

# MORATORIUM ON THE DEATH PENALTY FOR JUVENILES

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## I

### INTRODUCTION

The American people have been executing their children in the pursuit of justice for more than three and one half centuries, beginning with the earliest days of Plymouth Colony.<sup>1</sup> The most recent executions of juvenile offenders, as of this writing, occurred in April and May of 1998.<sup>2</sup> This centuries-old system of death for children's crimes has always had major flaws,<sup>3</sup> and the post-1972 modern era<sup>4</sup> is little better. However, it was not until the last decade that American courts<sup>5</sup> and scholars<sup>6</sup> stumbled across this odd subtopic within the death penalty system. Now after fifteen years of debating, legislating, and deciding cases about the death penalty for offenders who commit crimes while

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1. The first documented execution of a juvenile offender is that of Thomas Graunger in Plymouth Colony, Massachusetts, in 1642, who was age 16 at the time of his crime and execution. See VICTOR L. STREIB, *DEATH PENALTY FOR JUVENILES* 73 (1987) (citing sources).

2. Joseph John Cannon was executed in Texas on April 22, 1998, for a crime committed at age 17. Charisse Jones, *Texan Executed for Crime Committed at 17*, USA TODAY, Apr. 23, 1998, at 2A. Robert Anthony Carter was executed on May 18, 1998, also in Texas, for a crime he committed at age 17, as well. See Michael Graczyk, *Houston Man Executed for 1981 Killing*, AUSTIN AMERICAN-STATESMAN, May 19, 1998, at A3.

3. See generally STREIB, *supra* note 1.

4. The current American death penalty era began when new death penalty statutes were enacted soon after the Supreme Court's decision in *Furman v. Georgia*, 408 U.S. 238 (1972), which in effect struck down all then-existing death penalty statutes. Sentencing began under the new statutes in 1973 and continues today. Although the constitutionality of these current era statutes was not recognized formally by the Supreme Court until its decision in *Gregg v. Georgia*, 428 U.S. 153 (1976), and actual executions did not begin until 1977 (Gary Gilmore in Utah), the current era of death sentencing began in 1973. This current era, from January 1, 1973, through June 1, 1998 (the date of this writing), comprises more than a quarter-century of the modern American death penalty.

5. The earliest United States Supreme Court cases even to address the juvenile death penalty were *Eddings v. Oklahoma*, 455 U.S. 104 (1982), and *Burger v. Kemp*, 483 U.S. 776 (1987), although those cases were decided ultimately on other grounds. The Court finally addressed and resolved the constitutional issues in *Thompson v. Oklahoma*, 487 U.S. 815 (1988), and *Stanford v. Kentucky*, 492 U.S. 361 (1989), leaving the minimum constitutionally acceptable age at sixteen.

6. The earliest legal scholarship addressing this topic includes Robert Y. Gwin, *The Death Penalty: Cruel and Unusual Punishment When Imposed Upon Juveniles*, 45 KY. BENCH & BAR 16 (Apr. 1981); Joan M. Hartman, "Unusual" Punishment: *The Domestic Effects of International Norms Restricting the Application of the Death Penalty*, 52 U. CIN. L. REV. 655 (1983); Victor L. Streib, *Death Penalty for Children: The American Experience with Capital Punishment for Crimes Committed While Under the Age of Eighteen*, 36 OKLA. L. REV. 613 (1983).

under age eighteen, the American Bar Association (“ABA”) has included the juvenile death penalty in its call for a moratorium on the death penalty process as it now operates.<sup>7</sup>

This article provides a sketch of the sentences and actual executions in the juvenile death penalty system for the past quarter-century, as well as a brief reference to similar cases in other countries. It also provides an overview of the current law governing this practice, ranging from constitutional rulings by the United States Supreme Court to express minimum ages in death penalty statutes. Finally, it suggests some rationale for a moratorium on this practice. Two appendices list all juvenile death sentences that have been imposed and all juvenile offenders currently on death row.

## II

### ABA MORATORIUM

Opposition to the juvenile death penalty is not a new venture for the ABA. This organization was one of the players in the earliest efforts to expose the practice to public evaluation and to curtail its operation. In 1982, the ABA’s Juvenile Justice Committee had been working on this issue and brought it to the attention of the ABA’s highest levels. As a result, in August 1983, the ABA House of Delegates took narrow action specifically to oppose the death penalty for juvenile offenders:

BE IT RESOLVED, That the American Bar Association opposes, in principle, the imposition of capital punishment upon any person for the offense committed while under the age of eighteen (18).<sup>8</sup>

Up until that time, the ABA had never taken any position concerning any facet of the death penalty, making this quite an unusual step for that organization to take. This ABA action did not go unnoticed, being specifically relied upon just five years later by a Supreme Court opinion partly resolving the issue.<sup>9</sup>

The newest ABA Resolution (hereinafter referred to as the “Moratorium”) on this topic, while not opposing the death penalty across the board, nonetheless has resolved that the death penalty should not be carried out until the process is administered fairly and impartially.<sup>10</sup> This 1997 Moratorium devoted only a few lines in its entire text to this almost uniquely American practice:

The ABA has established policies against the execution of both persons with “mental retardation,” as defined by the American Association of Mental Retardation, and persons who were under the age of 18 at the time of their offenses. Nevertheless, the

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7. See American Bar Ass’n, Resolution of the House of Delegates (Feb. 1997), *reprinted in Appendix*, 61 LAW & CONTEMP. PROBS. 219 (Autumn 1998) [hereinafter 1997 Resolution].

8. American Bar Ass’n, Resolution of the House of Delegates (Aug. 1983) [hereinafter 1983 Resolution]; see also *ABA Opposes Capital Punishment for Persons Under 18*, 69 A.B.A. J. 1925 (1983).

9. See *Thompson*, 487 U.S. at 830 (Stevens, J.) (plurality opinion).

10. See 1997 Resolution, *supra* note 7, *reprinted in Appendix*, *supra* note 7.

Supreme Court has upheld the constitutionality of executions in both of those instances. While many states now bar executions of the retarded, other states continue to execute both retarded individuals and, on occasion, offenders who were under 18 at the time they committed the offenses for which they were executed.<sup>11</sup>

As the above language indicates, the ABA Moratorium conflates the young and the retarded, both for purposes of analysis and as being treated similarly by the legislatures and courts. For analysis, the young and the retarded should not be treated the same, and generally are not for legal and governmental purposes such as rights to vote, to drink, to marry, and the like. In actual practice, as is discussed later in this article, the legislatures and courts have not treated these categories the same for purposes of the death penalty.<sup>12</sup>

This article focuses solely upon the desirability of a moratorium on the death penalty for juvenile offenders, in particular those aged sixteen and seventeen at the time of their crimes (offenders younger than sixteen presently already are precluded). The national movement to ban the death penalty for juvenile offenders is much further along than that for retarded offenders, and, at this stage of development, they should be separated.

### III

#### LEGAL CONTEXT

Prior to twenty years ago, the death penalty for crimes by juvenile offenders was obscure in American law. Almost no statutes and only a few lower level cases had ever addressed the issue. Around 1980, slowly at first but now building momentum, our legal system began to take cognizance of the death penalty for juveniles.

#### A. United States Supreme Court Cases

Although the United States Supreme Court has devoted considerable attention to constitutional issues in death penalty cases generally,<sup>13</sup> the Court did not consider the constitutionality of imposing the death penalty on juvenile offenders until quite recently. The current era of the death penalty, from 1973 to 1998, was nearly half over before the Court finally took up the question. It was several more years before the Court addressed the issue squarely, and then it split as badly as possible in attempting even *de minimis* rulings.<sup>14</sup>

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11. *Id.* at 14-15 (footnotes omitted), *reprinted in Appendix, supra* note 7, at 230-31.

12. For more of the author's views on these related but different topics, see Victor L. Streib, *Executing Women, Children, and the Retarded: Second Class Citizens in Capital Punishment, in AMERICA'S EXPERIMENT WITH CAPITAL PUNISHMENT: REFLECTIONS ON THE PAST, PRESENT, AND FUTURE OF THE ULTIMATE PENAL SANCTION* 201 (James R. Acker et al. eds., 1998).

13. *See, e.g.,* Lockett v. Ohio, 438 U.S. 536 (1978); Coker v. Georgia, 433 U.S. 584 (1977); Roberts v. Louisiana, 428 U.S. 325 (1976); Woodson v. North Carolina, 428 U.S. 280 (1976); Jurek v. Texas, 428 U.S. 262 (1976); Proffitt v. Florida, 428 U.S. 242 (1976); Gregg v. Georgia, 428 U.S. 153 (1976); Furman v. Georgia, 408 U.S. 238 (1972).

14. *See* Stanford v. Kentucky, 492 U.S. 361 (1989) (4-1-4 decision); Thompson v. Oklahoma, 487 U.S. 815 (1988) (4-1-3 decision).

