Mandatory Life Sentence?

- Student Activity: Ledes Summarize and Grab Readers
- Student Activity: You and Your Rights: You Be the Judge
- Case Background: Juveniles and Justice in 1964 and Before
- Student Quiz: *In re Gault* and the Supreme Court
- Post Reprint: “Life terms for youths open for later review”
- Post Reprint: “Va. governor, GOP lawmakers seek common ground”
- Post Reprint: “Life terms of youths who murdered in limbo”
Juvenile Justice is in the news as 2016 begins. President Obama has taken executive action against solitary confinement of juveniles in federal prisons. Congress is considering a bill to reform sentencing, including that of juveniles. And the Supreme Court has ruled in Montgomery v. Louisiana that inmates who were juveniles when they were sentenced to mandatory life imprisonment may retroactively appeal their sentences.

Suggested activities and articles in this guide include YOU and YOUR RIGHTS, a historic look at the punitive treatment of youth and legal handling before 1899, in 1899 and in 1964.

The impact of the 2016 Supreme Court ruling is presented in three Post articles. Virginia is used as the local example since Maryland and the District do not have mandatory life-without-parole sentences for juveniles.

Journalism and composition teachers will find a study of the ledes used in this coverage. Help students understand that there are several approaches to drawing readers into complex subjects.
Ledes Summarize and Grab Readers

There is a time when the traditional news lede is best. As news breaks the Who, What, Where, When, Who and How give the facts and succinctly provide information.

A variety lede — description, comparison, anecdote, for example — delay getting to the main news, but personalize and illustrate the point while drawing the reader into the article.

Compare and contrast the two ledes about the same story.

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**Supreme Court ruling aims to recognize reformed offenders**

**BY ROBERT BARNES**

The Supreme Court ruled Monday that those sentenced as teenagers to mandatory life imprisonment for murder must have a chance to argue that they should be released from prison.

The ruling expanded the court’s 2012 decision that struck down mandatory life terms without parole for juveniles and said it must be applied retroactively to what juvenile advocates estimate are 1,200 to 1,500 cases.

More than 1,100 inmates are concentrated in three states — Pennsylvania, Louisiana and Michigan — where officials had decided the 2012 ruling was not retroactive.

They should have a chance to be resentenced or argue for parole, said Justice Anthony M. Kennedy, who wrote the new 6-to-3 decision.

Kennedy has been the court’s champion in a line of cases that declare that juveniles convicted of even the most heinous crimes must be treated differently than adults.

**LEDE 1**

By Robert Barnes  
*Originally Published January 26, 2016, A1*

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**Life terms of youths**

**BY MATT ZAPOTOSKY**

As many as 14 inmates in Virginia who committed murder as youths could be eligible to have their life sentences reconsidered under a new U.S. Supreme Court ruling, according to a group that tracks such cases.

But lawyers said how — or even whether — the high court’s decision will affect those convicted in the commonwealth probably won’t be settled without additional legal wrangling.

On Monday, the Supreme Court made its ban on mandatory life-without-parole sentences for juveniles retroactive.

**LEDE 2**

By Matt Zapotosky  
*Originally Published January 28, 2016, B1*

As many as 14 inmates in Virginia who committed murder as youths could be eligible to have their life sentences reconsidered under a new U.S. Supreme Court ruling, according to a group that tracks such cases.

But lawyers said how — or even whether — the high court’s decision will affect those convicted in the commonwealth likely won’t be settled without additional legal wrangling.

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1. What is the topic of both articles?
2. The date of publication and page on which it begins is provided. What does this information tell you?
3. Robert Barnes, *The Post’s* legal reporter, uses a traditional lede. Indicate the 5Ws and H of the news.
4. Matt Zapotosky indicates the source of his lede’s information. Who is it? Would the source have more impact if Zapotosky had been more specific naming it?
5. A lede may be one paragraph or the first three to five paragraphs. What is the significance that the ruling “must be applied retroactively”?
6. Both reporters use numbers. What questions do these numbers answer?
YOU AND YOUR RIGHTS

You Be the Judge

In 1964 a teenage boy was accused of making an obscene telephone call to a neighbor. She filed a complaint with the local police. Read through the facts of the case against Gerald Gault. If you had been the judge, what would you have done?

