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DIRECTOR



DEPARTMENT OF CORRECTIONS

Leading Nevada Corrections Into the Future

DATE: March 26, 2010

TO: Patricia Evens, Research Librarian
US Supreme Court

FROM: Alejandra Livingston, MS
Offender Management Division

SUBJECT: Youth offender on Life Without Parole

The Nevada Department of Corrections (NDOC) has been asked to provide the number of offenders on "life without parole" who did not commit homicide and that were under the age of 18 when they committed the crimes associated with their life sentences.

Research staff coordinated efforts with management information systems staff to query the information requested. NDOC found five offenders who are currently incarcerated and that meet the required criteria.

Feel free to contact me should you require additional assistance with your research.

Offender Management Division/
Research, Statistics, & Planning
PO Box 7011
Carson City, NV 89701
(775) 887-3357 (Phone) ~ (775) 887-3243 - (Fax)
alivingston@doc.nv.gov



State of Utah

GARY R. HERBERT
Governor

GREG BELJ.
Lieutenant Governor

Utah Department of Corrections Executive Office

THOMAS E. PATTERSON
Executive Director

MIKE HADDON
Deputy Director

ROBYN WILLIAMS
Deputy Director

Dear Ms. Evans,

The Utah Department of Corrections' Executive Office recently received your inquiry on behalf of the United States Supreme Court regarding the number of offenders currently serving life without parole sentences who committed non-homicide offenses prior to the age of 18.

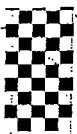
Patricia, our researchers looked in to this matter and found that Utah currently has zero offenders who fit this particular description.

Thank you for directing your request to us, and please feel free to follow up with us in the event you need further information on this or on any future matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Steve Gehrke".

Steve Gehrke
Utah Department of Corrections
Public Information Officer



3/30/2010

16:58

RESEARCH & MANAGEMENT 912024793477

NO. 817

P01



COMMONWEALTH of VIRGINIA

Department of Corrections

GENE M. JOHNSON
DIRECTORP. O. BOX 26963
RICHMOND, VIRGINIA 23261
(804) 874-3000

March 30, 2010

Dear Dr. Evans;

As of February 3, 2010, we had 8 inmates that were sentenced to life without parole for a non-homicide offense that they were committed for prior to turning 18 years of age. Among those, 6 were convicted of Abduction, 1 of Rape/Sexual Assault and one of Robbery.

Please let me know if you have any additional questions.

Sincerely,

Dr. Tama S. Celi
Research & Reporting Supervisor



U.S. Department of Justice

Federal Bureau of Prisons

Washington, DC 20534

April 12, 2010

Ms. Melissa Williams
Library of the Supreme Court
Washington, DC

Dear Ms. Williams:

In response to your request, the staff in the Federal Bureau of Prisons' Office of Research and Evaluation reviewed our automated inmate records to identify inmates in custody who were sentenced in the Federal court to a term of life imprisonment without the possibility of parole, for an offense other than murder committed before the individual's 18th birthday. I have prepared the attached chart which summarizes the results. Other than where noted on the chart, the offenses did not involve death of the victim, based on the information we have available in our automated system.

If you need additional information please let me know. You can reach me at 202-514-6537 or jgarrett@bop.gov.

Sincerely,

A handwritten signature in dark ink, appearing to read "Judith Simon Garrett", is written over a horizontal line.

Judith Simon Garrett
Deputy Assistant Director
Information, Policy and Public
Affairs Division

Inmates in the custody of the Federal Bureau of Prisons convicted under federal law and serving sentences of life (without parole) for offenses other than murder*

Register Number	Offense	Age of Offense
04227-070	Carjacking resulting in death	17.9
04711-078	Carjacking resulting in death	17.3
10778-069	Carjacking resulting in death	15.4
13486-069	Carjacking resulting in death	17.9
14043-050	RICO Consp, Drugs	16.5
15683-018	Drugs	17.5
20931-050	Drugs	17.7
25166-083	Drugs	16.4
34786-083	RICO	16.8
35650-083	Carjacking resulting in death	15.8
47110-078	Carjacking resulting in death	16.6
61025-004	Drugs	17.9
91929-080	Carjacking resulting in death	16.1
12764-069	Carjacking resulting in death	17.9