An earlier opportunity arose in 1981, when the Court finally considered a *certiorari* petition putting forward the specific issue of the constitutionality of capital punishment for an offense committed when the defendant was only sixteen years old.<sup>15</sup> When the Court decided *Eddings v. Oklahoma* the next year, however, it sidestepped the direct constitutional issue but noted in passing that “the chronological age of a minor is itself a relevant mitigating factor of great weight.”<sup>16</sup> A four-Justice dissent would have reached the ultimate constitutional issue and would have rejected any constitutional bar to the execution of sixteen-year-olds.<sup>17</sup>

After *Eddings* in 1982, the Court continued to appear to be tempted by the issue but for several years did not grant *certiorari* on the question. *Burger v. Kemp*<sup>18</sup> was decided in 1987, a case in which the offender was only seventeen years old at the time of his crime, but did not directly raise the age issue. In his dissent,<sup>19</sup> Justice Powell nonetheless questioned the constitutionality of the death penalty for the seventeen-year-old Burger and lamented the majority’s unwillingness to wait for a decision squarely on that issue.<sup>20</sup>

Even as *Burger* was being decided, the Court granted *certiorari* in *Thompson v. Oklahoma*, a case involving a fifteen-year-old offender, and decided that case one year later.<sup>21</sup> In *Thompson*, the issue was couched as “whether the execution of [a death] sentence would violate the constitutional prohibition against the infliction of ‘cruel and unusual punishments’ because petitioner was only 15 years old at the time of his offense.”<sup>22</sup> The Court held that such an execution would be unconstitutional, but the ruling resulted from a four-Justice plurality to which Justice O’Connor added the crucial fifth vote on narrower grounds.<sup>23</sup>

Justice Stevens’s *Thompson* plurality opinion<sup>24</sup> began with a consideration of the obligatory Eighth Amendment benchmark—the “evolving standards of decency that mark the progress of a maturing society.”<sup>25</sup> Such “standards” require consideration of (1) current legislation on the acceptance or rejection of the death penalty for offenders younger than certain age limits, (2) jury willingness to impose death sentences on juveniles even where authorized, and (3) views of informed organizations and other nations on the acceptability of the juvenile death penalty.<sup>26</sup>

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15. See *Eddings v. Oklahoma*, 455 U.S. 104 (1981).

16. *Id.* at 116.

17. See *id.* at 128 (Burger, C.J., dissenting).

18. 483 U.S. 776 (1987).

19. See *id.* at 819-24 (Powell, J., dissenting).

20. See *id.* at 822 n.4, 823 n.5.

21. *Thompson v. Oklahoma*, 479 U.S. 1084 (1987), *granting cert. to Thompson v. State*, 724 P.2d 780 (Okla. 1986), *vacated and remanded*, *Thompson v. Oklahoma*, 487 U.S. 815 (1988).

22. 487 U.S. 815, 818-19 (1988) (Stevens, J.) (plurality opinion) (footnote omitted).

23. See *id.* at 838 (Stevens, J.) (plurality opinion); *id.* at 857-58 (O’Connor, J., concurring).

24. See *id.* at 818 (Stevens, J.) (plurality opinion).

25. *Id.* at 821 (quoting *Trop v. Dulles*, 356 U.S. 86, 101 (1958) (Warren, C.J.) (plurality opinion)).

26. See *id.* at 821-22 (Stevens, J.) (plurality opinion).

The *Thompson* plurality concluded that the Court is the ultimate arbiter of the limits of cruel and unusual punishment under the Eighth Amendment.<sup>27</sup> The Court measured the unique culpability of juveniles and the contribution of the juvenile death penalty to the acceptable social purposes of that penalty.<sup>28</sup> The plurality opinion concluded that juveniles generally have less culpability for their misdeeds and have a significant capacity for growth.<sup>29</sup> These unique characteristics, when blended with society's fiduciary obligations to its children, led the plurality to conclude that retribution "is simply inapplicable to the execution of a 15-year-old offender."<sup>30</sup> The other major criminological purpose of the death penalty—general deterrence of other similarly minded, homicidal juveniles—was also discounted by the plurality as inconsistent with what is known about the manner in which adolescents contemplate and evaluate the consequences of their behavior.<sup>31</sup>

Since Wayne Thompson was only fifteen years old at the time of his crime, the plurality believed that it had no compelling need to address the argument in Thompson's brief that age eighteen was the most logical point at which to draw the line.<sup>32</sup> Whatever might be the zenith of this constitutional age limitation, the plurality held that the line was certainly no lower than age sixteen.<sup>33</sup>

The crucial fifth vote to reverse Wayne Thompson's death penalty was added to the plurality's four votes by Justice O'Connor's solitary concurring opinion.<sup>34</sup> In her concurrence, Justice O'Connor began with a survey of death penalty statutes and found that all statutory express minimum ages were sixteen or above.<sup>35</sup> While she went on to consider sentencing and execution statistics, as well as treaties and other information,<sup>36</sup> in the end Justice O'Connor returned to the legislative issue and found that states such as Oklahoma apparently had not given the minimum age issue the careful consideration it requires.<sup>37</sup> Until the states give the appropriate consideration to the issue, she would neither allow such states to execute offenders under age sixteen at the time of their crimes nor reach the broader question of the constitutionality of the juvenile death penalty.<sup>38</sup>

Justice Scalia's dissent began with the premise that when first enacted, the Eighth Amendment did not prohibit the death penalty for crimes committed by

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27. *See id.* at 833 (Stevens, J.) (plurality opinion).

28. *See id.* (Stevens, J.) (plurality opinion).

29. *See id.* at 833-37 (Stevens, J.) (plurality opinion).

30. *Id.* at 837 (Stevens, J.) (plurality opinion).

31. *See id.* at 837-38 (plurality opinion).

32. *See id.* at 838; Brief of Petitioner at 22-24, 46-49, *Thompson v. Oklahoma*, 487 U.S. 815 (1988) (No. 86-6169).

33. *See Thompson*, 487 U.S. at 838 (Stevens, J.) (plurality opinion).

34. *See id.* at 848 (O'Connor, J., concurring).

35. *See id.* at 849 (O'Connor, J., concurring).

36. *See id.* at 851-55 (O'Connor, J., concurring).

37. *See id.* at 857 (O'Connor, J., concurring).

38. *See id.* at 857-58 (O'Connor, J., concurring).

persons under age sixteen.<sup>39</sup> Scalia then turned to the standard indicators of the evolving standards of decency and found no clear position from state legislative minimum age standards.<sup>40</sup> The fact that actual sentences and executions of such offenders had been rare indicated to the dissent simply a laudable community reluctance to impose such drastic measures, not a new constitutional standard.<sup>41</sup> Finally, the dissenters rejected the majority's principle that it is ultimately the Court's responsibility to determine whether a punishment is cruel and unusual instead of simply measuring the apparent societal standard.<sup>42</sup>

*Thompson* had three dissenters.<sup>43</sup> Justice Powell had retired the year before the case was decided, and his position had not yet been filled by Justice Kennedy. This left the Court with only eight members. Given Justice Powell's comments in his *Burger* dissent the year earlier, it seems reasonable to assume that Justice Powell would have added a fifth vote to Justice Stevens's plurality opinion. If Justice Powell had delayed his retirement just one year until 1988, the *Thompson* ruling would have had much more authority as a five-one-three decision than as a four-one-three decision. Extending even further this "what if" musing, if Justice Powell had remained through 1989 and participated in the *Stanford* decision, it seems reasonable to assume that *Stanford* would have been a five-one-three decision holding that the minimum constitutionally acceptable age at crime for the death penalty is eighteen, not sixteen. Of course, such a different outcome in *Stanford* would have ended the death penalty for juveniles in the United States, more juvenile offenders would not have been executed, the ABA Moratorium would not have included this issue, and this article would not have been written.

But *Stanford v. Kentucky*<sup>44</sup> was decided one year after *Thompson*. This decision also dealt with the death penalty for juvenile offenders, but here the petitioners were sixteen and seventeen years old at the time of their crimes.<sup>45</sup> Justice Scalia's plurality opinion began with the premise that the death penalty for crimes committed by persons sixteen and seventeen years old was not prohibited by the Eighth Amendment when it was first adopted.<sup>46</sup> Only then did the opinion's analysis move to the "evolving standards of decency" to see if that original Eighth Amendment standard has "evolved."<sup>47</sup>

Justice Scalia's *Stanford* plurality opinion agreed with Justice Stevens's plurality opinion in *Thompson* that any "evolution" must be manifested

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39. See *id.* at 864 (Scalia, J., dissenting).

40. See *id.* at 868 (Scalia, J., dissenting).

41. See *id.* at 869-70 (Scalia, J., dissenting).

42. See *id.* at 873 (Scalia, J., dissenting).

43. See *id.* at 859 (Scalia, J., dissenting). Chief Justice Burger and Justice White joined Justice Scalia's dissenting opinion.

