

OPINION

Working Toward Justice for Children

A victory to spur us on and give us hope

BY MARIAN WRIGHT EDELMAN

On June 25th, the U.S. Supreme Court in *Miller v. Alabama* banned mandatory sentences of life in prison without parole for juveniles. This is a major victory for children and for America and a giant step forward for justice for children.

Until this decision, America was the only country in the world to routinely condemn children as young as 13 and 14 to die in prison. Now about two thousand people who were sentenced to die in prison as juveniles have hope for a new hearing and a new sentence. While we are disappointed the court did not ban the practice outright, we must keep working toward justice for children and end the devastating cradle to prison pipeline crisis that leads to marginalized lives, imprisonment, and premature death.

Bryan Stevenson, the brilliant founder and executive director of Equal Justice Initiative in Montgomery, Ala., argued this case and the companion case *Jackson v. Hobbs* before the Supreme Court. Earlier in June he told participants at the Children's Defense Fund Freedom Schools National Training session how he first became devoted to helping children in our adult justice system:

"I was working on a case when a grandmother called me, and this young boy had been arrested. This boy was living in a house where his mother had repeatedly been the victim of a lot of sexual assault, a lot of physical assault and domestic violence. And



one day this boy's stepfather came home, and he just punched this boy's mother in the face. She fell on the floor unconscious, and the little boy tried to revive his mom and he couldn't do it, and she was bleeding. And we think he thought his mom was dead."

Bryan Stevenson continued with his harrowing true crime story: "And the man went into the bedroom and fell asleep, and after he did that, this little boy got up. He was about five feet tall, 14 years of age, under 100 pounds, and he waited until the man went into the bedroom and fell asleep . . . and he went over to the

Now, this child had no prior criminal history. He had never been in trouble before. He was actually a good student, no juvenile adjudications, and probably would have been tried as a juvenile but for the fact that this man was a deputy sheriff.

—Bryan Stevenson

man's dresser, and he pulled out this man's handgun. And while the man was sleeping, this little boy walked over to him, and he pointed the gun at his head, and tragically at point-blank range, he pulled the trigger. The man was killed instantly.

"Now, this child had no prior criminal history. He had never been in trouble before. He was actually a good student, no juvenile adjudications, and probably would have been tried as a juvenile but for the fact that this man was a deputy sheriff. And because he was a deputy sheriff, the prosecutor insisted that this child be tried as an adult, and the judge certified him to stand trial as an adult and put him in the adult jail.

"The grandmother called me three days later, and I went to the jail to see this little boy. I started asking him questions, and no matter what I asked him, this little boy just sat there. I tried to ask him some more questions; he just sat there. He wasn't responding to anything I said, and finally after 20 minutes, I said, 'Look, you got to talk to me. I can't help you if you don't talk to me.'

"I got up and I walked around the table, and I got my chair close to him . . . I started leaning on him a little bit and leaning on him, and finally, he leaned back. And when he leaned back into me, I put my arm around him and said, 'Come on, tell me what's going on.'

This boy started crying, and through his tears, he began talking to me not about what happened at his house with his mom or his stepdad, but he began talking to me about what had happened at the jail. He told me on the first night, he had been assaulted by several men. Then he told me on the next night, he had been sexually assaulted by several men, and then he told me on the night before I had gotten there, there were so many people who had assaulted him, he actually couldn't remember how many there had been.

"I held this little boy while he cried hysterically for over an hour, and I left that jail thinking this is our system—our system—and so it became necessary for me to say

something."

So now, Bryan Stevenson said, "I represent these young people who have many times been horribly abused. We put them in adult prisons. There are 27 states that put children in adult facilities where they are 10 times more likely to be the victims of sexual assault, 25 times more likely to commit suicide, and there is this silence." Once he saw the truth, he knew he could never be among those who stay silent. He also said: "Of all the problems that I'm talking about [with the treatment of juveniles in the adult justice system]—and I'm talking about race and I'm talking about poverty and I'm talking about abuse of power and I'm talking about misconduct—the problem that we have got to confront is hopelessness, the profound absence of hope that is represented by the death penalty, by life imprisonment without parole for children, by mass incarceration, by the way in which we are dealing with people . . . I'll tell you something about hope. Where there is hopelessness, there is always injustice, and you can never achieve justice without hopefulness."