June 8, 1964
- After the complaint was filed by Mrs. Cook, Gerald Gault and a friend, Ronald Lewis, were taken into custody by the sheriff of Gila County and taken to the Children’s Detention Home.
- At the time, Gault was on probation for being with another boy who had stolen a wallet from a woman’s purse.
- When taken into police custody, Gerald Gault was not told what the charges were.
- Gault’s parents were at work; when his mother got home at 6:00 p.m., she had no idea where he was. No notice had been left by police at the home. She sent his older brother to look for him.
- When she learned he had been arrested, Mrs. Gault went to the Detention Home and was told there would be a hearing in juvenile court the next day.

June 9, 1964
- Gault had not seen his parents before he faced the judge.
- When he got to the courtroom, he did not know what was happening. “At that time I was 14, you know, I didn’t know,” he said at the 40th anniversary of the Supreme Court ruling. [Supreme Court transcripts say he was 15 years old.]
- Gerald’s mother, his older brother and two probation officers were present. Gerald’s father was working away from the city.
- No witnesses were brought before the court.
- The neighbor who complained about the inappropriate phone call did not show up in court.
- Gault’s friend whom he blamed for making the phone call was not brought to court.
- No transcript or recording of court testimony exists.
- Mrs. Gault recalled Gerald saying he only dialed Mrs. Cook’s number. He handed the phone to Ronald Lewis who made the lewd remarks.
- The presiding judge recalled Gerald “admitted to making one of these [lewd] statements.”

June 15, 1964
- During that week, Gerald was not appointed a lawyer.
- At this hearing a “referral report” made by the probation officers was filed with the court. It was not disclosed to Gerald or his parents.
- At the end of this hearing, the judge made his decision.

You are the judge. What is your decision? What should be done with Gerald? Why?
YOU AND YOUR RIGHTS

Juveniles and Justice in 1964 and Before

Moving from “criminal” to “civil” courts for juvenile offenders took place in steps. Social activists and socialites as well as the emerging field of child development influenced the first steps toward rehabilitation and away from the punishment model.

Before — Equal Treatment for Children and Teens
From the founding of the United States, children and teenagers were considered the property of their parents. They were punished when they got into trouble — no matter their age. If they were in trouble with the law, they were tried. If they were found guilty, they went to jail or were institutionalized.

In 1825, the New York House of Refuge was established. It was the first “institution designed to house poor, destitute and vagrant youth who were deemed by authorities to be on the path towards delinquency,” according to the Center on Juvenile and Criminal Justice. At times, it housed more than 1,000 youth.

1899 — First Juvenile Court System
In Cook County, Illinois, a juvenile court was created. Rehabilitation replaced punishment as a goal. The legal concept of parens patriae (the State as Parent) provided a basis for the courts to intervene on behalf of youth in need of help. Its philosophy focused on the individual and judges were given broad discretion on deciding the cases. Detention centers, out-of-home placement, cottage institutions and probation were among the innovations.

1964 — Decision of the Judge in Arizona
In the June 15 hearing, the judge found Gerald Gault guilty of being a delinquent who made a lewd phone call. He was sentenced to a maximum of six years in juvenile detention. If he had been an adult doing the same thing, he would have been fined $5 to $50 and spent no more than two months in jail.

1966 — The Supreme Court Hears the Case
After the Superior Court of Arizona and the Arizona Supreme Court refused a petition for habeas corpus, the U.S. Supreme Court agreed to hear the case. Gerald Gault’s parents were seeking his release from the State Industrial School. The Supreme Court agreed to hear the case to determine the procedural due process rights of a juvenile criminal defendant. The Court heard arguments on December 6, 1966.

1967 — The Supreme Court Decides the Case
Gerald Gault should be released. Writing the majority opinion, Justice Abe Fortas wrote: Juveniles tried for crimes in a delinquency proceeding should have the right of due process as protected by the 14th Amendment to the United States Constitution, including the right to confront witnesses, the right to hearing information in order to prepare one’s case, and the right to counsel guaranteed by the Sixth Amendment.