44. 492 U.S. 361 (1989). The *Stanford* ruling also applied to its companion case, *Wilkins v. Missouri*, No. 87-6026.

45. See *Stanford*, 492 U.S. at 365-68 (Scalia, J.) (plurality opinion).

46. See *id.* at 368 (Scalia, J.) (plurality opinion).

47. *Id.* at 369 (Scalia, J.) (plurality opinion).

primarily in action by the various legislatures<sup>48</sup> and juries<sup>49</sup> facing the issue. It is in his *Stanford* plurality that Justice Scalia expanded upon most of the points he had made in his *Thompson* dissent, particularly in characterizing the legislation and jury sentences for offenders aged sixteen and seventeen in comparison to the issue of fifteen-year-olds in *Thompson*. Several states had express statutory minimum ages of sixteen and seventeen for the death penalty,<sup>50</sup> and to these Justice Scalia added those states without any express minimum ages whatsoever on the premise that they meant to include juveniles of sixteen and seventeen.<sup>51</sup>

The practice of sentencing and executing offenders aged sixteen and seventeen clearly had not been as rare as for fifteen-year-old offenders, and Justice Scalia's plurality in *Stanford* interpreted such rarity as understandable and laudable prudence rather than as a clear signal of an evolved standard of decency rejecting the practice.<sup>52</sup>

The primary thrust of the *Stanford* plurality opinion essentially ended there. Justice Scalia already had rejected the practices of other nations as irrelevant to the American societal standard,<sup>53</sup> and next rejected the minimum ages of American statutes on noncapital punishment issues as irrelevant to the individualized analysis uniquely required in capital punishment cases.<sup>54</sup> Justice Scalia thought the Court should ignore the positions of various professional and learned societies, suggesting such views may be appropriate for legislative policy decisions but not for Supreme Court constitutional determinations.<sup>55</sup> His position therefore rejected the 1983 ABA Resolution, and presumably would similarly reject the ABA's 1997 Moratorium.

The *Stanford* plurality rejected the principle that the Court should refer to its own sense of Eighth Amendment requirements, dismissing proportionality analyses based upon relative moral culpability and measurable contributions to acceptable goals of punishment.<sup>56</sup> Finding no societal consensus against the death penalty for sixteen- and seventeen-year-old offenders, the opinion concluded that such punishment is not cruel and unusual under the Eighth Amendment.<sup>57</sup>

Justice O'Connor's two-page concurrence in *Stanford*<sup>58</sup> began with a reminder that her *Thompson* concurrence required a specific, express minimum age in the pertinent death penalty statute before an eligible offender can be

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48. *See id.* at 370-73 (Scalia, J.) (plurality opinion).

49. *See id.* at 373-74 (Scalia, J.) (plurality opinion).

50. *See id.* at 370 (Scalia, J.) (plurality opinion).

51. *See id.* at 370-72 (Scalia, J.) (plurality opinion).

52. *See id.* at 373-74 (Scalia, J.) (plurality opinion).

53. *See id.* at 369 n.1 (Scalia, J.) (plurality opinion).

54. *See id.* at 374-77 (Scalia, J.) (plurality opinion).

55. *See id.* at 378 (Scalia, J.) (plurality opinion).

56. *See id.* at 379 (Scalia, J.) (plurality opinion).

57. *See id.* at 380 (Scalia, J.) (plurality opinion).

58. *See id.* (O'Connor, J., concurring in part).

executed unless such execution is clearly not forbidden by a national consensus.<sup>59</sup> Justice O'Connor concluded, however, that the executions challenged in *Stanford* could proceed since "it is sufficiently clear that no national consensus forbids the imposition of capital punishment on sixteen- or seventeen-year-old capital murderers."<sup>60</sup>

Justice Brennan's dissent in *Stanford*<sup>61</sup> tracked closely the analytical scheme of Justice Stevens's plurality opinion in *Thompson*. After finding the juvenile death penalty generally rejected by legislatures, juries, informed organizations, and other nations,<sup>62</sup> Justice Brennan noted the lesser moral culpability of juveniles and the failure of the juvenile death penalty to make any measurable contribution to acceptable goals of punishment under the Eighth Amendment.<sup>63</sup> The four *Stanford* dissenters would have drawn the minimum constitutional line at age eighteen.<sup>64</sup>

Some rumblings of a challenge to *Thompson* have been heard from local prosecutors and trial court judges, but none have survived appellate court review. For example, the Supreme Court of Louisiana held that *Thompson* prevents fifteen-year-old offenders from being executed in Louisiana.<sup>65</sup> The same result was reached by the appellate courts in Indiana<sup>66</sup> and Alabama.<sup>67</sup> The Florida Supreme Court ruled that, regardless of any mandate from *Thompson*, the Florida Constitution's prohibition against cruel or unusual punishment forbids the execution of fifteen-year-old offenders.<sup>68</sup>

## B. Current Statutes

Thirty-eight states and the federal government have statutes authorizing the death penalty for certain forms of murder.<sup>69</sup> Of those thirty-nine death penalty jurisdictions, fifteen (thirty-eight percent) have expressly chosen age eighteen at the time of the crime as the minimum age for eligibility for that ultimate punishment. Another four (ten percent) have chosen age seventeen as the minimum. The other twenty (fifty-one percent) use age sixteen as the minimum age, either through an express age in the statute (nine states) or by

59. *See id.* (O'Connor, J., concurring in part).

60. *Id.* at 381 (O'Connor, J., concurring in part).

61. *See id.* at 382 (Brennan, J., dissenting).

62. *See id.* at 384-90 (Brennan, J., dissenting).

63. *See id.* at 390-405 (Brennan, J., dissenting).

64. *See id.* at 405 (Brennan, J., dissenting).

65. *See Dugar v. State*, 615 So. 2d 1333 (La. 1993); *State v. Stone*, 535 So. 2d 362 (La. 1988).

66. *See Cooper v. State*, 540 N.E.2d 1216 (Ind. 1989).

67. *See Flowers v. State*, 586 So. 2d 978 (Ala. Ct. Crim. App. 1991).

68. *See Allen v. State*, 636 So. 2d 494 (Fla. 1994).

69. Thirteen American jurisdictions do not have the death penalty: Alaska, District of Columbia, Hawaii, Iowa, Maine, Massachusetts, Michigan, Minnesota, North Dakota, Rhode Island, Vermont, West Virginia, and Wisconsin. *See* Victor L. Streib, *The Juvenile Death Penalty Today: Present Death Row Inmates Under Juvenile Death Sentences and Death Sentences and Executions for Juvenile Crimes, January 1, 1973, to December 31, 1997* (1998), (available at <<http://www.law.onu.edu/faculty/streib/juvdeath.htm>> (visited Feb. 3, 1999); U.S. DEPT OF JUSTICE, BUREAU OF JUSTICE STATISTICS, CAPITAL PUNISHMENT 1995, at 5 (1996) (Gov. doc. no. J29.11/3).



court ruling (eleven states). Table 1 lists the jurisdictions in the respective minimum age categories.

TABLE 1  
MINIMUM DEATH PENALTY AGES BY AMERICAN JURISDICTION

Age Eighteen	Age Seventeen	Age Sixteen
California	Georgia	Alabama
Colorado	New Hampshire	Arizona*
Connecticut	North Carolina	Arkansas*
Illinois	Texas	Delaware*
Kansas		Florida**
Maryland		Idaho*
Nebraska		Indiana
New Jersey		Kentucky
New Mexico		Louisiana
New York		Mississippi*
Ohio		Missouri
Oregon		Montana*
Tennessee		Nevada
Washington		Oklahoma
Federal		Pennsylvania*
		South Carolina*
		South Dakota*
		Utah*
		Virginia*
		Wyoming
14 states and federal	4 states	20 states

*SOURCE: Data available at <<http://www.law.onu.edu/faculty/streib/juvdeath.htm>>, compiled by the author.*

*NOTE: Express minimum age in statute, unless otherwise noted.*

\* Minimum age required by U.S. Constitution per *Thompson v. Oklahoma*, 487 U.S. 815 (1988)

\*\* Minimum age required by Florida Constitution per *Allen v. State*, 636 So. 2d 494 (Fla. 1994)

Some legislative consideration of lowering the minimum age to sixteen can be detected, but it is minimal, at least at this time. For example, when the 1995 federal legislation to impose a wide array of harsher penalties and procedures on juvenile offenders was first proposed, it included a provision, in its original form, that reduced the federal death penalty minimum age limit from eighteen to sixteen. That provision was removed, however, and the federal age limit remains at eighteen.

