

# Coalition urges Supreme Court to ban death penalty for minors\_80904

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**By Robert Marus**

*ABP Washington Bureau*

WASHINGTON (ABP)-A broad coalition of concerned parties-including Nobel laureates, scientific leaders, foreign countries and American religious denominations-is urging the Supreme Court to ban the death penalty for offenders under age 18 at the time they commit their crimes.

Groups and individuals as diverse as former President Jimmy Carter, the Dalai Lama, the American Medical Association and the American Baptist Churches USA filed simultaneous friend-of-the-court briefs in the case of Roper vs. Simmons. The high court's justices agreed earlier this year to hear the case, which deals with the 1993 murder of a Missouri woman.

According to court records, Christopher Simmons-who then was 17-and a 15-year-old accomplice broke into 46-year-old Shirley Crook's home near St. Louis. They said they only intended to burglarize the home. However, fearing that Crook would later be able to identify them, Simmons and his accomplice bound her and threw her over a bridge into a river. Crook

drowned.

In 2003, the Missouri Supreme Court overturned Simmons' death sentence as unconstitutional. The state appealed the decision.

The friend-of-the-court briefs argue on several different grounds against executing criminals under 18 at the time they commit their crimes.

In a separate 2002 decision, the justices ruled that executing mentally retarded criminals violates an evolving national standard of decency on what qualifies as “cruel and unusual punishment,” which the Constitution forbids.

The briefs filed this summer ask the justices to apply similar reasoning to crimes committed by 16- and 17-year-olds.

The court already has banned the death penalty for minors 15 and younger at the time they commit their offenses. It last visited the issue for older minors in 1989, when it ruled such punishments were constitutional.

But the new briefs argue the nation's consensus on the juvenile death penalty has evolved since then.

Only seven states have executed juvenile offenders since 1976, when the Supreme Court reinstated capital punishment. Of those executions, the vast majority have taken place in Texas.

Death sentences imposed on juveniles have become increasingly rare, and 31 states have banned the practice. The United States is one of only five nations around the world to execute juvenile offenders.

The various medical professionals argue in their brief that additional research on the mental, emotional and psychological development of teenagers since 1989 casts doubt on the legitimacy of imposing the death penalty on minors.

The religious leaders, in their brief, argued their denominations' views added to the emerging “broad social and political consensus” against executing juvenile offenders.

Allowing the death penalty for juveniles permits “a radical inconsistency in the law to persist because, in virtually every area of law, a person's youthfulness is taken into account unless the state is contemplating the ultimate question of whether to take his or her life,” the brief, written by attorneys for the United States Conference of Catholic Bishops, argued.

“This anomaly, in which a blind eye is turned to the immaturity of youth when that immaturity is most relevant and its consequences most severe, cannot be reconciled with our nation's evolving moral sense about what is right and just in contemporary America,” the brief continued.

Religious groups represented in the brief included the American Baptist Churches USA, the Alliance of Baptists, the United Methodist Church, the Greek Orthodox Diocese of America and the American Jewish Committee.

Other briefs filed in Simmons' favor represented medical and psychiatric professionals, child-advocacy groups, civil-rights groups, attorneys, former U.S. diplomats, families of murder victims, and a group of foreign governments and legal organizations.

The justices are expected to hear oral arguments in *Roper vs. Simmons* this fall.

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