1968 and 1974 — Congress Passes Juvenile Justice and Delinquency Prevention Act
States are required to develop plans to address and curb juvenile delinquency in communities. In 1974, further protections for youth were added and the Office of Juvenile Justice and Delinquency Prevention was created.
In re Gault and the U.S. Supreme Court

After having been introduced to the case of Gerry Gault, what do you know about your rights that were established by the Supreme Court decision of 1967?

TRUE/FALSE. Circle true if a statement is accurate. Circle false if a statement is incorrect.

1. Teenagers whose families do not have money to pay for a lawyer must ask a social worker to represent them.
2. Only individuals over 21 can expect to hear witnesses against them.
3. Juveniles do have the right to refuse to answer a question.
4. Juveniles may not remain silent when questioned by police at the time of their arrest.
5. Teenagers and their families must be told exactly what the youth are accused of before their hearing.

MULTIPLE CHOICE. Select the statement that best answers the question.

1. Justice Abe Fortas in his majority opinion stated: “Juveniles tried for crimes in a delinquency proceeding should have the right of due process as protected by the 14th Amendment ….” What is “due process”?
   A. A person cannot be denied the right to vote based on “race, color or previous condition of servitude.”
   B. A person should not be subjected to unreasonable searches and seizures of property by the government, including public schools.
   C. A person has a right to fairness of treatment by the government; for example, legal proceedings must be carried out according to established rules and principles in order to be fair.

2. Why did the Supreme Court not grant the right to a jury trial to juveniles?
   A. Justices thought this would return juveniles to prison with adults.
   B. Justices thought confidentiality in juvenile court was more important.
   C. Justices thought this would place juveniles under excessive scrutiny.

3. Why do juveniles and their families need to be told the exact charges against the accused before the hearing?
   A. Families might break down when hearing what their children have done.
   B. They need time to prepare their case.
   C. They can make sure they do not make statements that are self-incriminating.

4. What did Justice William O. Douglas mean when he wrote: “No lawyer stood guard to make sure that the police went so far and no farther, to see to it that they stopped short of the point where he became the victim of coercion.”
   A. During police questioning a lawyer should be present to insure the rights of the accused are protected.
   B. Lawyers should act as guards of their juvenile clients who are in prison.
   C. Police are allowed to question accused juveniles as much as they want, but a lawyer should be there to record what is said.

5. Which of the following is a result of In re Gault Supreme Court Decision?
   A. Juveniles have the right to wear whatever clothing they want when attending a public school.
   B. Juveniles require punishment to prepare them for adulthood.
   C. The constitutional guarantee of due process applies to juveniles who are charged as delinquents.
COURTS & LAW

Life terms for youths open for later review
Supreme Court ruling aims to recognize reformed offenders

BY ROBERT BARNES

The Supreme Court ruled Monday that those sentenced as teenagers to mandatory life imprisonment for murder must have a chance to argue that they should be released from prison.

The ruling expanded the court’s 2012 decision that struck down mandatory life terms without parole for juveniles and said it must be applied retroactively to what juvenile advocates estimate are 1,200 to 1,500 cases.

More than 1,100 inmates are concentrated in three states — Pennsylvania, Louisiana and Michigan — where officials had decided the 2012 ruling was not retroactive.

They should have a chance to be resentenced or argue for parole, said Justice Anthony M. Kennedy, who wrote the new 6-to-3 decision.

Kennedy has been the court’s champion in a line of cases that declare that juveniles convicted of even the most heinous crimes must be treated differently than adults. The court in 2005 ruled out capital punishment for juveniles and later said they could not be locked away for life for crimes other than murder.

The 2012 case ruled out mandatory life imprisonment without parole, which was the situation facing Henry Montgomery of Louisiana, who brought Monday’s case. In 1963, when he was 17, Montgomery shot and killed Charles Hurt, a sheriff’s deputy.

Montgomery is now 69 and says his rehabilitation in prison should make him eligible to be considered for parole. The Louisiana Supreme Court rejected his plea, saying the U.S. Supreme Court’s 2012 ruling in Miller v. Alabama was not retroactive.