## IV

## INTERNATIONAL AND FOREIGN LAW

Since at least the end of World War II, the juvenile death penalty has been prohibited by several international norms, such as the express provisions in the United Nations Convention on the Rights of the Child and several other international treaties and agreements.<sup>70</sup> Despite such clear international norms, a few countries still follow this practice. Among these few, the United States appears to be the leader. Our country's continued use of the juvenile death penalty, therefore, not only puts us in direct conflict with the express provisions of the Convention but also makes us the strange odd-man-out in this practice.

Despite this unfavorable international climate for the juvenile death penalty, a few such executions continue to occur. Amnesty International has made the juvenile death penalty a key issue of concern, and its 1995 report on the juvenile death penalty<sup>71</sup> is the touchstone for this research. Amnesty International has documented executions of juvenile offenders in eight countries from 1985 through 1995, and it is reasonable to assume that other such executions occurred but have not been or cannot be documented. This research has focused primarily on executions of persons under age eighteen at the time of the execution, in contrast to the standard measure of age at the time of the crime. While it is true that the crime must have been committed while under age eighteen if the execution takes place while the offender is still under age eighteen, that approach inadvertently may exclude cases in which crimes were committed by persons under age eighteen even though they were over age eighteen when actually executed. As a result, the cases documented by Amnesty International must be seen as a bare minimum, and it should be assumed that other cases exist that have not been documented.

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70. U.N. Conv. on the Rights of the Child, Art. 37(a), G.A. Res. 1386 (XIV), 1 U.N. GAOR, 14th Sess., Supp. No. 16, at 19, U.N. Doc. A/4354 (1959) ("Neither capital punishment nor life imprisonment without possibility of release shall be imposed for offences committed by persons below eighteen years of age."); Int'l Covenant on Civil and Political Rights, Art. 6(5), Dec. 19, 1966, 6 I.L.M. 368, 370 (entered into force Mar. 23, 1976) ("Sentence of death shall not be imposed for crimes committed by persons below eighteen years of age."); American Conv. on Human Rights, Art. 4(5), Nov. 22, 1969, 9 I.L.M. 673, 676 (entered into force July 18, 1978) ("Capital punishment shall not be imposed upon persons who, at the time the crime was committed, were under 18 year of age."); Geneva Conv. Relative to the Protection of Civilian Persons in Time of War, Conv. of Aug. 12, 1949, Art. 68, 6 U.S.T. 3516, 3560, 75 U.N.T.S. 287, 330 ("In any case, the death penalty may not be pronounced against a protected person who was under eighteen years of age at the time of the offence."); Geneva Protocol I Add'l to the Geneva Conventions of Aug. 12, 1949, and Relating to the Protection of Victims on Int'l Armed Conflict, Art. 77(5), U.N. Doc. A/32/144, 16 I.L.M. 1391, 1425 (1977) ("The death penalty for an offence related to the armed conflict shall not be executed on persons who had not attained the age of eighteen years at the time the offence was committed."); Protocol II of 1977 Add'l to the Geneva Conventions of 1949, Art. 6(4) ("The death penalty shall not be pronounced on persons who were under the age of eighteen at the time of the offence. . ."). See generally Brief of *Amicus Curiae* Int'l Human Rights Law Group in Support of Petitioner, Thompson v. Oklahoma, 487 U.S. 815 (1988) (No. 86-6169); Brief of *Amicus Curiae* Amnesty Int'l in Support of Petitioner, Wilkins v. Missouri, 492 U.S. 361 (1989) (No. 87-6026).

71. AMNESTY INTERNATIONAL, JUVENILES AND THE DEATH PENALTY: EXECUTIONS WORLDWIDE SINCE 1985 (Aug. 30, 1995) (AI Index no. ACT 50/05/95).

Table 2 sketches the executions of twenty-two juvenile offenders in foreign countries in the past decade. Perhaps the most shocking case is that of Nasser Munir Nasser al'Kirbi, a thirteen-year-old boy, in Yemen. According to Amnesty International, this boy had been convicted of robbery and murder and was hanged along with three men in the capital of Sana'a on July 21, 1993.<sup>72</sup>

TABLE 2  
DOCUMENTED EXECUTIONS OF JUVENILE OFFENDERS  
IN FOREIGN COUNTRIES, 1985-95

Country	Name of Offender	Age at Execution	Date of Execution
Bangladesh	Mohammed Sleim	17*	Feb. 27, 1986
Iran	Kazem Shirakfan	17	1990
	3 unnamed males	16, 17, 17	Sept. 29, 1992
Iraq	5 Kurdish males	15 to 17	Nov.-Dec. 1987
	8 Kurdish males	14 to 17	Dec. 30-31, 1987
Nigeria	Matthew Anu	18**	Feb. 26, 1989
Pakistan	1 male	17	Nov. 15, 1992
Saudi Arabia	Sadeq Mal-Allah	17	Sept. 2, 1992
Yemen	Nasser Munir	13	July 21, 1993
	Nasser al'Kirbi		

*SOURCE: Amnesty International, supra note 71, at 8-9.*

\* According to Amnesty International, the Bangladeshi government has claimed that Mohammed Selim was at least eighteen years old at the time of his crime. AMNESTY INTERNATIONAL, JUVENILES AND THE DEATH PENALTY: EXECUTIONS WORLDWIDE SINCE 1985, at 8 n.1 (Aug. 30, 1995) (AI Index no. ACT 50/05/95).

\*\* Amnesty International reports that Matthew Anu was seventeen-years-old or younger at the time of his crime and age eighteen when actually executed. AMNESTY INTERNATIONAL, JUVENILES AND THE DEATH PENALTY: EXECUTIONS WORLDWIDE SINCE 1985, at 8 (Aug. 30, 1995) (AI Index no. ACT 50/05/95).

While researchers on this topic are indebted to Amnesty International for having begun to document these executions, we still know very little about the offenders' crimes and the criminal processes by which they were convicted and sentenced to death. This is particularly problematic in comparing these foreign cases to those in the United States, about which we have detailed information as to all events and stages of the process. It must be concluded that the global extent of the use of the juvenile death penalty is still largely unknown. Whether the twenty-two cases documented by Amnesty International represent the vast majority of cases or only the tip of the iceberg cannot be said. However, one suspects that the United States nonetheless is a leader if

72. *See id.*

not *the* leader in this practice. The United States Supreme Court noted in *Thompson* that the juvenile death penalty has been rejected by almost all foreign nations.<sup>73</sup>

## V

## AMERICAN EXECUTIONS

Actual executions of condemned juveniles began in America in 1642, with the execution of Thomas Graunger in Plymouth Colony, Massachusetts. In the three and one-half centuries since that time, a total of 355 persons have been executed for juvenile crimes. While these 355 juvenile executions were imposed by thirty-eight states and the federal government, they constitute only 1.8% of the total of about 19,200 confirmed American executions since 1608.<sup>74</sup>

Eleven of these executions for juvenile crimes have been imposed during the current era (January 1, 1973, to June 1, 1998). These eleven executions are only two percent of the total of 460 executions, about the same execution rate that had been experienced before 1973. Table 3 lists the eleven executions.

TABLE 3  
EXECUTIONS OF JUVENILE OFFENDERS IN THE UNITED STATES, 1973-1998

Name	Date of Execution	Place of Execution	Race	Age at Crime	Age at Execution
Charles Rumbaugh	9-11-1985	Texas	White	17	28
J. Terry Roach	1-10-1986	S.C.	White	17	25
Jay Pinkerton	5-15-1986	Texas	White	17	24
Dalton Prejean	5-18-1990	Louisiana	Black	17	30
Johnny Garrett	2-11-1992	Texas	White	17	28
Curtis Harris	7-1-1993	Texas	Black	17	31
Federick Lashley	7-28-1993	Missouri	Black	17	29
Ruben Cantu	8-24-1993	Texas	Latino	17	26
Chris Burger	12-7-1993	Georgia	White	17	33
Joseph John Cannon	4-22-1998	Texas	White	17	38
Robert A. Carter	5-18-1998	Texas	Black	17	34

*SOURCE:* Data available at <<http://www.law.onu.edu/faculty/streib/juvdeath.htm>>, compiled by the author.

The periods on death row awaiting execution for these current-era executed juvenile offenders ranged from six years to over twenty years. This

73. See *Thompson v. Oklahoma*, 487 U.S. 815, 830-31 (1988).

74. The leading source for these and other data on lawful executions throughout American history is Watt Espy, Director of the Capital Punishment Research Project, located in Headland, Alabama. The numbers reported here are from Espy's January 12, 1998, *List of Confirmations* (on file with author).

extraordinary delay between sentencing and execution is also typical for adult cases, but earlier death penalty eras saw delays of only a very few years at most. All of the juvenile offenders executed during this current era were age seventeen at the time of their crimes. The last offender executed for a crime committed at age sixteen was Leonard M. Shockley, executed on April 10, 1959, in Maryland.<sup>75</sup> As is true in adult cases, Texas is by far the leader in execution of juvenile offenders, accounting for seven (sixty-four percent) of these eleven executions. Without Texas, the United States would have only minimal involvement in the death penalty for juvenile offenders.