*Note there are several cases where a person was in fact killed as a result of the offense and this fact resulted in the sentence of life, though the offense was carjacking. (18 U.S.C. Section 2119)



4/12/2010 13:00 FAX

001

*Department of Justice
Federal Bureau of Prisons
INFORMATION, POLICY, AND PUBLIC AFFAIRS DIVISION
Thomas R. Kane, Assistant Director
Room 641/HOLC Building
320 First Street, NW
Washington, DC 20534*

Telephone: Comm: (202) 514-6537 or FTS 8-(700) 514-6537
Fax: Comm: (202) 616-2093 or FTS 8-(700) 616-2093

DATE: April 12, 2010
FROM: Judi Garrett
TO: Melissa Williams
ATTN: _____

NUMBER OF PAGES: 2 (EXCLUDING THIS COVER PAGE)
IF YOU DID NOT RECEIVE A GOOD COPY, PLEASE CALL:

_____ AT: _____

NOTE: _____

WARNING: The information contained in this telefax is **PRIVILEGED** and **CONFIDENTIAL**. It is intended only for the use of the individual(s) or organization(s) named above. If you receive this telefax in error, please notify us by telephone immediately. Thank you for your cooperation.

GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF CORRECTIONS

Office of Management Information
and Technology Services



March 31, 2010

Patricia Evans, MSLS, Ph.D.
Research/Technology Librarian
Supreme Court of the United States, Library
1 First Street, N.E.
Washington, D.C. 20543

Dear Dr. Evans:

This letter is in response to your request via e-mail dated March 24, 2010. There were seven hundred thirty-nine (739) individuals committed as juveniles to the District of Columbia Department of Corrections (DOC) since October 1, 2002. None were sentenced to life without parole for a non-homicide offense according to the Jail and Community Corrections System (JACCS), the official DOC offender information management system.

Should you need further assistance regarding this response, please contact Dr. Reena Chakraborty of my staff at (202) 671-2078 or e-mail her at reena.chakraborty@dc.gov.

Sincerely,

Thomas P. Hoey
Information Services Director



U.S. Department of Justice
Federal Bureau of Prisons

Washington, DC 20534

April 9, 2010

Ms. Patricia Evans
Library of the Supreme Court
Washington, DC

Dear Ms. Evans:

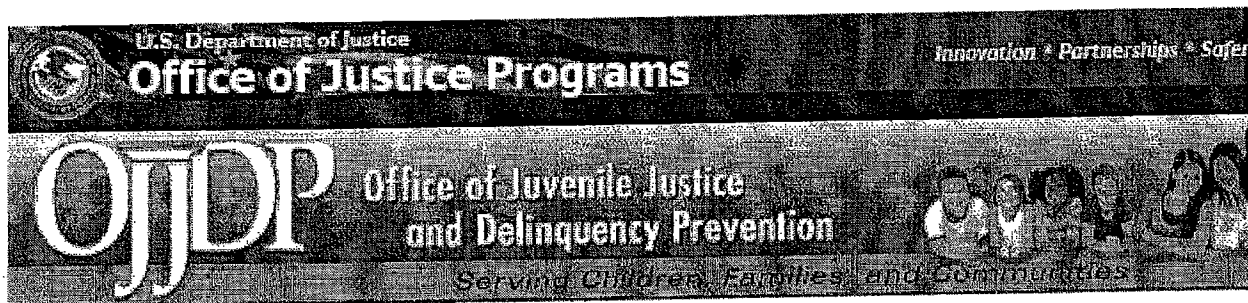
In response to your request, the staff in the Federal Bureau of Prisons' Office of Research and Evaluation have reviewed our automated inmate records and determined that we have no inmates in custody who were sentenced in the District of Columbia Superior Court to a term of life imprisonment without the possibility of parole, for an offense other than murder committed before the individual's 18th birthday.

If you need additional information please let me know. You can reach me at 202-514-6537 or jgarrett@bop.gov.

Sincerely,

A handwritten signature in dark ink, appearing to read "Judith Simon Garrett", is located below the word "Sincerely,".

