

Juveniles and the death penalty

[Law](#), [Capital Punishment](#)



JUVENILES AND THE DEATH PENALTY CRMJ400 — CRIMINOLOGY DEVRY

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NOVEMBER 2010 JUVENILES AND THE DEATH PENALTY 1 March 1, 2005 was the day that the Supreme Court ended the death penalty for juveniles that committed vicious crimes such as murder prior to their 18th birthday. "" The age of 18 is the point where society draws the line for many purposes between childhood and adulthood. It is, we conclude, the age at which the line for death eligibility ought to rest," Justice Anthony Kennedy wrote in the majority opinion. " (Totenberg) There has and always will be a division amongst society as to whether or not this decision was the right and whether the Justices who voted for the abolishment of the death penalty were correct. While this decision came five years ago, the juveniles of today are committing more heinous and violent crimes than in years prior to and the repercussions for their crimes are not working. Understandably the law believes that juveniles do not possess the ability to make logical and conscience decisions, but is that really true. Most juveniles today are very intelligent and methodical individuals and in possessing such abilities, it leads one to believe that perhaps the decision to end the death penalty was not a good one. We live in a society that views minorities as ignorant and lacking the basic skills needed in order to survive. It is because of this mindset that I feel ending the juvenile death penalty was in fact the right thing to do. Not because the offender had not reached the age of majority but because the death penalty was very bias and more minorities were put to death at unequal rates as compared to their white counterparts. For example in March of 2004, " of last 10 juveniles executed in Texas, number

who were black or Hispanic: 9" (ABA) Aside from the system being used inappropriately, the law also deemed that all children under the age of 18 were not able to JUVENILES AND THE DEATH PENALTY 2 think logically and/or form rationale decision, which I feel is incorrect. While many juveniles do not possess the ability to make rational decisions, there are some who can.

Instead of ending a punishment that would deter some the system needs to be overhauled in order to better assess juveniles as they enter the system.

Many of today's youth have no fear of the consequences of their actions and because of this, one would have to wonder how many actually posses the ability to not only think logically but have a true understanding of death.

Knowing this information quite possibly could have assisted the Supreme Court in not ending the death penalty. Under different circumstances and a better justice system, I would definitely be opposed to ending the juvenile death penalty. If a youthful minded individual can be cold and calculating then that same individual can and does possess the ability to understand the error of his / her ways as well as understand the consequences of their actions. Perhaps, if as a whole, society was less biased and the justice system prosecuted cases equally across all socioeconomics then whether or not a juvenile was of the age of majority at the time of the crime would not have been the main reason for ending the death penalty for juveniles.

References Juvenile Justice Center. (2004, March) Cruel and Unusual Punishment: The Juvenile Death Penalty Facts and Figures, American Bar Association. Retrieved November 25, 2010 from <http://www.abanet.org/crimjust/juvjus/dparticles/factsheetfactsfigures.pdf> Totenberg, Nina. (2005, March). Supreme Court Ends Death Penalty for Juveniles. NPR. Org

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