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Analysis of Miller v. Alabama

 Most people are familiar with the constitution. The first amendment is the one everyone learns in school and thinks of all of the time. It guarantees free speech. The second amendment guarantees the right to bear arms. That’s a popular one among gun manufacturers and their friends. What about amendments and laws that we are not affected by directly everyday? The 8th amendment says the constitution protects us from cruel and unusual punishment. What distinguishes cruel or unusual from regular punishment? Law is very much about interpretation, therefore there are extensive analyses done on laws in order to explain them to those who must implement them. When no side can agree upon the interpretation of the law, a court decides. The losing side might then appeal to a higher court, which must decide, if it accepts to hear the case. Appeals can continue up to the Supreme Court. If the Supreme Court makes a decision, it is set as a precedent to all cases that follow. Miller v. Alabama was a simple murder case that gained national recognition due to its verdict. Evan Miller, the defendant, was given a sentence of life in prison without parole at the age of 14. The debate was whether that punishment was too “cruel and unusual” for a minor.

 On the night of July 15, 2003 Evan Miller and his co-defendant Colby Smith robbed Cole Cannon’s trailer in search of drugs. They ultimately found none and proceeded to look for anything of value. They found his baseball card collection, took it and went back to Miller’s house. Cannon came to Miller’s house in search of food. Eventually, Cannon, Miller, and Smith became intoxicated with marijuana and alcohol in Cannon’s trailer. Cannon fell unconscious and lay on the floor of his trailer. Miller searched Cannon’s person for his wallet. Miller opened Cannon’s wallet and took 300 dollars and Cannon’s driver’s license. When Miller tried to put the wallet back into Cannon’s pocket, Cannon woke up. Cannon realized what had happened and attacked Miller, grabbing him by the throat. Colby Smith hit Cannon with a bat and Miller took the bat and hit Cannon repeatedly. He then proceeded to punch Cannon aggressively. Both of the boys covered Cannon with a sheet and fled the scene. They then returned to the crime scene again to try to clean up the bloody mess that they had made. Eventually, Miller and Smith decided it would be a good idea to get rid of the evidence by burning the entire trailer down. They set the trailer on fire while Cannon was alive in the trailer (Cornell).

 Firefighters responded to the scene right away and investigators described the fire as “obviously suspicious.” When Miller was arrested and interviewed, Miller denied everything. Eventually he signed a confession saying that he did everything except set the trailer on fire. The autopsy performed on Cannon stated that his death was caused by smoke inhalation, but that his death was also caused by “multiple blunt force injuries and ethanol intoxication (Cornell).”

 The jury found Miller guilty of capital murder in the course of arson. They gave him a sentence of life in prison without parole. Miller’s counsel immediately asked for a retrial and exclaimed that this sentence violated the 8th amendment and the 14th amendment. He argued that the 8th amendment was violated, because the life sentence prevented the minor from rehabilitating, making the punishmen cruel and unusual. The counsel also argued that the sentence violated the due process clause of the 14th amendment, which prevents both state and federal governments from depriving any citizen from life, liberty, or the property without due process. Historically this amendment was implemented in order to stop states from trying to find loopholes in following the Bill of Rights. This appeal was the beginning of a lengthy journey that Miller took to higher and higher courts who heavily debated his sentencing.