## VI

### JUVENILE DEATH SENTENCES IMPOSED IN THE UNITED STATES IN THE CURRENT ERA

Table 4 lists the sentences imposed each year according to the Bureau of Justice Statistics and to my research. A total of 172 juvenile death sentences have been imposed since 1973, only 2.7% of the total of almost 6,300 death sentences imposed for offenders of all ages. Over two-thirds of these juvenile death sentences have been imposed on seventeen-year-old offenders, the other third on offenders aged fifteen and sixteen, and none on offenders aged fourteen or younger at the time of their crimes.

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75. See *Shockley v. State*, 148 A.2d 371 (Md. 1959); *Youth, 17 Dies in Gas Chamber: Shockley Executed for Slaying of Shore Mother*, SUN (Baltimore), Apr. 11, 1959, at 22. See generally STREIB, *supra* note 1, at 118-19.

TABLE 4  
DEATH SENTENCES IMPOSED FOR CRIMES COMMITTED AS JUVENILES,  
JANUARY 1, 1973, TO JUNE 1, 1998

Year	Total Death Senten- ces*	Juvenile Death Sentences (Ages at Crime)			Total Juvenile Death Senten- ces	Juvenile Sentences as Percentage of Total	Juvenile Arrests for Murder (per 100,000)
		15	16	17			
1973	42	0	0	0	0	0.0%	—
1974	149	1	0	2	3	2.0%	—
1975	298	1	5	4	10	3.4%	—
1976	234	0	0	3	3	1.3%	—
1977	138	1	3	8	12	8.7%	—
1978	186	0	1	6	7	3.8%	—
1979	153	0	1	3	4	2.6%	—
1980	175	2	0	3	5	2.9%	6.2
1981	229	0	2	6	8	3.5%	7.0
1982	269	0	1	13	14	5.2%	6.3
1983	253	0	4	3	7	2.8%	5.5
1984	284	3	0	3	6	2.1%	5.5
1985	270	1	1	4	6	2.2%	5.7
1986	304	1	3	5	9	3.0%	6.2
1987	289	1	0	1	2	0.7%	6.9
1988	294	0	0	5	5	1.7%	8.3
1989	262	0	0	1	1	0.4%	10.0
1990	252	1	3	4	8	3.2%	11.9
1991	270	1	0	4	5	1.8%	13.0
1992	290	0	1	5	6	2.0%	12.5
1993	294	0	1	7	8	2.7%	14.3
1994	318	0	4	11	15	4.7%	13.3
1995	325	0	1	8	9	2.9%	10.1
1996	299**	0	4	6	10	3.3%	9.9
1997	300**	0	3	2	5	1.7%	—†
1998	125**	0	1	3	4	3.3%	—†
Total:	6,302	13	39	120	172	2.7%	

\* The source for total annual death sentences is the BUREAU OF JUSTICE STATISTICS, UNITED STATES DEP'T OF JUSTICE, CAPITAL PUNISHMENT 1996, at 13, app. tbl.1.

\*\* Estimates as of June 1, 1998.

† Juvenile murder arrest data unavailable at time of completion of this article.

Of the 172 juvenile death sentences imposed in the current era, as illustrated in the “offenders” portion of Table 6, only sixty-nine (forty percent) remain currently in force. Eleven (six percent) have resulted in execution, and ninety-two (fifty-three percent) have been reversed. Thus, for the 103 juvenile death sentences finally resolved (excluding the sixty-nine death row inmates remaining under juvenile death sentences but still litigating them), the reversal rate is eighty-nine percent (92/103). With only eleven executions resulting thus far from these 172 juvenile death sentences, this is an execution rate of 6.4% (11/172). Interestingly, the execution rate for all death sentences in this current era is 6.5%.<sup>76</sup>

These 172 juvenile death sentences have been imposed in twenty-two individual states, comprising well over half of the death penalty jurisdictions during this time period. Table 5 lists all death penalty jurisdictions that have imposed juvenile death sentences since 1973.

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76. See BUREAU OF JUSTICE STATISTICS, UNITED STATES DEP'T OF JUSTICE, CAPITAL PUNISHMENT 1996, at 1 (1997).

TABLE 5  
STATE-BY-STATE BREAKDOWN OF JUVENILE  
DEATH SENTENCES, JANUARY 1, 1973, TO JUNE 1, 1998

Rank	State	Race of Sentenced Individual			Sex of Sentenced Individual		Age of Sentenced Individual at Crime			Total Death Sentences & Offenders	
		B	L	W	M	F	15	16	17	Sntncs	Offdrs
1	Tex.	19	13	9	41	0	0	0	41	41	40
2	Fla.	8	1	19	28	0	3	8	17	28	23
3	Ala.	8	0	7	14	1	1	7	7	15	14
4	Miss.	6	0	5	10	1	0	5	6	11	10
5	Ga.	4	0	6	9	1	1	0	9	10	7
6	La.	8	0	0	8	0	2	3	3	8	8
7	N.C.	5	0	2	7	0	1	0	6	7	6
8	Okla.	0	0	7	7	0	1	3	3	7	6
9	Ohio	5	0	1	6	0	0	1	5	6	6
10	S.C.	3	0	3	6	0	0	2	4	6	6
11	Ariz.	0	3	2	5	0	0	2	3	5	5
12	Penn.	4	0	1	5	0	1	1	3	5	5
13	Mo.	2	0	2	4	0	0	2	2	4	4
14	Va.	2	0	2	4	0	0	1	3	4	4
15	Ind.	2	0	1	2	1	1	0	2	3	3
16	Md.	2	0	1	3	0	0	0	3	3	2
17	Ark.	2	0	0	2	0	1	1	0	2	2
18	Ky.	1	0	1	2	0	1	0	1	2	2
19	Nev.	1	1	0	2	0	0	2	0	2	2
20	Neb.	1	0	0	1	0	0	1	0	1	1
21	N.J.	1	0	0	1	0	0	0	1	1	1
22	Wash.	0	0	1	1	0	0	0	1	1	1
Total:		84	18	70	168	4	13	39	120	172	158

*SOURCE: Data from Appendix A (infra page 75), compiled by the author; also available at <<http://www.law.onu.edu/faculty/streib/juvdeath.htm>>.*

Texas and Florida are clear leaders in this practice, each having imposed many more juvenile death sentences than any other jurisdiction. Only five of the states have imposed ten or more such sentences. Juvenile death sentences for black and white juvenile offenders appear to be spread around the sentencing jurisdictions fairly evenly, but the nineteen Hispanic/Latino offenders are all in Texas, Florida, Arizona, and Nevada. All eight Louisiana



cases involved black offenders and all six Oklahoma cases involved white offenders.

Almost all juvenile offenders (ninety-eight percent) sentenced to death were males. The four cases involving female juveniles were in the deep south (Mississippi, Alabama, and Georgia) and in Indiana. The thirteen very young offenders (age fifteen at crime) were scattered across ten different states. Appendix A (*infra* page 75) provides a more detailed listing of name, age, race, gender, state, and current status for each juvenile death sentence.<sup>77</sup>

As included in Table 6, as of June 1, 1998, sixty-nine persons were on death row under death sentences received for juvenile crimes. These sixty-nine condemned juvenile offenders constituted two percent of the total death row population of about 3,400. Although all were sixteen or seventeen years old at the time of their crimes, in June 1998, their ages ranged from eighteen to thirty-nine. They were under death sentences in twelve different states and had been on death row from one week to almost twenty years. Texas has by far the largest death row for juvenile offenders, holding twenty-five (thirty-six percent) of the national total of sixty-nine juvenile offenders.

All sixty-nine juvenile offenders on death row were male and had been convicted and sentenced to death for murder. Table 6 outlines the demographic characteristics of these sixty-nine juveniles and their ninety-one victims. More than three-quarters of these cases involved seventeen-year-old offenders, and two-thirds of them were minority offenders. In contrast, eighty-three percent of the victims were adults. Two-thirds of the victims were white, and nearly half were females. The paradigm case of the juvenile offender on death row is that of the seventeen-year-old African-American or Latino male whose victim is a white adult.

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77. The primary and most reliable sources for these data concerning recent death sentences are the data-gathering efforts of the NAACP Legal Defense Fund, Inc. (particularly their *Death Row, U.S.A.*, which is published quarterly), the Death Penalty Information Center, and the National Coalition to Abolish the Death Penalty. Gross sentencing data and patterns are also taken from the BUREAU OF JUSTICE STATISTICS, *supra* note 76.