The six-member majority, which in addition to Kennedy included Chief Justice John G. Roberts Jr. and the court’s liberals, said on Monday that it was.

“Prisoners like Montgomery must be given the opportunity to show their crime did not reflect irreparable corruption; and, if it did not, their hope for some years of life outside prison walls must be restored,” Kennedy wrote.

Kennedy acknowledged that the court’s 2012 Miller decision recognized that a judge “might encounter the rare juvenile offender who exhibits such irretrievable depravity that rehabilitation is impossible and life without parole is justified.”

But he said the ruling’s overarching lesson was that “children’s diminished culpability and heightened capacity for change” cast doubt on mandatory sentences, and that this “harshest possible penalty will be uncommon.”

In a dissent that described Kennedy’s ruling as “astonishing” and “sleight of hand,” Justice Antonin Scalia said the majority’s goal was abolishing life imprisonment without parole for juveniles.

There are two pending cases asking the court to do that. And Christopher Slobogin, a juvenile-justice expert at Vanderbilt Law School, wondered what the next step might be for a court majority that thinks the immaturity and impetuous behavior of juveniles, as well as their potential for reform, makes them different from adults.

“The next step might be no mandatory sentences for children at all,” he said.

Many states that previously allowed life imprisonment without parole for juvenile offenders had already agreed that those sentenced under the old codes could have their sentences reviewed. Others, such as Arkansas and Texas, have enacted mandatory sentences — 40 years, for instance — before parole can be considered.

But seven, including Louisiana, had said the court’s ruling was not retroactive. Most changes in criminal law do not apply to settled cases.

But Kennedy said the Miller ruling was a substantive change in the
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law that must be applied to earlier sentences.
“...imposed pursuant to an unconstitutional law is no less void because the prisoner’s sentence became final before the law was held unconstitutional,” Kennedy wrote.
“...grandfather clause that permits states to enforce punishments the Constitution forbids.”
Scalia retorted: “...most certainly is a grandfather clause — one we have called finality — which says that the Constitution does not require states to revise punishments that were lawful when they were imposed.”

Kennedy acknowledged the difficulty of determining decades later whether a judge was correct to have justified sentencing a youth to life imprisonment because of “irretrievable depravity.”

But he said the situation could be remedied by giving the offender a parole hearing.

“...prisoners who have shown an inability to reform will continue to serve life sentences,” Kennedy wrote.
“The opportunity for release will be afforded to those who demonstrate the truth of Miller’s central intuition — that children who commit even heinous crimes are capable of change.”

Scalia said that was a power play that showed the majority’s true goal of getting rid of life imprisonment for juveniles.

“In Godfather fashion, the majority makes state legislatures an offer they can’t refuse: Avoid all the utterly impossible nonsense we have prescribed by simply ‘permitting juvenile homicide offenders to be considered for parole,’” Scalia wrote.
“...mission accomplished.”
Scalia was joined in dissent by Justices Clarence Thomas and Samuel A. Alito Jr.

Kennedy said Montgomery will still have to prove his case but that he had a good case to make.

“...Montgomery has spent each day of the past 46 years knowing he was condemned to die in prison,” Kennedy wrote, but added that Montgomery “has discussed in his submissions to this court his evolution from a troubled, misguided youth to a model member of the prison community.”

Those inmates affected by the court’s decision will probably have to bring individual claims or requests for parole, juvenile-justice experts said.

Marsha Levick of the Juvenile Law Center said there could be special proceedings to deal with those inmates. For instance, of about 500 serving life sentences without parole in Pennsylvania, she said, about 300 are from one county, Philadelphia.

The Supreme Court’s decisions on juvenile sentencing have featured sharp debates between Kennedy and Scalia, and Monday’s was no different.

“This whole exercise,” Scalia wrote, “...is just a devious way of eliminating life without parole for juvenile offenders. But, without mentioning Kennedy by name, Scalia said such a straightforward acknowledgment would have been an embarrassment.”

