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## Parole for juvenile killers DOA

- Proposal would undermine jury's decision, lawmaker says

By Julie Goodman  
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A bill that would allow juveniles convicted of murder to seek parole appears dead in a Senate committee over concerns that young offenders would get off too easy.

Under House Bill 1090, a judge could consider whether juveniles sentenced to life in prison - like teenager Tyler Edmonds - should be paroled when they turn 18. The court could decide at a hearing whether the offender had been rehabilitated, and should be referred to the State Parole Board.

Sen. Gray Tollison, whose Senate Judiciary B Committee has the bill, said he has no plans to bring up the legislation, which is facing a Tuesday deadline. The proposal, he said, would erode a jury's decision to send the offender to prison.

"This is a jury of 12 people in that county where the crime occurred or allegedly occurred, and it's up to them to make the decision of whether the juvenile is guilty of that crime beyond a reasonable doubt," said Tollison, D-Oxford.

House Juvenile Justice Committee Chairman George Flagg, D-Vicksburg, who proposed the bill, called its apparent demise "grossly unfair" to juvenile offenders. "There should not be life for a child that goes into the system at 13, 14 years old."

Under Mississippi law, juveniles charged with the violent crimes of rape, murder and armed robbery are tried as adults, and a conviction carries a life sentence. The proposal surfaced after Edmonds was convicted in 2004 of murdering his half sister's husband. Now 16, he was 13 years old at the time.

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Brenda Lucas said the bill appears dead. A teenager killed her 32-year old son, French Camp Police Chief Anthony Lucas, and he is serving a life sentence.

"If they made that decision to willfully take another person's life, then I'm not sure they deserve a second chance," she said. "It is awful, it is the worst experience, I believe, that a parent can go through, to lose one of your children to such a horrible violent crime, and it just doesn't go away."

Discussion of the bill comes as treatment of the state's juvenile offenders is under a microscope.

A monitor is reviewing practices at Oakley and Columbia training schools - where staff-on-youth abuse has been reported - as part of an agreement that ended a U.S. Department of Justice lawsuit against the state.

The state Department of Human Services has said it is addressing the problems through performance-based training and other changes.

Appearing before members of Flagg's committee Wednesday, DHS deputy administrator Richard Harris said low salaries have impeded the state's efforts to attract quality staffers to the training school jobs.

"We're doing more thorough background checks, we're doing fingerprinting checks from (the National Crime Information Center), we're doing everything that's reasonably prudent to ensure that we have the right mentor for the kids who is in direct care with the kids."

Fingerprinting results from those checks have produced felons who have been terminated, DHS said. Employees who degrade students also have been fired.

Harris said he, the DHS Division of Youth Services director and a representative from the attorney general's office were in Washington last week meeting with Justice Department officials to discuss corrective action and compliance plans. "I think that we are making progress," he told lawmakers.

Currently 182 youths are at Oakley and 44 at Columbia. The fiscal year's cost per child per day at each school is \$165.74.

The top offenses for commitment to the schools are burglary, disorderly conduct, drugs, malicious mischief, larceny, shoplifting, assault, arson, auto theft and weapons. Juveniles cannot be committed for status offenses such as truancy.

If DHS fails to come into compliance, it could result in sanctions against the state. Flagg said other remedies could be appointing a select committee for oversight, or temporarily removing the schools from the jurisdiction of DHS until the problems are fixed.

Recently, a teenager at Columbia said a staffer had raped her. But Attorney General Jim Hood said Thursday that the criminal case is closed.

"We did a thorough investigation. We gave the guy a polygraph. The allegation did not match the times at which he was on duty," Hood said.

He said he offered to let the teenager go before a grand jury, but she declined. She has a lawyer, he said.

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Hood said he was not aware of any open investigations involving staffers at the training schools.

"We are monitoring closely, as closely as we can, the developments at those training schools."

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