving life, entered the prison system when they were young teens (Puzzanchera, 2009).

According to the National Report Series Bulletin, one in six arrests made by law enforcement agencies involved a juvenile (Puzzanchera, 2009). According to the U.S. Department of Justice, arson is the top Property Crime Index crime committed by juveniles in 2008 followed by vandalism, then disorderly conduct. The Violent Crime Index states that crimes most committed by juveniles are robbery, followed by forcible rape, then aggravated assault, and lastly murder.

Three risk factors come into play in determining why some juveniles commit crimes, personal characteristics, environmental conditions, and protective factors. Personal characteristics are traits or physical reasons why one might turn to violent behavior. These reasons can be ADHD, ADD, mental illness, bi-polar, psychopath, and other psychological disorders that cause an individual to commit a crime. Environmental conditions have to do with parental and family influences, social class, school environment, peer groups, and community (surgeongeneral.gov, 2001). An example of the protective factor is when a child that comes from a broken home, but has loving, caring parents, the protective factor comes into play and it lowers the risk factor that the child will become delinquent as opposed to a child who comes from a broken home and the parent is absent or isn't involved with the child.

The Office of Juvenile Justice and Delinquency Prevention reports that an estimated 2.18 million persons were arrested in 2007 were under the age of 18. Juveniles accounted for 16% of all violent crime arrests and 26% of all property crime arrests. Crime stats for juveniles committing Violent Crime Index crimes are murder at 10%, forcible rape at 15%, robbery at 27%, and aggravated assault is 13%. The percentages are slightly lower when crimes are cleared due to the death of an offender, the unwillingness of the victim to cooperate, or one individual may have been responsible for several crimes (Puzzanchera, 2007). Of the 19% of youth arrested, only 9% were referred to the criminal courts, where as the remaining were handled within local law enforcement agencies.

Many advocates believe the imprisonment of juveniles who will serve for life without the possibility of parole is a violation of the Eighth Amendment. The amendment prohibits federal and

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state governments from imposing excessive bail, excessive fines, and/or the use of cruel and unusual punishments upon the accused. This will be a debate within the Supreme Court this fall.

Are the reasons juveniles commit these crimes due to parenting issues, the presence or use of drugs and alcohol, mental illness, being influenced by others, hanging with the wrong crowd, or some other unknown reason? Researching these underlying reasons and exposing details of the crime will bring awareness to the problems teens face. The hope is that better strides may be taken in to reduce or prevent juvenile violence.

### The Data and Methodology

To explore and uncover underlying reasons why juveniles who are sentence to serve life without parole commit adult crimes, data was collected by researching individual case studies of juvenile offenders. Data was collected by means of newspaper and journal articles, government agencies, crime reports and library resources. Using purposeful sampling strategy, a type of non-probability sample, specific facts and details of 15 individual juvenile cases were studied. The following information Box 1 was collected in each case:

#### Box 1

- ❖ Name of criminal
- ❖ Age of juvenile
- ❖ State where juvenile was convicted
- ❖ Type of crime and the details of the crime

- ❖ Name of criminal: the name of the offender helps to establish the sex and may set a pattern for underlying reasons for the crime. Four of the 15 juveniles were female and 11 of the offenders were males.
- ❖ Age of juvenile: in the cases researched, the ages of the juveniles were 13-17 year olds. In studying these cases, children under the age of 12 who committed adult crimes were tried in juvenile court and given limited sentences in hopes of rehabilitation and because they

were not old enough to process the crime they committed. There was one - 13 year old; one 17 year old; four - 14 year olds; six - 15 year olds; and three - 16 year olds.

- ❖ State where juvenile was convicted: reporting on what state the juvenile committed the crime will help to compare what state has higher punishment rates. Does one state place a degree of punishment as another state for the same crime? Four crimes happened in Florida; two in Colorado; and one each in Michigan, Mississippi, Kentucky, Pennsylvania, Oregon, California, Iowa, Missouri, and Illinois.
- ❖ Type of crime and details of the crime: Stating the actual crime committed and the details of the crime help establish the heinousness of each crime. Was crime committed because they wanted revenge; was there a motive; was the juvenile too young to understand what or why they committed such an act of crime; was there childhood trauma that caused the child to act out; parental issues; or was the young offender just at the wrong place at the wrong time hanging with the wrong "crowd".
- ❖ Underlying reason(s) juvenile committed crime: Although not all reasons may be given as to the reason for the crime, this study looked at 12 underlying obvious reasons as to why a juvenile offender had reason or by choice chose or felt compelled to commit an adult crime.
- ❖ Did juvenile show any remorse: The last data collected was to discover if there was any remorse from the juvenile offender. Was the juvenile glad, no feeling, regret, anger or just plain flippant about the crime committed!

