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AB 118
PACKET SUMMARY
ASSEMBLY COMMITTEE ON JUDICIARY
MARCH 27, 2003

Section A

Section A is an excerpt of a report written by the Commission on Behavioral and Social Sciences and Education entitled Juvenile Crime Juvenile Justice. This article outlines the importance of taking into account biological development and environmental stability when considering juvenile delinquent actions and the most appropriate way to punish them.

Section B

Section B is a transcript of an investigative report done by National Public Radio. The investigation shows that the functioning process of the adolescent brain is substantially inferior to that of a healthy adult brain.

Section C

Within Section C you will find a breakdown of the states, which allow the death penalty and the minimum age that the death penalty can be imposed within those states. Most importantly this information shows that a majority of 17 state and federal government jurisdictions that allow the death penalty have chosen eighteen as the appropriate age for the death penalty to be imposed. Furthermore, Montana and Indiana have chosen to raise the age to eighteen since 1999 and there has been no legislative activity to lower the age since that time.

Section D

Section D contains more information regarding juvenile death penalty statistics. It is very important to note that since this study was published the state of Indiana chose to raise its minimum age from 16 to 18 in march of 2002.

Section E

Section B is a copy of the International Covenant on Civil and Political Rights. This document was agreed upon within the United Nations and recognized as the standard for international law in governing the juvenile death penalty. Unfortunately, the United States has chosen to keep reservations about ratifying this document. This has put it within the company of Iran, which continues to allow the practice. In 2001 and 2002 the state of Texas was the only government worldwide to execute children.

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Section F

Section F documents the defendants who have been executed for committing a crime while they were juveniles worldwide. Please make the important note that Texas has executed four juveniles in 2001 and 2002 making it the only jurisdiction worldwide to do so:

Gerald Mitchell, Napoleon Beazley, T.J. Jones, Toronto Patterson.

Section G

Section G lists all juveniles on death row by state in June of 1999.

Section H

Section H provides detailed statistics regarding the defendants who were sentenced and executed by the juvenile death penalty.

Section I

The policy statement in Section I will be discussed in great detail by Dr. Fassler.

Section J

Supreme Court Justice Stevens represents Justices Souter, Ginsburg, and Breyer in outlining the minority dissent opinion in RE Stanford. Within this opinion Justice Stevens cites medical evidence and international standards of human decency when stating the opinions held by himself and the Justices he represents. These ultimate purveyors of the law hold a strong belief that it is time to raise the minimum death penalty age to bring our nation in line with legal and medical standards.

Section K

This is an article regarding A.B.118 by the Nevada Appeal and what the bill will do if enacted.

Section L

This article reveals the lack of development in the adolescent brain and the effects this underdevelopment has on decision-making and impulse reduction.

Section M

Section M summarizes the policy presented by the Juvenile Death Penalty Initiative, a group of lawyers, scholars, and academics against the Juvenile Death Penalty.

Section N

Section N is a letter from William Sessions, former FBI director under presidents George Bush and William Clinton. Mr. Sessions is in favor of using the death penalty, but he believes that the justice system is not fairly and accurately served by use of the juvenile death penalty.

Final Section

At the end of the packet you will find a decision from the Inter-American Commission on Human Rights. This court found the case of Michael Domingues from Nevada to be against international law and Recommended that the case should be thrown out and a new punishment should be imposed. Also we have included a policy statement from the American Bar Association's Juvenile Justice center outlining their argument against the death penalty. You will also find a distinguished list of Medical, Educational, and philanthropic organizations against the Juvenile death penalty. Finally, there is a Study from Harvard medical school concluding that the development of the adolescent brain and the impact of the environment surrounding it has a great deal to do with how it functions and makes proper decisions.