 The case first went to the Alabama Court of Criminal Appeals which cited precedent cases that the court determined were very similar to this one. Roper v. Simmons was a case where Christopher Simmons, who in 1993 was 17 years old, committed premeditated murder. Simmons planned a murder with two other friends, both of whom were younger than he. One of them at the last minute decided to drop out. Simmons and his younger friend Charles Benjamin broke in to Shirley Crook’s home, tied her up, robbed her house and brought her to a bridge, from which they tossed her. She fell to her death. Simmons plead guilty and confessed to the whole thing, even reenacting the night of the murder on camera for the jury and the court. Simmons cooperated extensively and helped the jury come to a guilty verdict. Simmons was also 17 and had no criminal history. Even considering these mitigating factors, the jury sentenced him to death for premeditated murder in the 1st degree, breaking and entering, and burglary. Simmons appealed and the case worked its way up the courts, where each step of the way his sentence was upheld. Finally, the supreme court of Missouri ruled that it was unconstitutional for him to be put to death due to his age and his state of mind. The court ruled that in fact he had some mental disability, which, if the death sentence were imposed, would violate the 2002 Supreme Court decision, in Atkins v. Virginia, to make the execution of a mentally retarded person unconstitutional. Instead, they lessened Christopher Simmons’s penalty to life in prison without parole. (Simmons) One can ask how good a precedent this is. Even though both of them were minors, one was 17 and the other was 14, so should both of them be treated equally in regard to their sentencing?

 In Graham v. Florida, Terrance Jamar Graham attempted to rob a barbecue in Jacksonville Florida. Graham was 16 years old when he committed this crime in July of 2003. After he accepted a plea bargain he was later arrested again for breaking and entering. He allegedly tried to rob a home and was in violation of his plea agreement. He was then tried and sentenced to life. In the state of Florida, parole was abolished, therefore he had a life sentence without parole. The Supreme Court changed his sentence from life without parole, because they concluded no minor who didn’t commit murder should receive that punishment. This set a precedent for minors who didn’t murder anyone. Graham ended up receiving 25 years in prison. If only Evan Miller had fled the scene and stayed away, there would have been no arson and no murder.

 When Supreme Court judges look at these cases, they look at the fact that these juvenile suspects are immature and can’t always make informed decisions (Jackson). Jackson argues persuasively that if states want to withhold certain rights from children such as voting and missing school, then they must be treated in a special manner when being tried in a court of law. Therefore these children are constitutionally different from adult defendants. Restrictive laws are by nature paternalistic: they embody the belief that children are not mature and responsible enough to make an informed decision on, for example, whom to vote for. Such laws embody the belief that children under 18 cannot live on their own without their parents. It is their parents’ duty to protect and teach them how to become fully functioning adults. Jackson argues that therefore the state must acknowledge these children are not mature enough to evade peer pressure and bad decisions due to their lack of judgment.

According to Jackson, adolescents don’t have a sense of responsibility. Children also mimic what they see, especially if they are raised in a crime-filled community. They are not fully developed and therefore they have no chance of understanding that they need to get out of their neighborhood and go on another path. However, coming to this conclusion at an immature age such as 14 is very difficult. When they get older, they may have a chance to rehabilitate, learn, and become law-abiding citizens. “To wholly disregard a 14-year-old offender’s age and age-related characteristics in sentencing him to be imprisoned for the remainder of his existence makes a mockery of this fundamental precept (Jackson).”

 Children grow up and they can completely change. “It is constitutionally impermissible to make a final, irrevocable judgment that a young teenager will forever be unsuited for life in free society and must be consigned to ‘die in prison’ without any meaningful opportunity to obtain release, no matter what he might do to demonstrate that the bad acts he committed as a teenager are not representative of his true character (Jackson).”

 Furthermore, teenagers around Miller’s age are in the second most critical biological stage of their lives. Psychological education is critical for them to develop into mature and socialized adults (Jackson, 21). Most prisons give education and work programs to inmates who seek advanced rehabilitation. However, those resources can be denied to a prison by his or her correctional facility if the prisoner is serving a full life sentence without the chance of parole. This not only psychologically cripples juvenile inmates such as Miller, but also makes them into much worse adults. They have no hope and they have no guidance to help them learn.

 When the jury decides to give someone the death penalty, they always look at mitigating factors and circumstances of the crime because the death penalty is the most severe form of capital punishment. However, when reaching a verdict of life sentence without parole to anyone who commits first degree murder, the jury doesn’t do as thorough a job deciding how harsh they should be once the verdict has been decided. Therefore, in Miller’s case and in cases similar to Miller’s the jury recommends this sentence and doesn’t consider mitigating factors such as his age (Jackson 23). After all, 90% of those given the sentence of life without the possibility of parole, since 1971, were given that sentence upon being declared guilty. Only 10 percent of them were sentenced after considering mitigating factors (Jackson 25).