The data collection process was qualitative as details and facts were taken in order to interpret cause for crime. To be able to understand the rage, anger, the circumstances, or the influences these juvenile were under at the time of the crime, it is important to try to get to know the offender by profiling, looking into their background, patterns, and home life, and to seek out other pertinent information for the study. As stated earlier, the facts of each case may not have been fully disclosed, enough details about the offenders were available to make a general assessment of the crime and why.

The dependent variable in this research is the underlying reasons as seen in Box 2. Twelve underlying reasons are reported in this study as why these particular 15 juveniles committed the violent crimes. Not all information about the juvenile was disclosed due to their age, but enough was available in order to make valid assumptions about crime and the criminal.

## Box 2

UNDERLYING REASONS
<b>Hang with wrong crowd</b>
<b>Parental Neglect</b> <i>(parent around, but not involved with child – doesn't take care of child's basic needs)</i>
<b>Permissive parenting – no boundaries</b>
<b>Mental or undisclosed information</b>
<b>Influenced by others</b>
<b>Delinquent – minor offences</b>
<b>Bad parenting</b> <i>(models or teaches child negative behaviors and bad habits)</i>
<b>Parental absence or incarcerated</b>
<b>Parents with alcohol and/or drug problems</b>
<b>Childhood traumas or abuse</b>
<b>Juvenile with alcohol and/or drug abuse problems</b>
<b>Had previous run-ins with the law</b>

A second dependant variable identified in this study is the type of crime, and the details of the crime. By knowing what crime was committed and the details of the crime, the researcher better understood why the juvenile did the crime(s). Another attribute noted in this study is the remorse of the criminal. If an understanding of the crime committed and remorse for it is true; it can show actual intention of the criminal at the time of the crime. Note that in this study some teens were first time offenders and were charged with multiple acts of crime. The independent variables identified in this study are the types of crime, the age of the juvenile, and the state the crime was committed in.

## Results

In defining the types of crimes, ten of the 15 juveniles surveyed were convicted of murder and three were convicted of multiple murders and/or attempted murder. Two of the juveniles didn't actually participate in the murders, but were present during the murders. One juvenile was hiding under a table while two others brutally murdered a man and his mother and the second was driving the getaway vehicle and swore he didn't know the older boys were going to murder anyone. One of the

15 juveniles was convicted of forcible rape, and was a repeat offender. The last juvenile was sentenced to life after a string of robberies where individuals were seriously injured while in the act of committing the crime of robbery. The age of the juveniles and the state from which the crime took place are important independent variable's in order to establish most common age, which is 15 years old, and what state (Florida) yields higher rates of conviction than others for juveniles.

Using ordinal measures a level of measurement defines two areas within this study. The first is why multiple acts of crime were committed during the act of crime. Four (4) juveniles had only one of 12 underlying reasons for committing their crime and only one (1) juvenile had six (6) underlying reasons for committing the crime. The second ordinal measure was that 12 underlying reasons outlined, 40 were labeled to the 15 juveniles used in this study.

In order for systemic study, content analysis allows messages and facts to answer classic questions of communication as to whom, what, why, and so on. Using one of the case studies, a 16 year old male was charged with one (1) count of first-degree murder for the murder of his mother in Colorado. He claims his mother was abusive and he could not take it anymore, but because his father would not back up his claim, he was sentenced to life without parole. According to the juvenile, the underlying reason for his crime was childhood trauma and abuse.

Another case study going to the other extreme, a 15 year old female was charged with felony murder for the murder of a cab driver while in the process of robbery. She was a reckless teenager and running with a thuggish crowd (Liptak, Adam 2007). She faults her choice of friends and said, "I started listening to rap music and wearing my pants baggy. I was like a magnet for the wrong crowd" (Liptak, Adam). Underlying reasons for this female juvenile criminal were:

1. Parental neglect – parents live in Kansas and went to live with grandmother in Florida because parents couldn't handle her.
2. Bad parenting – grandmother and parents didn't take any interest in her.
3. Permissive parenting/no boundaries – she was able to come and go as she pleased.
4. Hung around wrong crowd
5. Juvenile delinquent – was always getting in trouble for minor offenses.
6. Drug abuse problems

To evaluate the findings for these underlying reasons this study defines them begins as the following:

- (1) The first most underlying reason for engaging in criminal behavior was hanging out with the wrong crowd. Some of the teens reported that they knew and chose to go along with older individuals and were present at the crime.