**TABLE 6**  
**CHARACTERISTICS OF OFFENDERS AND VICTIMS IN**  
**CURRENT JUVENILE DEATH PENALTY CASES, JUNE 1, 1998**

OFFENDERS

Age at Crime	No. (% of total)	Race	No. (% of total)
16	16 (22%)	Black	31 (45%)
17	53 (78%)	Latino	14 (20%)
		White	24 (35%)
Total:	69 (100%)		69 (100%)

VICTIMS

Age at Crime	No. (% of total)	Race	No. (% of total)	Sex	No. (% of total)
0-17	14 (17%)	Asian	5 (6%)	Male	44 (52%)
18-49	55 (66%)	Black	13 (16%)	Female	40 (48%)
50+	14 (17%)	Latino	10 (13%)		
		White	52 (65%)		
Total:	83 (100%)		80 (100%)		84 (100%)
Unknown:	8/91		11/91		7/91

The total number of persons under death sentences has increased by 181% in the past fifteen years, reflecting a steady rise from 1,209 in 1983 to about 3,400 on June 1, 1998. In contrast, the number of juvenile offenders under death sentences has risen much less quickly. Thirty-three juvenile offenders were under death sentences at the close of 1983, compared to sixty-nine juvenile offenders today (a 109% increase), but this number has fluctuated between these two extremes during this decade and a half. This comparatively constant death row population for juvenile offenders results from the fact that the number of new death sentences each year is roughly equal to the combination of death sentence reversals plus executions for juvenile offenders.<sup>78</sup>

## VII

### CONCLUSION: NEED FOR MORATORIUM

The general thrust of the Moratorium is to ask death penalty jurisdictions to correct several flaws and to afford greater fairness in the process.<sup>79</sup> However,

<sup>78</sup> Appendix B, *infra* page 82, sets forth the names of the juvenile offenders currently on death row and some brief details about their crimes and sentences.

<sup>79</sup> See American Bar Ass'n, Report No. 107, at 15 (1997), *reprinted in Appendix, supra* note 7, at 231.

in the context of the juvenile death penalty process, even these changes would satisfy neither the Moratorium nor the 1983 ABA Resolution.<sup>80</sup> The Moratorium calls for the complete prevention of the execution of offenders under age eighteen at the time of their crimes.<sup>81</sup>

As a result of the United States Supreme Court's intervention a decade ago, this practice is now limited to sixteen- and seventeen-year-old offenders, with offenders age fifteen and younger no longer being sentenced to death and executed in the United States. As the previous discussion<sup>82</sup> suggested, the Court came within one vote (an unfortunate timing of a retirement) of making this a moot issue in the United States. However, while the Court has decided by the narrowest of margins to permit states to continue with this practice if they wish to do so, it is clear that the Court does not clearly and strongly endorse the death penalty for juvenile offenders.

The international community is also on the side of opposing the death penalty for juveniles.<sup>83</sup> The continuing involvement of the United States in this practice aligns us with the criminal justice and human rights practices of such countries as Iran and Iraq,<sup>84</sup> odd company indeed for the leading democratic nation of the western world. If the United States wishes to continue to take the high road in pushing other nations to improve their human rights records, our leadership in the practice of the death penalty for juvenile offenders is a strong counterweight to our efforts.

To what alternatives might we turn? Can we, should we, rely on life imprisonment without parole as an acceptable alternative? Apparently, at least twenty-one states currently authorize the imposition of mandatory life imprisonment on fifteen-year-old offenders.<sup>85</sup> While still an evolving area of law, recent cases have permitted life sentences without parole for crimes committed at ages as young as thirteen.<sup>86</sup> However, if we shrink from sentencing a young teenager to death for his or her crimes, can we easily endorse sentencing young teenagers to prison for life without parole? Do not such young persons have every chance of changing as they grow older and mature, certainly as compared to the forty-year-old, three-time loser? Given their life expectancies of well over half a century, do we want to pay the cost to warehouse these young offenders into the second half of the next century? As

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80. *See id.*

81. *See id.*; 1983 Resolution, *supra* note 8, at 1.

82. *See supra* text following note 43.

83. *See supra* note 70 and accompanying text.

84. *See supra* Table 2 and accompanying text.

85. *See Harris v. Wright*, 93 F.3d 581, 583-84 (9th Cir. 1996).

86. Instances of young teenagers sentenced to life imprisonment without parole include *id.* (affirming the constitutionality of a 15-year-old offender in a robbery-murder being sentenced to mandatory life imprisonment without possibility of parole); *Washington v. Massey*, 803 P.2d 340 (Wash. Ct. App. 1988), *review denied*, 802 P.2d 126 (Wash. 1990), *cert. denied*, 499 U.S. 960 (1991) (13-year-old codefendant with Michael Harris in *Harris v. Wright*, 93 F.3d 581 (9th Cir. 1996)); *Naovarath v. State*, 779 P.2d 944 (Nev. 1989) (overturning 15-year-old offender's life sentence without parole on state constitutional grounds); *Workman v. Commonwealth*, 429 S.W.2d 374 (Ky. 1968) (overturning 14-year-old offender's life sentence without parole on state constitutional grounds).

politically felicitous as it is to offer life without parole as an alternative to the death penalty, I for one cannot endorse condemning a young teenager to life in prison without hope of release.<sup>87</sup>

An incarceration alternative of about twenty-five years followed by the possibility of parole would permit us to protect ourselves in the short term from presently violent teenagers. However, the long-term solution is not simply to continue to incarcerate and treat violent teenagers. We need to reduce the supply of violent teenagers in the first place. Our primary attention should be not on sixteen-year-old Johnny who rapes and kills people, but on Johnny's younger brothers who will grow up to be just like him. We not only have to take Johnny out of circulation for as long as necessary, but we have to work with our communities to change the lives of all of these children.

At present, we are reacting out of total frustration with teenage violence and turning to the most violent, draconian punishments for our children. The ABA Moratorium asks us to end this practice. The United States Supreme Court came within a fraction of an inch from abolishing it and the international community prohibits it. Even more powerful forces, such as basic decency and morality, raise the most serious concerns about a people that would kill their children in the name of justice. It is time for us to walk away from this practice, ashamed that we ever went there.

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87. For more of the author's views on the most appropriate sanctions for violent crime by teenagers, see Victor L. Streib, *The Efficacy of Harsh Punishments for Teenage Violence*, 31 VAL. U. L. REV. 427 (1997); Victor L. Streib, *Sentencing Juvenile Murderers: Punish the Last Offender or Save the Next Victim?*, 26 U. TOL. L. REV. 765 (1995).

APPENDIX A  
 JUVENILE DEATH SENTENCES IMPOSED  
 JANUARY 1, 1973, TO JUNE 1, 1998

Year	Offender's Name	Age at Crime	Race/ Gender	State	Current Status
1973	( . . . . . apparently none . . . . . )				
1974	Harris, John	17	B/M	OH	reversed, 1978
	Thompson, Larry	17	W/M	FL	reversed, 1979
	Vasil, George	15	W/M	FL	reversed, 1979
1975	Battie, Billie Joe	17	B/M	TX	reversed, 1981
	Bell, Willie Lee	16	B/M	OH	reversed, 1978
	Bridgeman, Ronnie	17	B/M	OH	reversed, 1978
	Brown, Henry	16	B/M	FL	reversed, 1979
	Gibson, Samuel III	17	B/M	GA	reversed, 1976?
	Hawes, Gary Lee	15	B/M	GA	reversed, 1976
	Jones, Larry	17	B/M	MS	reversed, 1977; resentenced to death, 1977; reversed, 1983
	Pickle, Clanton D., Jr.	16	W/M	MS	reversed, 1977
	Stewart, Rodney L.	16	B/M	NE	reversed, 1977
	Tyler, Gary	16	B/M	LA	reversed, 1976
1976	Davis, Mark Anthony	17	B/M	OH	reversed, 1978
	Johnson, Willie	17	B/M	OH	reversed, 1978
	Simpson, Willie	17	B/M	FL	reversed, 1982
1977	Eddings, Monty Lee	16	W/M	OK	reversed, 1982
	Ferguson, Bernard	17	W/M	TX	reversed, ?
	Jones, Larry	17	B/M	MS	reversed, 1983
	Legare, Andrew	17	W/M	GA	reversed, 1981; resentenced to death, 1982; reversed, 1983; resentenced to death, 1984; reversed, 1986
	Magill, Paul	17	W/M	FL	reversed, 1980; resentenced to death, 1981; reversed, 1987

