

Case brief: miller v. alabama (2012)

[Law](#), [Common Law](#)



Case Brief: Miller v. Alabama (2012) CJA/354 April 29, 2013 Case Brief: Miller v. Alabama (2012) The case of Miller v. Alabama (2012) is the result of Alabama Court of Criminal Appeals case No. 10-9646, which involves a 14-year-old named Evan Miller who was convicted of aggravated murder, and sentenced by the Alabama state court to a mandatory term of life in prison without parole. Miller and a friend assaulted Miller's neighbor, and set fire to his home after spending the evening drinking alcohol and using drugs. As a result of his actions, the neighbor died. Miller was originally charged as an adult; however, his case was removed to adult court, and he was charged with murder and arson. During the trial, the jury found Miller guilty of the crime, and he was sentenced to a punishment of life without parole as statutorily mandated (Supreme Court of the United States, 2011). The legal issue present in this case is if sentencing a 14-year-old to life in prison without parole is considered as cruel and unusual punishment. Miller appealed his case on the grounds that his conviction violated both the Eighth and Fourteenth Amendments of the United States Constitution. To back his claims, Miller presented the cases of *Roper v. Simmons*, 543 U. S. 551, 560, which holds that " a minor cannot be sentenced to death and that a minor cannot be imprisoned for life for a non-homicidal crime, respectively, as evidence that his conviction contravenes nationally held standards of decency" (Cornell University Law School, 2012). This particular case is very interesting because it pushes the Supreme Court to address several questions about the American legal system, and where the line is drawn when punishing juvenile offenders. It questions whether a juvenile convicted of murder violates the Constitutional rights that prohibits cruel and unusual

punishments, and it questions that violation when imposed on a juvenile " as a result of a mandatory sentencing scheme that categorically precludes consideration of the offender's young age or any other mitigating circumstances" (Cornell University Law School, 2012). Sources, Purposes, and Jurisdictions There are many sources in which today's laws are derived from. In the United States, the highest form of law is the Constitution. It is not where specific laws are outlined, but rather restricts the policing powers of the nation's government, and contains limits on the " nature and extent" of criminal law that the government can execute. The majority of these limits are contained within the Bill of Rights (Schmallegger, Hall, & Dolatowski, 2010). The case of Miller v. Alabama (2012) challenges the sentence imposed upon Miller based upon the Bill of Right's Eight Amendment, which prohibits the imposition of cruel and unusual punishments. It also challenges the sentence based upon the Fourteenth Amendment, which prohibits the deprivation of life, liberty, or property imposed by state and local governments without due process, and requires equal protection under the law to everyone within each state's jurisdiction (Independence Hall Association, 2012). Another important source of laws is common law, which is also known as case law, and statutory law. In the United States, the legal is known as a common law system, which gives tremendous authoritative power to common law based on the principle that " it is unfair to treat similar facts differently on different occasions" (Arnold-Baker, 1996). Case laws are decisions previously made by the courts that have accrued over time that attorneys refer to when making their arguments for a case. They are also used by judges to make a decision on a new case when there is no specific

law that applies to the case. Statutory laws are statutes or formal written codes created by legislature or governing bodies that have the authority to make laws (Schmalleger, Hall, & Dolatowski, 2010). In the original court case that prompted Miller v. Alabama (2012), Miller was charged with murder in the course of arson under the Alabama Code § 13A-6-52 (FindLaw, 2012). There is a reason and a purpose for everything, and criminal law has many purposes. According to some, criminal law is for making " society safe for its members, and to punish and rehabilitate those who commit offenses," and to others it is for declaring " public disapproval of an offender's conduct by means of public trial and conviction and to punish the offender by imposing a penal sanction" (Schmalleger, Hall, & Dolatowski, 2010). In Miller's case, it is important that the juvenile is punished for his actions; however, factoring in his age, it is more important that he is allowed rehabilitation with the chance to prove he knows what he did was wrong. Taking away a juvenile's right to live a full life before reaching adulthood does not seem to constitute fairness when the ability to fully understand right from wrong does not occur until the brain is fully developed in adulthood. Criminal law in the United States is vast with 50 state criminal codes, a separate U. S. criminal code, and an abundant amount of city and local ordinances that detail the various types of violations. As a result, the descriptions and penalties associated with the crimes depend on jurisdictions. Jurisdictions are the geographic districts or subject matter over which a government body, such as courts, is extended authority, and the authority given to a court to hear and determine the outcome of an action or lawsuit (Schmalleger, Hall, & Dolatowski, 2010). In the Miller v. Alabama (2012) case, the respondent for Alabama argues that

modern values advocate imposing a sentence of life without parole for minors, and references legislative history, sentencing practices, and scientific studies of adolescent psychology as evidence for this claim. Alabama also provided a list of 39 American jurisdictions that institute punishments of life without parole for 14-year-olds, and 27 jurisdictions in which it is the mandatory minimum sentence for specific crimes (Cornell University Law School, 2012).