Judith Simon Garrett
Deputy Assistant Director
Information, Policy and Public
Affairs Division



Statistical Briefing Book



[Juvenile Population Characteristics](#)
[Juveniles as Victims](#)
[Juveniles as Offenders](#)
[Juvenile Justice System Structure & Process](#)
[Law Enforcement & Juvenile Crime](#)
[Juveniles in Court](#)
[Juveniles on Probation](#)
[Juveniles in Corrections](#)
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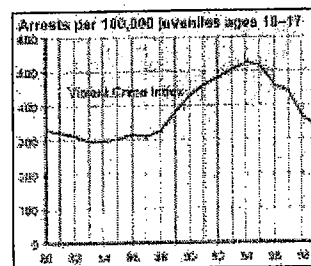
Ask
OJJDP

What's New

OJJDP has recently released the following bulletins:

- The annual bulletin, **Juvenile Arrests 2008** summarizes juvenile crimes known to the police and arrests made during 2008. In 2008, U.S. law enforcement agencies arrested an estimated 2.11 million persons younger than age 18, a 3-percent decline over 2007.
- The latest **Crimes Against Children Series** bulletin, **Juveniles Who Commit Sex Offenses Against Minors**, describes the characteristics of the juvenile sex offender population coming to the attention of law enforcement. According to this bulletin juveniles account for more than one-third (36%) of those known to police to have committed sex offenses against minors.
- **Children's Exposure to Violence: A Comprehensive National Survey** presents findings from the Survey of Children's Exposure to Violence survey. The survey measured the past-year and lifetime exposure to violence for children age 17 and younger.

The juvenile Violent Crime Index fell for the second consecutive year, down 5% since 2006.



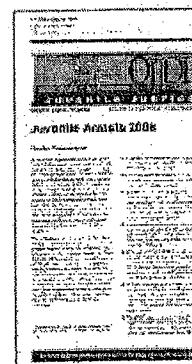
Did You Know?

In 2005 courts with juvenile jurisdiction disposed more than 1.70 million delinquency cases. [\[Read more\]](#)

For all but drug offense cases, the proportion of cases involving detention changed very little between 1985 and 2005—varying 4 to 8 percentage points. [\[Read more\]](#)

Learn more about juveniles in court.

Juvenile Arrest



Tools For You

Data analysis and dissemination tools available through the Statistical Briefing Book give users quick access to detailed statistics on a variety of juvenile justice topics. These tools allow users to create state and county tables on juvenile populations, arrests, court cases, and custody populations.

- **Easy Access to Juvenile Populations**
- **Easy Access to the FBI's Supplementary Homicide Reports**
- **Easy Access to FBI Arrest Statistics**
- **Easy Access to Juvenile Court Statistics**
- **Easy Access to the Census of Juveniles in Residential Placement**
- **National Disproportionate Minority Contact Databook**

Learn more about OJJDP's data analysis tools.

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A component of the [Office of Justice Programs](#), U.S. Department of Justice



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(Fax) 1 (866) 550-0442
(Email) law@loc.gov

DIRECTORATE OF LEGAL RESEARCH
Eastern Law Division
Western Law Division

February 16, 2010
LL File No. 2010-003726

Dear Ms. Shoemaker:

In response to your request for information concerning three decisions of military courts in the West Bank involving minors, we have prepared the attached summary.

If you have further questions concerning this issue, please call me at (202) 707-9847 or email me at rlev@loc.gov. We hope this information is helpful.

Sincerely,

Ruth
Levush

Digitally signed by Ruth Levush
DN: cn=Ruth Levush, o=Library of
Congress, email=rlev@loc.gov,
c=US

Ruth Levush
Senior Foreign Law Specialist

Attachment

Joy Shoemaker, Research Librarian
Supreme Court of the United States Library
Washington, D.C.

jshoemaker@supremecourt.gov

The Law Library of Congress provides foreign, comparative, and international law research to the United States Congress. You may contact us at 1 (866) 550-0442 (fax), or law@loc.gov (email).
We also invite you to visit our website, <http://www.loc.gov/law>.