Year	Offender's Name	Age at Crime	Race/ Gender	State	Current Status
(1977)	Morgan, James	16	W/M	FL	reversed, 1981; resentenced to death, 1981; reversed, 1984; resentenced to death, 1985; reversed, 1989; resentenced to death, 1990; reversed, 1994
	Roach, James Terry	17	W/M	SC	executed, 1-10-86
	Rodriguez, Magdaleno	17	L/M	TX	reversed, 1981
	Ross, Frank	15	B/M	FL	reversed, 1980
	Rumbaugh, Charles	17	W/M	TX	executed, 9-11-85
	Starks, Paul	17	W/M	OH	reversed, 1978
	Valencia, Frank	16	L/M	AZ	reversed, 1982
1978	Boutwell, John	17	W/M	OK	reversed, 1983
	Kenneth				
	Bracewell, Debra	17	W/F	AL	reversed, 1981
	Burger, Christopher	17	W/M	GA	reversed, 1978; resentenced to death, 1979; executed, 12-7-93
	Coleman, S. Kelvin	16	B/M	MS	reversed, 1979
	High, Jose	17	B/M	GA	on death row
	Prejean, Dalton	17	B/M	LA	executed, 5-18-90
	Tyner, Rudolph	17	B/M	SC	reversed, 1979
1979	Brown, Joseph	17	B/M	LA	reversed, ?
	Burger, Christopher	17	W/M	GA	executed, 12-7-93
	Harris, Curtis	17	B/M	TX	reversed, 1982; resentenced to death, 1983; executed, 7-1-93
	Smith, Reginald	16	B/M	LA	reversed, 1981
1980	Davis, Timothy	17	W/M	AL	on death row
	Ibanez, Efran Castro	17	L/M	TX	reversed, 1986
	Ice, Todd	15	W/M	KY	reversed, 1984
	Marshall, Joseph	15	B/M	LA	reversed, 1982
	Roney, James	17	W/M	TX	reversed, 1982
	Lawrence				

Year	Offender's Name	Age at Crime	Race/ Gender	State	Current Status
1981	Burns, Victor	17	B/M	TX	reversed, 1985
	Buttrum, Janice	17	W/F	GA	reversed, 1989
	Graham, Gary	17	B/M	TX	on death row
	Jackson, Carnel	16	B/M	AL	reversed, 1986
	Magill, Paul	17	W/M	FL	reversed, 1987
	Morgan, James	16	W/M	FL	reversed, 1984; resentenced to death, 1985; reversed, 1989; resentenced to death, 1990; reversed, 1994
	Pinkerton, Jay Kelly	17	W/M	TX	executed, 5-15-86
	Tokman, George	17	W/M	MS	reversed, 1988
1982	Barrow, Lee Roy	17	W/M	TX	reversed, 1985
	Cannon, Joseph John	17	W/M	TX	executed, 4-22-98
	Cannaday, Attina	16	W/F	MS	reversed, 1984
	Carter, Robert Anthony	17	B/M	TX	executed, 5-18-98
	Garrett, Johnny Frank	17	W/M	TX	executed, 2-11-92
	Johnson, Lawrence	17	B/M	MD	reversed, 1983; resentenced to death, 1984; reversed, 1988
	Lashley, Frederick	17	B/M	MO	executed, 7-28-93
	Legare, Andrew	17	W/M	GA	reversed, 1983; resentenced to death, 1984; reversed, 1986
	Moe, Randall	17	W/M	FL	reversed, 1983
	Peavy, Robert	17	B/M	FL	reversed, 1983
	Stanford, Kevin	17	B/M	KY	on death row
Stokes, Freddie	17	B/M	NC	reversed, 1982; resentenced to death, 1983; reversed, 1987	
	Thompson, Jay	17	W/M	IN	reversed, 1986
	Trimble, James	17	W/M	MD	reversed, 1990
1983	Bay, Marko	17	B/M	NJ	reversed, 1988

Year	Offender's Name	Age at Crime	Race/ Gender	State	Current Status
(1983)	Harris, Curtis Paul	17	B/M	TX	executed, 7-1-93
	Harvey, Frederick	16	B/M	NV	reversed, 1984
	Hughes, Kevin	16	B/M	PA	on death row
	Lynn, Frederick	16	B/M	AL	reversed, 1985; resentenced to death, 1986; reversed, 1992
	Mhoon, James	16	B/M	MS	reversed, 1985
	Stokes, Freddie	17	B/M	NC	reversed, 1987
1984	Aulizio, Joseph	15	W/M	PA	reversed, 1987
	Brown, Leon	15	B/M	NC	reversed, 1988
	Johnson, Lawrence	17	B/M	MD	reversed, 1988
	Legare, Andrew	17	W/M	GA	reversed, 1986
	Patton, Keith	17	B/M	IN	reversed, 1987
	Thompson, William Wayne	15	W/M	OK	reversed, 1988
	1985	Cantu, Ruben	17	L/M	TX
Livingston, Jesse James		17	B/M	FL	reversed, 1988
Morgan, James		16	W/M	FL	reversed, 1989; resentenced to death, 1990; reversed, 1994
	Ward, Ronald	15	B/M	AR	reversed, 1987
	Williams, Raymond	17	B/M	PA	reversed, 1987
	Willis, Robert James	17	B/M	TX	on death row
1986	Comeaux, Adam	17	B/M	LA	reversed, 1987
	Cooper, Paula R.	15	B/F	IN	reversed, 1989
	LeCroy, Cleo	17	W/M	FL	on death row
	Lynn, Frederick	16	B/M	AL	reversed, 1992
	Matson, John, Jr.	17	B/M	TX	reversed, 1991
	Mitchell, Gerald Lee	17	B/M	TX	on death row
	Sellers, Sean	16	W/M	OK	on death row
	Wilkins, Heath	16	W/M	MO	reversed, 1996



Year	Offender's Name	Age at Crime	Race/ Gender	State	Current Status
(1986)	Williams, Alexander	17	B/M	GA	on death row
1987	Dugar, Troy	15	B/M	LA	reversed, 1993
	Lamb, Wilburn Aaron	17	W/M	FL	reversed, 1988
1988	Adams, Thomas	17	W/M	NC	reversed, 1994
	Hain, Scott Allan	17	W/M	OK	reversed, 1993; resentenced to death, 1994; on death row
	Hegwood, Bernell	17	B/M	FL	reversed, 1991
	Jimenez, Jesus	17	L/M	AZ	reversed, 1990
	Lee, Percy	17	B/M	PA	on death row
1989	Joyner, Richard	17	W/M	NC	reversed, 1991
1990	Blount, John	17	B/M	PA	on death row
	Ellis, Ralph	17	W/M	FL	reversed, 1993
	Flowers, Clayton Joel	15	W/M	AL	reversed, 1991
	Furman, Michael M.	17	W/M	WA	reversed, 1993
	Hart, Gary Davis, II	16	B/M	AL	on death row
	Morgan, James	16	W/M	FL	reversed, 1994
	Neal, John	16	B/M	AL	reversed, 1992
	Slayton, Nathan	17	W/M	AL	on death row
1991	Allen, Jerome	15	B/M	FL	reversed, 1994
	Barraza, Mauro	17	L/M	TX	on death row
	Bonifay, James	17	W/M	FL	reversed, 1993; resentenced to death, 1994; on death row
	Foster, Ronald Chris	17	B/M	MS	on death row
	Thomas, Douglas Chris	17	W/M	VA	on death row
1992	Farina, Jeffery Allen	16	W/M	FL	reversed, 1996
	Knotts, William Thomas	17	W/M	AL	on death row
	Martinez, Miguel	17	L/M	TX	on death row

Year	Offender's Name	Age at Crime	Race/ Gender	State	Current Status
(1992)	McGinnis, Glenn Charles	17	B/M	TX	on death row
	Rey, Johnny	17	B/M	TX	on death row
	Wright, Dwayne Allen	17	B/M	VA	on death row
1993	Alvarado, Steven	17	L/M	TX	on death row
	Blue, David	17	B/M	MS	on death row
	Holley, William	17	W/M	MS	on death row
	Hudgins, Joseph	17	W/M	SC	on death row
	Miles, Laquan	17	B/M	TX	on death row
	Richardson, Antonio	16	B/M	MO	on death row
	Soriano, Oswaldo	17	L/M	TX	on death row
	Williams, Nanon	17	B/M	TX	on death row
1994	Bonifay, James	17	W/M	FL	on death row
	Burgess, Willie Roy, Jr.	16	B/M	AL	on death row
	Conyers, Robert L.	16	B/M	SC	on death row
	Curtis, Memwaldy	17	B/M	FL	on death row
	Domingues, Michael	16	L/M	NV	on death row
	Fong, Martin Paul	17	LC/M	AZ	on death row
	Hain, Scott Allen	17	W/M	OK	on death row
	Jackson, Levi Jaimes	16	W/M	AZ	on death row
	Laird, Kenneth	17	W/M	AZ	on death row
	Monterrubia, Jose	17	L/M	TX	on death row
	Perez, Efrain	17	L/M	TX	on death row
	Roach, Steve E.	17	W/M	VA	on death row
	Simmons, Christopher	17	W/M	MO	on death row
	Villareal, Raul	17	L/M	TX	on death row
	Womble, Curtis Ray	17	B/M	NC	on death row
1995	Barnes, Michael Shawn	17	W/M	AL	reversed, 1998
	Beazley, Napoleon	17	B/M	TX	on death row