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- (2) The second is parental neglect where parents were not involved with juvenile and didn't take care of their basic needs.
- (3) The third is no boundaries or parental permissiveness. These parents or caregivers took care of the basic needs and were present in the juvenile's life, but allowed them to do as they pleased.
- (4) The fourth underlying reason is that five (5) of the juveniles had mental or undisclosed information issues. Some were medicated and suffered from paranoia and personality disorders.
- (5) The fifth reason of being influenced by others is different from hanging around the wrong crowd or being influenced by others. The juveniles who were hanging out with the wrong crowd or other delinquents, wasn't always aware a crime was going to be committed, whereas the juvenile who was strongly influenced by others to commit a crime, was aware of the crime they were about to commit and allowed someone to talk them into carrying out the act.
- (6) The sixth underlying reason is juveniles who have constant delinquency problems from childhood and crime was inevitable.
- (7) The seventh was bad parenting where parents modeled or taught bad habits and/or negative behavior to their children.
- (8) Parental absence or incarceration came in eighth as an underlying reason. Two of the juveniles had a parent who was incarcerated and bad parenting by the other parent had left the juvenile "on their own".
- (9) Another underlying reason found why juveniles commit violent crimes, are because both the parent(s) and juvenile suffer from alcohol and/or drug abuse problems. In two of the cases, both the parent(s) and juveniles each suffer from addictions.
- (10) The least underlying reason is previous run in with the law. This differs from juvenile delinquency because this juvenile, a 13 year old male, broke into and forcibly raped an elderly woman, had been in and out of juvenile facilities and had previous convictions prior to 13 years old when he committed crime.

### Discussion

Study has shown that juveniles serving life without parole have committed violent crimes mostly because they were hanging around with the wrong crowd. Many of them were younger and tagging along with an older delinquent when the crime they were sentenced for was committed. This in turn accounts for the second reason of violent crime among juveniles which is either neglectful or permissive parenting, followed by mental problems or other undisclosed childhood information. Bad parents who are considered to model or teach bad habits and/or negative behavior to their children actually came in lower than that of permissive and neglectful parents. Even though bad parenting occurred, they were not guilty of neglecting their children. Hanging with the wrong

crowd can be easily connected to parental neglect or permissiveness, only because some juveniles would not be hanging out with the wrong crowd if their parents were more involved.

### Conclusion

Many of these underlying reasons are valid and are likely sources along with other factors not reported on, may also explain why juveniles commit violent crimes. In the cases studied, unless mental deficiency is present, parental influence is the driving factor in juvenile delinquency. Unfortunately many family environments create or even cause children and teens to become delinquent. Those who grow up with either a very permissive parent or a neglectful one will find others to hang with or to fill that void. Because prevention of juvenile delinquency begins in the home, parental involvement can sometimes make or break a child.

### References

Puzzanchera, Charles. April 2009. Juvenile Arrests 2007

<<http://www.ojjp.usdoj.gov/ojjdp.gov>>

Sandon, Andrew. October 27, 2007. Juvenile Delinquency Theories.

<<http://www.articlesbase.com/print/67589>>

Bikel, Ofra. May 8, 2007. WGBH Educational Foundation. When Kids Get Life

<<http://www.pbs.org/wgbh/pages/frontline/whenkidsgetlife/etc/synopsis.html>>

Youth Violence: A Report of the Surgeon General. 2001.

<<http://surgeongeneral.gov/library/youthviolence>>

Holland, Jesse J. May 4, 2009. Washington Associated Press. Court to review life sentences for young offenders. <<http://www.Briertart.com/article.php?id>>

Love, Fred. February 15, 2009. Quad Times News. Do juvenile offenders serving life in prison deserve a second chance?

<<http://www.quadnews.com/dojuvenileoffendersservinglifeinprisondeserveasecondchance>>

Lieb, David. November 19, 2009. Quad Times News. Do juvenile offenders serving life in prison deserve a second chance?

<<http://www.quadnews.com/dojuvenileoffendersservinglifeinprisondeserveasecondchance>>

National Center for Youth Law. April 17, 2007. CA State Senate Committee Votes to Ban Life Without Parole for Youth. <[http://www.youthlaw.org/juvenile\\_justice/lwop\\_bill](http://www.youthlaw.org/juvenile_justice/lwop_bill)>



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Human Rights and Amnesty International. December 12, 2007. Juvenile DELINQUENCY.  
Preventing Juvenile Delinquency.

<<http://www.un.org/esa/socdev/unyin/document/ch07.pdf>>

Human Rights Watch. May 2008. The Rest of Their Lives: Life without Parole for Youth  
Offenders in the United States.

<<http://aclupa.org/downloads/LWOPforChildOffenders.pdf>>

Liptak, Adam. October 3, 2005. New York Times. Jailed for Life After Crimes as Teenagers.

<http://www.newyorktimes.com/jailedforlifeaftercrimesasteenagers/>

Crime in the United States, 2002 – Crime Index Offenses Reported.

<[http://www2.fbi.gov/ucr/cius\\_02/html/web/offreported/02-ncrimeindex01.html](http://www2.fbi.gov/ucr/cius_02/html/web/offreported/02-ncrimeindex01.html)>

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