U.S. Department of Justice
Federal Bureau of Prisons

Washington, DC 20534

April 12, 2010

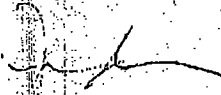
Ms. Melissa Williams
Library of the Supreme Court
Washington, DC

Dear Ms. Williams:

In response to your request, the staff in the Federal Bureau of Prisons' Office of Research and Evaluation reviewed our automated inmate records to identify inmates in custody who were sentenced in the Federal court to a term of life imprisonment without the possibility of parole, for an offense other than murder committed before the individual's 18th birthday. I have prepared the attached chart which summarizes the results. Other than where noted on the chart, the offenses did not involve death of the victim, based on the information we have available in our automated system.

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Sincerely,


Judith Simon Garrett
Deputy Assistant Director
Information, Policy and Public
Affairs Division

Inmates in the custody of the Federal Bureau of Prisons convicted under federal law and serving sentences of life (without parole) for offenses other than murder*

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*Note there are several cases where a person was in fact killed as a result of the offense and this fact resulted in the sentence of life, though the offense was carjacking. (18 U.S.C. Section 2119)




HRC: Statement on Juvenile Sentencing

Date: 11/03/2009
Organisation: Human Rights Advocates
Resource type: Statement

Summary:

Statement delivered during the 10th session of the Human Rights Council on the d

 www.crin.org/resources/infodetail.asp?id=19549

Human Rights Advocates
Connie de la Vega, Marie Montesano, Amanda Solter
delavega@usfca.edu

ENGLISH ONLY

HUMAN RIGHTS COUNCIL

10th Session

Agenda Item: Full day meeting on the rights of the child

Written statement submitted by HRA, a non-governmental organization in special c
Juvenile Sentencing

1. Human Rights Advocates submits this statement to address issues of juvenile se
and life imprisonment without possibility of release.

Juvenile Death Penalty

2. International law prohibits the execution of juvenile offenders. With regard to the
defined as persons under the age of 18.¹ The prohibition depends upon the age of
and does not cease once a juvenile offender turns 18. This prohibition has been aff
and other international instruments. The prohibition of the juvenile death penalty i
it has reached the level of a jus cogens norm.²

3. A jus cogens norm is derived from fundamental values held by the international
juvenile death penalty satisfies these elements. The U.N. Convention on the Rights
the death penalty and a life sentence without the possibility of parole, has been rat
except the United States and Somalia.

4. HRA commends the many countries that have changed their laws regarding the Commission on Human Rights, and subsequently the Human Rights Council ("HRC"). China, the United States and Pakistan. However, there is still a question as to Pakistan. Legislation passed in 2000 remains un-implemented throughout the majority of the country. The Supreme Court has rejected death penalty appeals where the age of the offender was not rec. In October of 2008, the Iranian authorities instructed all courts to stop issuing death sentences. However, the Assistant Attorney General for Judicial Affairs subsequently clarified that the death penalty is not qesas, or retribution because it "is not up to the government, rather it is up to the judge."

5. HRA encourages those countries that retain the death penalty for violations of the right to life. Iran, Saudi Arabia, Sudan, and Pakistan continued to make a distinction between capital punishment on persons who were under 18 at the time of the crime, without distinction. Iran passed a Child Law setting reduced sentences for children age 15 to 18 who committed crimes. The Iranian Constitution specially allows for the death penalty against persons under age 18 in certain cases.

6. Despite improvements in banning the practice, some countries continue to execute juveniles. The United States Supreme Court banned the practice, Iran has emerged as the worst violator of the prohibition. Saudi Arabia, Yemen and Pakistan are known to have executed juvenile offenders since 2000. Saudi Arabia executed one juvenile offender and Iran four.9 Saudi Arabia carried out two juvenile executions in 2008.10 Iran executed eight juvenile offenders in 2008.11

7. HRA urges those states that have yet to prohibit the juvenile death penalty for all crimes, to pass legislation banning juvenile executions, and to pass legislation banning juvenile executions. Reportedly, at least 130 juvenile offenders are on death row in Iran while there are at least 100 in Yemen.12 In addition, there are at least 12 cases involving juvenile offenders on death row in Iran.

