



Iowa General Assembly

2012 Legal Updates

Legislative Services Agency – Legal Services Division

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Purpose. *Legal update briefings are prepared by the nonpartisan Legal Services Division of the Legislative Services Agency. A legal update briefing is intended to inform legislators, legislative staff, and other persons interested in legislative matters of recent court decisions, Attorney General Opinions, regulatory actions, federal actions, and other occurrences of a legal nature that may be pertinent to the General Assembly's consideration of a topic. Although a briefing may identify issues for consideration by the General Assembly, a briefing should not be interpreted as advocating any particular course of action.*

JUVENILES SERVING LIFE SENTENCES

Filed by the United States Supreme Court

June 25, 2012

Miller v. Alabama

<http://www.supremecourt.gov/opinions/11pdf/10-9646.pdf>

Facts. Two separate cases were combined for purposes of appeal before the United States Supreme Court involving juveniles convicted of murder who were subsequently sentenced to mandatory life in prison without the possibility of parole. The first case involved a 14-year-old defendant who accompanied two other juveniles on a robbery of a store, and on the way to the robbery the defendant learned that one of the other juveniles was carrying a shotgun. During most of the robbery, the defendant stayed outside the store, but when the defendant entered the store the other juvenile carrying the shotgun shot and killed the store clerk. The defendant was later convicted of capital felony murder and aggravated robbery and sentenced to mandatory life in prison without possibility of parole. The second case also involved a 14-year-old defendant and a friend who beat the defendant's neighbor to death and set his trailer on fire after a night of drinking and drug use. The defendant was initially charged as a juvenile but the case was removed to adult court where the defendant was charged and convicted of arson and murder and sentenced to mandatory life in prison without the possibility of parole.

Issue. Does the prohibition of cruel and unusual punishment under the 8th Amendment to the United States Constitution forbid a sentencing scheme that mandates life in prison without parole for juvenile murder offenders.

Holding. The United States Supreme Court held that a mandatory life sentence without the possibility of parole for a juvenile who commits murder violates the prohibition of cruel and unusual punishment contained in the 8th Amendment to the United States Constitution. First, the Court reasoned categorical prohibitions on sentencing practices for juveniles already exist, such as the ban on a juvenile receiving the death penalty and the ban of a life sentence without the possibility of parole for an offense that did not involve a murder. The Court further reasoned that these categorical bans exist because a juvenile has less culpability than adult offenders. Under the ruling, the Court held that mandatory sentencing schemes prevent the Court from considering an offender's age, age-related characteristics, and the nature of the offender's crime. The State contended that a sentence of mandatory life in prison for a homicidal juvenile does not constitute cruel and unusual punishment under the 8th Amendment because 29 jurisdictions impose some form of mandatory life in prison for juveniles who commit murder. The Court's majority emphasized that the ruling does not categorically bar a juvenile who commits murder from serving a life sentence, but instead requires the jurisdiction to follow a process and consider an offender's youth and other circumstances prior to sentencing.

Dissent. The dissent opined that the majority opinion stands precedent on its head and emphasized that a life sentence without the possibility of parole is not unusual because many state legislatures have enacted such sentences and over 2,500 prisoners are currently serving such a sentence. The dissent also stated that the Court has long ago abandoned the original meaning of the 8th Amendment, holding instead that the prohibition of "cruel and unusual punishment" embodies the evolving standards of decency that mark the progress of a maturing society.

Impact on Iowa. Iowa currently has 38 offenders serving a life sentence for murder committed while the offender was a juvenile. Governor Branstad in response to the Miller case commuted all these sentences from a life sentence without the possibility of parole to a life sentence with the possibility of parole after serving 60 years of the sentence. The commutation was granted on the condition that the offender not be eligible for parole or work release before serving 60 actual years of the offender's sentence, with no credit for earned time.

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