One of the justifications the court gave in Roper v. Simmons for ending the death penalty for juvenile murderers was that life without parole was a severe enough punishment, Scalia said.

“How could the majority — in an opinion written by the very author of Roper — now say that punishment is also unconstitutional?” Scalia asked.
Since it couldn’t, he answered, they made it “a practical impossibility.”
The case is Montgomery v. Louisiana.

Robert Barnes has been a Washington Post reporter and editor since 1987. He has covered the Supreme Court since November 2006.
Va. governor, GOP lawmakers seek common ground

BY JENNA PORTNOY

• Originally Published January 16, 2016

BEAUMONT, Va. — Behind a maze of double razor-wire-fences, 18-year-old Vincent irons a handmade quilt and contemplates his future. Three more years in juvenile lockup, followed by 21 years in a state prison for adults. A free man in his 40s, half a life behind bars.

The grim picture is exactly what Gov. Terry McAuliffe’s Department of Juvenile Justice hopes to prevent with an ambitious plan to replace the state’s last two correctional centers with a network of local confinement and treatment alternatives that work with troubled youths before they commit serious crimes that warrant hard time.

The $90 million proposal, which would be used to construct two small corrections centers, requires General Assembly approval and represents a rare opportunity for consensus between the Democratic governor and the Republican-controlled legislature, all concerned with Virginia’s inefficient system of housing young offenders.

Key lawmakers remain uneasy about the costs and timeline, but they agree that Virginia must modernize its antiquated system for dealing with minors who commit crimes, largely because the current system is ineffective, they say. Meanwhile, others are quietly advocating for tiny and more numerous facilities statewide.

The commonwealth lags behind Texas, Missouri, Kentucky and other states that long ago closed big, expensive, centrally located juvenile prisons in favor of community-based treatment centers. Recent research favors a model that encourages young offenders to preserve family ties and learn practical skills in the communities where they live.

National data shows that only about 15 percent of youth in confinement after sentencing are in facilities with more than 200 beds. In Virginia, it’s 85 percent.

“Sometimes you just have to admit you were wrong, that you made some mistakes,” said Sen. David W. Marsden (D-Fairfax), who has spent his career working in juvenile justice. “We built a miniature penitentiary system, and it’s taken us now 20 years to dig our way out of it. And this is the final piece of it.”

Last week, McAuliffe became the first governor in recent memory to visit Beaumont Juvenile Correctional Center, one of two facilities that are too big for the shrinking number of young people whose offenses warrant confinement.

In one unit, jittery youths with expressionless faces sit around tables bolted to the floor. A black-and-white TV blares overhead. One asks McAuliffe for better shoes than the basic Velcro ones they are issued.

Their crimes include murder, rape and other felonies while armed, as well as nonviolent offenses such as felony larceny and parole violations.

Many have significant mental health issues and have experienced the death of parent, incarceration of a parent and family violence, said Andrew Block, director of the Department of Juvenile Justice. Forty percent need special education, compared with 10 percent in Virginia overall.

The sprawling complex of beige cinder-block buildings in rural Richmond is two hours from Hampton Roads, where many of their families live.

Vincent has been confined for more than a year without seeing his grandparents, who live in North Carolina, he said. He folded the brightly colored quilt and said he loves to draw. State officials would not say what crime led to his incarceration.

“This is another way for me to express my feelings and explore different avenues of art,” he said. “For me, this is something I never thought I’d be doing when I was on the street.”

The quilting class, with its stealthy math and problem-solving lessons, is part of a larger mission to prepare
the young offenders to thrive upon their release. Historically, almost 80 percent are arrested again within three years, Block said.

“So we’re taking these complicated, often damaged kids out of their families for two years … and then we’re sending them right back. So it shouldn’t be surprising to us when that doesn’t work so well,” he said.

Beaumont and Bon Air, the state’s other juvenile correctional center, also in the Richmond area, have a total of 550 beds but only 350 inmates. The expense of operating the oversized facilities adds to the $140,000 annual cost per juvenile, compared with $27,000 for an adult inmate.