The Supreme Court's historic decision to abolish mandatory life in prison without parole sentences for children reinforces the importance of never giving up hope as we all keep speaking out and fighting for justice for children. We still have so much work left to do to solve the crisis of children in adult prisons—but we now have a huge victory to spur us on and give us more hope. Bryan Stevenson helped change the nation's course by saying something and doing something, and so must we.

Marian Wright Edelman is president of the Children's Defense Fund.

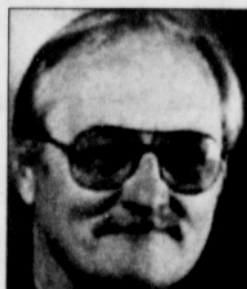
Save Austerity Measures for the Next Boom

Government and family spending aren't the same

BY DONALD KAUL

There are two competing theories on how to pull us out of the economic slump we're in, but you'd hardly know it from the debate going on in Washington. Conservatives, who want us to cut our way to prosperity, keep drowning out those who think we should be pumping money into the economy by spending more on teachers, research, roads, bridges, and other public works.

The small-government, budget-cutting "austerity" advocates speak in strident, confident voices, while the proponents of more government spending — the people called "Keynesians" (after the 20th-century British economist, John Maynard Keynes) — speak in apologetic, barely audible tones, as though



they're afraid of offending someone.

President Barack Obama is the latter. He sounds defensive when he puts forward one of his anemic "stimulus" plans and is always careful to balance expenditures with money from a tax increase for the rich.

He's even gone so far as to bring out the stale comparison equating a government in debt with families that live beyond their means. There's only one solution for indebted households and nations, conservatives say — belt-tightening.

And that's pretty much what Obama said last year: We've run up too much debt, and now we have to start tightening our belts. It was a shot into every Keynesian's heart.

"No, no," I wanted to shout. "That's their argument, not yours." Fortunately, I didn't shout it. (When you start yelling at the television set, you're only one step away from wearing a tag with your name and address on it, so when you go out, you can find your way back home.)

New York Times columnist Paul Krugman is a Keynesian, but not of the shrinking-violet variety. He's a Nobel-Prize-winning

economist who speaks in a loud, clear voice that irritates the heck out of conservatives. That is to say, he speaks sense.

But not "common sense." Common sense is on the budget-cutters' side. When your family has run up a lot of debt, cutting back on spending seems self-evidently the right thing to do. Why are governments different? Krugman answers that as well and succinctly as anyone I've read.

"An economy is not like an indebted family," he wrote a few weeks ago. "Our debt is mostly money we owe to each other; even more important, our income mostly comes from selling things to each other. Your spending is my income, and my spending is your income. So what happens if everyone simultaneously slashes spending in an attempt to pay down debt? The answer is everyone's income falls . . . and, as our incomes plunge, our debt problem gets worse, not better."

"When the private sector is frantically trying to pay down debt," he adds, "the public sector should do the opposite, spending when the private sector can't or won't. By all means, let's balance our budget once the

economy has recovered — but not now. The boom, not the slump, is the right time for austerity."

Sounds good to me, but they were still teaching Keynes when I was in school.

In Europe today, apparently not so much. But there's some indication that the hardliners are backing off from their most draconian prescriptions.

Not all conservatives are stupid, you know. The intelligent ones fear that more deficit spending in the face of a huge national debt will trigger inflation that, in the long run, will mean ruin. It's better to let the economy crash and rebuild it from the ground up, they say.

Personally, I prefer to delay whatever long-term medicine we might need, because it's entirely possible that we're able to make things better now without government austerity. As Keynes, a witty man, once said of economists who counseled the long view:

"In the long run, we are all dead."

OtherWords columnist Donald Kaul lives in Ann Arbor, Mich.