Criminal and Accomplice Liability In law, liability refers to the legal responsibility of an individual's actions. In criminal law, there is criminal liability and accomplice liability. Criminal liability is the degree of blameworthiness assigned to a defendant by a criminal court, and the concomitant extent to which the defendant is subject to penalties prescribed by the criminal law. Accomplice liability is the degree of criminal blameworthiness of one who aids, abets, encourages, or assists another person in the commission of a crime (Schmallegger, Hall, & Dolatowski, 2010).

According to a statement by Kent Holt, A legislative judgment has been made with regard to drawing a baseline for all murderers, whether they are juvenile murderers, whether they are getaway drivers, and when you counsel or aid or do anything that gets you liability for being a capital murderer, then that is the minimum sentence. (para. 11) In the case of Miller v. Alabama (2012), the sentence of life without parole was argued as an appropriate punishment because of the defendant's liability (Mears, 2012). According to Mary Ellen Johnson (2012), "felony murder makes all participants in a crime liable for the death of another causally related to the furtherance of the crime" (para. 2).

Elements of Crime There are three main elements of all crimes: actus reus, mens rea, and a concurrence of the two. In Latin, the

term actus reus means a " guilty act," and it is the legal term for an act that is in violation of the law. The word " act" is defined as a bodily movement in the Model Penal Code, and in criminal law it often refers to conduct, a performance, or a movement, as differentiated from remaining at rest (Schmallegger, Hall, & Dolatowski, 2010). However, actus reus is more than just a " guilty act," and includes a spectrum of additional behavioral prerequisites that are defined in each criminal offense (Cross, 2009). In Latin, the term mens rea means " guilty mind," and it is the legal term for the unique mental state of a defendant at the time the crime was committed. There are two forms of mens rea; general intent and specific intent. General intent means that the defendant intended to commit the act, but the specific outcome of the act was not intended. Specific intent means that the defendant intended to produce the specific outcome of the act (Schmallegger, Hall, & Dolatowski, 2010). The night Miller committed murder, specific intent for the crime did not exist. The victim was unconscious in his home after drinking and smoking with Miller, and Miller entered the home with the intent to rob the victim. Miller did not intend on the victim awakening and attacking him, which resulted in Miller beating the victim with a bat and his fists. Miller covered the victim with a sheet, left the home, returned to attempt to clean up the blood, and decided to set fire to the home to cover the crime. However, Miller was unaware that the victim was still alive, and the victim died in the fire (Cornell University Law School, 2012). The third element is known as concurrence, which requires that the act in violation of the law and a culpable mental state must happen simultaneously for a crime to occur. However, the requirements of the criminal law are not met if one of these

occurrences happens before the other (Schmallegger, Hall, & Dolatowski, 2010). In Miller's situation, concurrence is not a factor because he did not commit the crime simultaneously with a culpable mental state. This is apparent because he did not intend to kill his neighbor or set fire to the home, but rather he intended to rob the home and escape unnoticed while the victim was unconscious. References Arnold-Baker, C. (1996). *The Companion to British History*. New York, NY: Routledge. Cornell University Law School. (2012). *Miller v. Alabama (10-9646)*. Retrieved from <http://www.law.cornell.edu/supct/cert/10-9646> Cross, N. (2009). *Actus Reus*. Retrieved from http://www.sagepub.com/upm-data/31551_02_Cross_Ch_02.pdf FindLaw. (2012). *ALA CODE § 13A-6-2 : Alabama Code - Section 13A-6-2: MURDER*. Retrieved from <http://codes.lp.findlaw.com/alcode/13A/6/1/13A-6-2> FindLaw. (2012). *Miller v. Alabama*. Retrieved from caselaw.lp.findlaw.com/scripts/getcase.pl?court=US&vol=000&invol=10-9646 Independence Hall Association. (2012). *Bill of Rights and Later Amendments*. Retrieved from <http://www.ushistory.org/documents/amendments.htm> Johnson, M. E. (2012). *JLWOP and the Felony Murder Rule*. Retrieved from <http://pendulumfoundation.com/blog/?p=748> Mears, B. (2012, March 20). *Justices Mull Whether Life Without Parole Appropriate for Underage Killers*. CNN Justice. Retrieved from [://articles.cnn.com/2012-03-20/justice/justice_scotus-underage-killers_1_death-penalty-sentences-parole/3?_s=PM:JUSTICE](http://articles.cnn.com/2012-03-20/justice/justice_scotus-underage-killers_1_death-penalty-sentences-parole/3?_s=PM:JUSTICE) Supreme Court of the United States. (2011). *Miller v. Alabama*. Retrieved from <http://www.supremecourt.gov/opinions/11pdf/10-9646.pdf>