That’s one of the reasons Block wants to shutter them and construct two much smaller secure treatment centers in locations that he said make more sense for families — one in Chesapeake in Hampton Roads and another in Hanover, north of Richmond.

Combined, the centers would have room for only 150 young offenders, but unlike the jail-like atmosphere of Beaumont, the residential units would have natural light and dedicated space for programs and treatment.

“We need facilities that are big enough to have a robust array of education and vocational programs so we can continue them on a rehabilitative trajectory, but we need them small enough so you can do much better work,” he said.

Sen. Ryan T. McDougle (R-Hanover), a former prosecutor and chairman of the finance panel that will consider the proposal this month, said he shares Block’s vision but favors a “prudent and deliberate” approach — such as closing only Beaumont for now.

Block “is trying to accomplish as much as possible in as short a time as possible. We’re not there yet,” he said. But, he added, “We’re going to have more agreement than disagreement.”

McDougle said he wanted to keep the state from making a reactionary decision to close both facilities and hamstring prosecutors who may move away from trying juveniles as adults and need bed space in juvenile detention.

“I’m supportive of the concept of trying to close one of the facilities and spend more money closer to home in local facilities,” he said. “The question is going be on building a new facility … and if that’s the best use of our resources — at this point in time.”

Block said while the centers are under construction some young offenders would be placed in community alternatives such as residential treatment centers, group homes and local juvenile detention centers where the state pre-purchases beds. Savings from closing the largest centers would fund a network of community services and eventually reduce the department’s operating budget by $5 million a year, he said.

For young people now in confinement, the department is already testing a model that has worked around the country to reduce recidivism. Here, tables are pushed to one side and plastic chairs are arranged in a U-shape for “circle ups,” gatherings where the 12 youths who call themselves the “Wolf Pack” talk about what bothers them.

A hand drawing of a fearsome yet calm wolf with yellow eyes decorated a wall. “We like to stay together, keep everyone on track,” one said. “We’re like a family for real.”

Another inmate asked McAuliffe for a “furlough for a reason” — to learn how to deposit money at a bank or shop for groceries. In a similar unit, community coordinator Larry Tucker said the new approach has led to “amazing changes.” “They had to feel the love. They had to feel the respect from us,” he said.

Staff training is part of a $2 million investment by the Annie E. Casey Foundation, whose experts started working in Virginia in late 2014.

“I’m not aware of another state that’s moving as ambitiously on as many fronts at once as Virginia,” said Thomas Woods, a senior associate in the Juvenile Justice Strategy Group at the foundation.

Not everyone is convinced an aggressive line is best.

Del. S. Chris Jones (R-Suffolk), chairman of the House Appropriations Committee, said that the concept is good but that he worried about how per-bed costs would fit into a “conservative, thoughtful budget document.”

“No doubt we need to do something, we just need to take a deeper dive on the numbers,” he said.
Life terms of youths who murdered in limbo

By Matt Zapotosky

As many as 14 inmates in Virginia who committed murder as youths could be eligible to have their life sentences reconsidered under a new U.S. Supreme Court ruling, according to a group that tracks such cases.

But lawyers said how — or even whether — the high court’s decision will affect those convicted in the commonwealth likely won’t be settled without additional legal wrangling.

On Monday, the Supreme Court made its ban on mandatory life-without-parole sentences for juveniles retroactive.

As some experts hailed the decision in Montgomery v. Louisiana — saying it could potentially offer hundreds or thousands of inmates across the country a chance to argue that they should not die in prison for crimes committed when they were youths — others cautioned that the effect in Virginia could be mooted.

That is because the state’s own Supreme Court has said that judges in Virginia, which has abolished parole, have the authority to suspend sentences, and thus, state law could not have mandated that they impose terms of life without parole. By that logic, neither the Supreme Court’s decision to strike down mandatory life without parole for juveniles nor its ruling Monday to make the ban retroactive affects Virginia.

“Virginia’s still in limbo,” said Rob Poggenklass, Tony Dunn Legal Fellow at the ACLU of Virginia.

Maryland and the District do not have mandatory life-without-parole sentences for juveniles.

