

Discretion just with juvenile killers

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The problem with mandatory sentences is that they make no exceptions for unusual circumstances. Not all crimes or all criminals are the same, and there should be some discretion given to jurors and judges in meting out a just punishment.

George Flagg, chairman of the House Juvenile Justice Committee, won't win any popularity contests for an effort to soften the potential penalties for juveniles convicted of murder. Lawmakers chasing votes are more likely to be rewarded if they support a "lock 'em up and throw away the key" approach to criminals. The state lawmaker has the right idea, however.

Flaggs wants to give juries a second option - life with the possibility of parole starting at age 21 - when punishing juveniles who have been convicted of murder. Under the current mandatory sentencing, the earliest a juvenile could be considered for release is 65. Fifty years or better in prison is excessive for a juvenile who may have been acting on an impulse or who did not fully understand the consequences of his actions at the time he committed the crime.

Flaggs' proposal comes in the aftermath of a controversial murder conviction of Tyler Edmonds, who is serving a life sentence for a crime he committed when he was 13. Edmonds was found guilty of helping his half-sister gun down her estranged husband. There have been claims that Edmonds, an honor student who had not been in trouble before with the law, was manipulated by his half-sister and coerced into confessing to the crime.

Regardless of these individual circumstances, it has been generally accepted that minors cannot be held as responsible for their actions as adults. Modern scientific research of the brain has confirmed what common sense long has indicated. The part of the brain which controls impulsive behavior and weighs long-term consequences is still developing during the teenage years.

Under Flaggs' proposal, based on a Missouri law, there is no guarantee that a juvenile killer would get out early. It does, however, provide the opportunity for a judge to make allowances, after the inmate has become an adult, if the crime was a terrible aberration of youth.

The proposal makes room for the exception, which is only just.

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