Life Imprisonment Without Possibility of Parole or Release for Child Offenders

8. The Convention on the Rights of the Child ("CRC"), ratified by every country in the world, codifies an international customary norm of human rights that recommends against sentencing of child offenders to life in prison without possibility of release.14 The prohibition has been rejected through domestic legal commitments and 185 countries that have not ratified the CRC.15 The prohibition, arguably, has now reached the level of a jus cogens norm.16 The prohibition, arguably, has now reached the level of a jus cogens norm.17

9. Eleven countries have laws with the potential to permit the sentencing of child offenders to life imprisonment without possibility of release:16 Antigua and Barbuda, Argentina, Australia, Belize, Brunei, Cuba (legislation pending), and the United States.17 The United States has evidence of any country, besides the United States, with child offenders sentenced to life imprisonment without possibility of release.18

10. Customary international law is part of domestic law in the United States and, therefore, the possibility of parole should be prohibited.19 Juvenile life sentences have not been used in the United States.20 The sentence was not used on a large scale until the 1990s when at least 40 states used life sentences for sending juveniles to adult courts.21

11. In the United States, there are an estimated 2,484 juveniles serving life sentences. In 2007, 16% of children were sentenced to life without the possibility of release for their first ever crime.16% were between the ages of 13 and 15 when they committed their crimes, and 21% were charged with a murder charge, where they did not pull the trigger or carry the weapon.23 In addition, juveniles are disproportionately represented through every stage of the juvenile justice process, from arrest to sentencing.24

12. HRA encourages those countries that have not yet adopted domestic legislation without the possibility of release to take action in order to comply with international law. In the possibility of release, implementation of the release process should be strengthened. In passing legislation in 2007 which clarified the authority for court review and release, several children sentenced to life terms were granted parole in 2007.

13. Israel has given assurances that, while no absolute prohibition on life sentence exists for parole.²⁶ While commendable, concern remains that release proceedings are difficult to obtain. In addition, parole hearings for children convicted of violating security regulations in the Territories are not conducted by the independent judiciary but by the Israeli Defense Forces. Officials have indicated that this determination can be subject to review.

Alternatives To Juvenile Incarceration

14. The International Covenant on Civil and Political Rights ("ICCPR") and the CRC provide that child offenders should be a "measure of last resort." In appropriate instances alternatives have been implemented that successfully focus on rehabilitation and recidivism reduction. Sentencing for juveniles in the 1970s, replacing the conventional model with a system of rehabilitation, reparation, and victim-offender reconciliation.²⁸ The maximum length of sentences is ten years and they experience a low level of juvenile recidivism.²⁹ Additionally, the (both private and government funded) in the United States focused on alternatives to incarceration.

15. New Zealand has successfully implemented an alternative to juvenile incarceration. It focuses on the needs of the community, the victim and the offender, rather than solely on the offender. New Zealand has diverted many youth offenders from the court system into Family Group Conferences, which provide a viable alternative to the traditional criminal system by integrating rehabilitation and collective responsibility instead of incarceration. The result is that New Zealand has a low level of recidivism.³¹

Recommendations

Human Rights Advocates recommends to the Human Rights Council:

16. Regarding the juvenile death penalty that it:

a. Urge all countries sentencing persons who committed crimes while under the age of 18 to impose sentences regardless of regional or religious differences throughout the state. Legislation should be immediately adopted;

b. Recommend the development of a mechanism for reporting executions and implementation including a means to determine the age of possible juveniles.

17. Regarding life without possibility of release sentences for child offenders that it:

a. Urge all states to explicitly abolish all legislation providing for life without parole for child offenders;

b. Urge the U.S. to make parole available to juvenile offenders and require reporting on parole sentences;

c. Require that the process of obtaining parole be realistic and transparent in all countries;

d. Appoint a Special Rapporteur to address violations of children's rights and include recommendations on alternatives to juvenile incarceration.

Organisation Contact Details:

Human Rights Advocates
P.O. Box 5675, Berkeley, CA 94705 USA
+1 415 422 6961, Email: delavega@usfca.edu








Last updated 11/03/2009 12:55:38

Have your say!


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