

PRISONERS' STRUGGLES

'The Same as a Death Sentence':

Juvenile Life without Parole

Jeremiah J. Gilbert

My name is Jeremiah James Gilbert. I am currently serving a Life without Parole sentence (Hassine, 1996) for a crime I committed when I was 15 years old. I will be 31 on November 27 of this year. I would like to share with you some of the facts concerning Juvenile Life without Parole (LWOP). In doing so, I hope to raise awareness about this sentencing procedure in the United States and the possibly for change.

On February 16, 1995 the United States signed an International Human Rights Treaty called the Convention on the Rights of the Child (CRC). In June 2006, the United Nations admonished the United States for not ratifying the treaty. Of the 130 plus countries to sign on, only the U.S. and Somalia have refused to ratify.

An estimate by the Human Rights Watch (2005) shows that over 2,228 juveniles are serving LWOP sentences in the U.S., whereas there are only 12 in the rest of the world. In 11 of the 17 years between 1985 and 2001, a juvenile was more likely than an adult to be sentenced to LWOP for the same crime. Of these children, 59 percent were sentenced to LWOP for their first ever convictions (Human Rights Watch, 2005). Sentencing children to life is also highly racialized since almost 60 percent of youth serving time in adult state prisons are African American, although this group only comprises 15 percent of the youth population (Building Blocks for Youth, 2000).

In March 2005, the U.S. Supreme Court ruled that juveniles possessed a diminished culpability and therefore could not be sentenced to death (Human Rights Watch, 2008). The same reasoning ought to apply to Life without Parole. In the U.S., Life without Parole does not have a release date. It means one is in prison until their death, making it the same as a death sentence.

The average cost of incarceration in the U.S. for a male prisoner in maximum security is at least \$45,000 per year (Austin *et al.*, 2001). The average male life expectancy is now close to 75 years. As mentioned previously, I came to prison when I was 15. Should I reach the average life expectancy the tax paying public will have paid at least \$2,800,000 for my imprisonment!

Hundreds of thousands of teenagers under the age of 18 are sent to the adult penal system across the U.S. each year, according to the Coalition for Juvenile Justice (2003) in Washington, D.C.. If you, or anyone you know, would like to help all of us who as children were told that we were beyond redemption, please go to my website at <http://walterkarp.tripod.com/jeremiahgilbert/index.html>.

Should you wish to add your name to the online petition to abolish Juvenile Life without Parole or research for yourself some of the facts I have stated, the favourite links page will direct you to various groups to assist you in doing so. Thank you for your time and consideration.

REFERENCES

- Austin, James, Marino A. Bruce, Leo Carroll, Patricia L. McCall and Stephen C. Richards (2001) "The Use of Incarceration in the United States: ASC National Policy Committee White Paper", American Society of Criminology National Policy Committee, *Critical Criminology*, 10(1): 17-41.
- Coalition for Juvenile Justice (2006) *Human Rights as a Catalyst for Juvenile Justice Reform*, Policy Brief No. 3, retrieved from http://njjn.org/media/resources/public/resource_454.pdf.
- Building Blocks for Youth (2000) *Youth Crime/Adult Time: Is Justice Served?*, Washington (DC), retrieved from <http://www.buildingblocksforyouth.org/ycat/>.
- Hassine, Victor (1996) *Life Without Parole: Living in Prison Today*, Los Angeles (CA): Roxbury.
- Human Rights Watch (2008) *'When I Die, They'll Send Me Home': Youth Sentenced to Life Without Parole in California*, New York.
- Human Rights Watch (2005) *The Rest of Their Lives: Life Without Parole for Child Offenders in the United States*, New York.

ABOUT THE AUTHOR

Jeremiah Gilbert is 32 years old and has been in prison for over half his life. He continues to serve a Life without Parole (LWOP) sentence. He has recently released a book of poems called *A Convict Cries*, which is available online. Half of all proceeds of the book will be donated to various charities.

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