 Jackson argued that because Miller’s age wasn’t considered enough when sentencing him, the Supreme Court should reverse his sentence and give him clemency. This brings up the larger question of what is justice. To understand this better, we should look at systems of justice starting in antiquity.

 The first instance of written law was the Hammurabi Code from around 1795 BC to 1750 BC. King Hammurabi was the ruler of Babylon and directed the founding of the world’s first city. He had a set of laws arranged in groups that were carved in a black stone monument eight feet high. This was intended to be a monument in the metropolis to be read by everyone. The law involved religion and saluted the gods before and after they were stated. The idea of a separation between church and state did not existed yet. The laws describe the punishments that were dealt in this society. Convicted prisoners had the choice between immediate death or casting themselves into the Euphrates river. If a prisoner could survive and swim across the river, that meant god thought the prisoner was innocent. One staggering punishment was that if you built someone’s house and it fell and they died, you were put to death. If it killed their son too, your son was put to death as well. This is where the idea of “an eye for an eye” started. In the Jewish notion of law, law is based on ideals and that mistakes will bring punishment (Common Law)

 Mosaic law was also about individual liability, but it still incorporated some of the collective responsibility the community had to bear. Those who were wise and elderly were responsible for crimes that happened in their area. The culprit was to be punished and those elderly people who “let them” commit a crime were supposedly purged by god for their mistakes, once they were caught. This constituted a distinct improvement from the Hammurabi code. Criminals who were convicted never received sentences that punished their kin, because their kin were seen as innocent people. However, Judaic law had many exceptions and reasons for when the law should be enforced and when one should be merciful. Acts of passion or accidental murders were seen as mitigating factors and should be punished only by having the defendant perform religious repentance. If the murder was not premeditated you could argue that it was an act of god that the victim fell into your hands and you were just in a tough situation. Also ignorance of the law was widely accepted as a legitimate excuse when being tried for a crime. The courts were not similar to contemporary courts at all, but everyone in the community was interested in law and enjoyed participating in the hearings (Maxwell, responsibility).

 In these communities, the severity of the sentence was usually decided by the victim or the victim’s relatives, if the crime was murder. If the king or any higher power were to kill the culprit, the king would use a sword. The death penalty was used more for public deterrent. If the crime was a gruesome sexual one, then the culprit was usually burned. If people got into fights they usually received a rough public flogging (Maxwell, Punishment). Mosaic law was practical because it was about instilling fear in the public, deterring future acts of assault and stupidity, and getting rid of the menaces of society

 When asking people about Miller v. Alabama and explaining what the facts were, one gets quite interesting answers. Joseph Green a Boston police officer and a Harvard Law graduate became more familiar with the case. After doing some research, he was able to provide good insight into some of the decisions that were made and the political ramifications that they had. (I need to add something here) and (add another interview). Besides that is it good? Yes, what about the interview with me?

 Balancing the political, the personal, and social aspects of law in a single case is so difficult. The United States has many panels of professionals who have years of experience in helping to interpret and think about the different possible outcomes these legal decisions will have. One judge and 12 jury members will make a decision that takes months to arrive at. There always needs to be those who check important final decisions made by others. After the district courts and the state supreme court, you may get to the Supreme Court. There are 9 judges who preside on an incredibly prestigious panel and review your case. Do the 8th and 14th amendments contradict the sentence given to Evan Miller? Four judges thought so and five of them confirmed the original sentence. Nine people who were experts in law and spent years learning the intricacies of it, couldn’t agree at all on a very important decision that would set a precedent for minors to come. They should have thought this decision all the way through and taken into account the autonomy of states. This is a decision that the federal government should make not the states. The states should not get to decide to make 14 year olds live in prison for life.

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