Importantly, the U.S. Supreme Court has not said that juveniles cannot be sentenced to life in prison without parole; the justices have said the penalty can’t be automatic. A spokesman for Virginia Attorney General Mark R. Herring (D) said in an email Monday that state lawyers were still assessing the U.S. Supreme Court’s ruling.

“This is a significant decision that could affect the sentences of defendants across the country,” said Michael Kelly, the spokesman. “In the coming days, we will be working to determine which cases in Virginia may be impacted and how the Commonwealth should best proceed in light of this latest guidance from the Supreme Court.”

The U.S. Supreme Court first struck down mandatory life-without-parole sentences for juveniles in its 2012 Miller v. Alabama decision, although it did not say explicitly then whether the ruling would be applied retroactively. In the interim, attorneys for Virginia argued — often successfully — that it did not and that those sentenced to life without parole should have to accept their fate.

That argument is now undercut, and attorneys for some people said they hope that means their clients will now get new hearings. Charles R. Mills, whose client Shermaine Ali Johnson is serving a sentence of life without parole for raping and killing a part-time TV producer in Petersburg when he was 16, said the Supreme Court’s ruling “should give him a right to process in Virginia on his parole eligibility.”

Shermaine Ali Johnson is one of those who might get a new sentencing hearing because of the Supreme Court’s ruling Monday.
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that the Supreme Court’s ban on mandatory life without parole was not retroactive).

Jody Kent Lavy, director and national coordinator at the Campaign for the Fair Sentencing of Youth, said the Supreme Court’s ruling was “a very significant decision, reaffirming what the court has said previously about how children are constitutionally different than adults.”

“We anticipate that this decision will impact thousands across the country who were told as children they were worth nothing more than dying in prison,” she said.

Heather Renwick, the campaign’s legal director, said the group had counted 14 inmates in Virginia who might be affected but declined to release a list of their names.

Virginia lawyers might still argue that Miller v. Alabama does not affect the state because judges can always suspend life sentences. The state Supreme Court endorsed that theory in the case of Donte Lamar Jones, who was sentenced to life without parole for the fatal shooting of a clerk during a convenience store robbery in York County when he was 17.

Jones’s attorney, Duke McCall, said he has petitioned to have the U.S. Supreme Court hear the case, arguing that Virginia, indeed, has mandatory life-without-parole sentences for juveniles.

“I certainly think it does, but that question has not been decided,” McCall said. “That question is still an open question.”

John L. Longstreth, another attorney for Johnson, said Virginia lawmakers might need to consider intervening so that juveniles convicted in the future are not subjected to mandatory life without parole.

“They’re going to have to do something legislatively, because they have to provide a sentencing option for juveniles other than mandatory life without parole,” Longstreth said. “Virginia’s got to do something.”

The cases unfailingly involve heinous crimes, and some victims’ rights advocates caution that new sentencing or parole hearings might reopen old wounds. One person who has challenged his mandatory life-without-parole sentence in Virginia, for example, is Lee Boyd Malvo, the younger member of a pair that terrorized the Washington region a decade ago with a series of random, sniper-style shootings. His release, though, is unlikely. Although his four life sentences in Virginia — two in Fairfax County and two in Spotsylvania County — might be considered mandatory, the Maryland judge in Montgomery County had discretion when he imposed six consecutive life terms without parole for Malvo, those involved in the case have said.

Jeanette Richardson, a leader of the Virginia Beach-area chapter of Parents of Murdered Children, said there is “just no easy answer in this” because juveniles undeniably should be assessed differently. But she said the loved ones of those slain who thought they would never have to attend another court proceeding might find it painful if the cases are revisited.

“I can just say, for those families that are dealing with this, it’s going to be rough,” she said. “They’re going to feel like they’re revictimized again.”

Jennifer Bishop-Jenkins, whose pregnant sister and the sister’s husband were killed by a teenage home invader, said she cried when she heard the news. Jenkins, who serves on the board of the National Organization of Victims of Juvenile Murderers, said that although Illinois had already decided to review older cases, she “knew friends in other states that were safe that are no longer safe.”

“The families that are lucky enough to know about it,” she said, “they’re going to be put through hell.”