Year	Offender's Name	Age at Crime	Race/ Gender	State	Current Status	
(1995)	Dinkins, Justin	17	W/M	TX	on death row	
	Dixon, Anthony Jerome	17	B/M	TX	on death row	
	Hughes, Herman, Jr.	17?	B/M	SC	on death row	
	Jones, T.J.	17	B/M	TX	on death row	
	Mooney, Jerry DuWane	16	W/M	OK	on death row	
	Ortiz, Oscar, III	17	L/M	TX	on death row	
	Patterson, Toronto	17	B/M	TX	on death row	
	1996	Capetillo, Edward	17	L/M	TX	on death row
Cousin, Shareef		16	B/M	LA	on death row	
Dewberry, John Curtis		17	W/M	TX	on death row	
Hyde, James Matthew		17	W/M	AL	on death row	
Jones, Anzel		17	B/M	TX	on death row	
McGilberry, Stephen		16	W/M	MS	on death row	
Powers, Ted Benjamin		16	W/M	SC	on death row	
Ramirez, Nathan		17	L/M	FL	on death row	
Sanford, Damond		16	B/M	AR	on death row	
Urbin, Ryan		17	W/M	FL	on death row	
1997		Arthur, Mark	17	B/M	TX	on death row
		Brennan, Keith M.	16	W/M	FL	on death row
		Jackson, Chauncey	16	B/M	VA	on death row
	Pressley, Marcus D.	16	B/M	AL	on death row	
	Snipes, David	17	W/M	FL	on death row	
1998*	Arroyo, Randy	17	L/M	TX	on death row	
	Carroll, Taurus	17?	B/M	AL	on death row	
	Ferrell, Roderick Justin	16	W/M	FL	on death row	
	Golphin, Kevin	17	B/M	NC	on death row	

\* as of June 1, 1998

APPENDIX B  
CASE SUMMARIES FOR CURRENT DEATH ROW  
INMATES UNDER JUVENILE DEATH SENTENCES,  
JUNE 1, 1998

ALABAMA

Burgess, Willie Roy, Jr.: Black male; age 16 at crime and now age 21; murder of white male age 16(?) (fellow student) in Morgan County on 8-12-93; sentenced on 12-9-94.

Carroll, Taurus: Black male; age 17 at crime, sentenced in 1998.

Davis, Timothy Charles: White male; age 17 at crime and now age 37; robbery of store and rape and murder of white female age 60 in Coosa County on 7-20-78; sentenced on 7-28-80.

Hart, Gary Davis II: Black male; age 16 at crime and now age 25; robbery and murder of white male age 22 in Mobile on 8-12-89; sentenced on 5-9-90.

Hyde, James Matthew: White male; age 17 at crime and now age 20; murder of white male age 36 (police officer) in Albertville (Marshall County) on 1-24-95; sentenced on 7-9-96.

Knotts, William Thomas: White male; age 17 at crime and now age 26; burglary and murder of black female age 37 in Montgomery County on 10-18-89; sentenced in August 1992.

Pressley, Marcus Dewayne: Black male; age 16 at crime and now age 18; robbery and murder of white male age 44 and white female age 48 in Sterrett (Shelby County) on 7-25-96; sentenced on 10-10-97.

Slaton, Nathan D.: White male; age 17 at crime and now age 29; rape and murder of white female age 68 in Albertville (Marshall County) on 6-4-87; sentenced 5-22-90.

ARIZONA

Fong, Martin Paul (AKA Soto-Fong): Latino/Chinese male; age 17 at crime and now age 23; robbery and murder of 3 Asian males, ages 32, 45, and 77, in Pima County (Tucson) on 6-24-92; sentenced on 2-3-94.

Jackson, Levi Jaimes: White male; age 16 at crime and now age 22 (DOB: 1-15-76); car jacking and murder of white female age 40 in rural Pima County on 12-7-92; sentenced on 1-26-94.

Laird, Kenneth Jeremy: White male; age 17 at crime and now age 23 (DOB: 3-21-75); burglary, robbery, and murder of white female age 37 in North Phoenix on 9-3-92; sentenced on 4-15-94.

ARKANSAS

Sanford, Damien: Black male; age 16 at crime and now age 19; rape, robbery, and murder of black female age 85 in Eudora (Chicot County) on 1-1-95; sentenced on 1-9-96.

## FLORIDA

Bonifay, James: White male; age 17 at crime and now age 24 (DOB: 12-26-73); robbery and murder of white male age 36 in Pensacola on 1-26-91; sentenced on 9-20-91; reversed in 1993; resentenced on 12-6-94.

Brennan, Keith M.: White male; age 16 at crime and now age 20 (DOB: 3-18-78); robbery and murder of white male age 19 in Cape Coral on 3-10-95; sentenced on 3-20-97.

Ferrell, Roderick Justin: White male; age 16 at crime and now age 18; robbery and murder of white female age 54 and white male age 49 in Eustis on 11-25-96; sentenced on 2-27-98.

LeCroy, Cleo Douglas: White male; age 17 at crime and now age 35 (DOB: 3-7-63); robbery and murder of white male age 27 and white female age 25 in Palm Beach County on 1-4-81; sentenced on 10-1-86.

Ramirez, Nathan: Latino male; age 17 at crime and now age 21 (DOB: 4-22-77); rape and murder of white female age 71 in New Port Richey on 3-7-95; sentenced on 11-8-96.

Snipes, David: White male; age 17 at crime and now age 20 (DOB: 6-17-77); murder of white male adult in Fort Meyer (Lee County) on 2-9-95; sentenced on 4-11-97.

Urbib, Ryan: White male; age 17 at crime and now age 20 (DOB: 10-24-77); robbery and murder of male age 22 in Jacksonville on 9-1-95; sentenced on 10-11-96.

## GEORGIA

High, Jose Martinez: Black male; age 17 at crime and now age 39 (DOB: 8-16-58); kidnap and murder of white male age 11 in Crawfordville on 7-26-76; sentenced on 12-1-78.

Williams, Alexander Edmund IV: Black male; age 17 at crime and now age 30 (DOB: 3-29-68); rape and murder of white female age 16 in Richmond County on 3-4-86; sentenced on 8-29-86.

## KENTUCKY

Stanford, Kevin N.: Black male; age 17 at crime and now age 34 (DOB: 8-23-63); rape and murder of white female age 20 in Louisville on 1-7-81; sentenced on 9-28-82.

## MISSISSIPPI

Blue, David: Black male; age 17 at crime and now age 23; robbery and murder of black female age 35 in Greenwood (Leflore County) on 6-6-92; sentenced on 4-2-93.

Foster, Ronald Chris: Black male; age 17 at crime and now age 26 (DOB: 1-8-72); robbery and murder of white male adult in Lowndes County on 6-10-89; sentenced on 1-17-91.

Holley, William: White male; age 17 at crime and now age 23 (DOB: 8-6-74); robbery and murder of black male age 37 in Grenada County on 7-12-92; sentenced on 3-3-93.

McGilberry, Stephen: White male; age 16 at crime and now age 20; 4 death sentences for murders of white female age 45 (his mother), white male age 44 (his stepfather), white female age 24 (his stepsister), and white male age 3 (his stepsister's son) in St. Martin (Jackson County) on 10-13-94; sentenced on 2-9-96.

#### MISSOURI

Richardson, Antonio: Black male; age 16 at crime and now age 23 (DOB: 9-3-74); rape and murder of two white females ages 19 and 20 in St. Louis County on 4-4-91; sentenced on 7-2-93.

Simmons, Christopher: White male; age 17 at crime and now age 22 (DOB: 4-26-76); burglary and murder of white female age 46 in Jefferson County on 9-9-93; sentenced on 8-19-94.

#### NEVADA

Domingues, Michael (AKA Miguel): Latino male; age 16 at crime and now age 21; burglary, theft, and murder of Asian female age 24 and Asian male age 4 in Las Vegas in August 1993; sentenced on 9-16-94.

#### NORTH CAROLINA

Golphin, Kevin: Black male; age 17 at crime and now age 18; murder of white male age 48 (Highway Patrol officer) and white male age 58 (Sheriff's Corporal) on 9-23-97 near Fayetteville; sentenced on 5-13-98.

Womble, Curtis Ray: Black male; age 17 at crime and now age 22; murder of black male age 60 on 3-16-93; sentenced in 1994.

#### OKLAHOMA

Hain, Scott Allen: White male; age 17 at crime and now age 27 (DOB: 6-2-70); robbery, arson, and murder of white male age 27 and white female age 22 in Creek County on 10-6-87; sentenced on 5-24-88; reversed in 1993; resentenced in 1994.

Mooney, Jerry DuWane: White male; age 16 at crime and now age 21; burglary, robbery, and murder of white male age 93 on 5-11-93 (death on 11-19-93) near Canute (Washita County); sentenced on 10-5-95.

Sellers, Sean Richard: White male; age 16 at crime and now age 29 (DOB: 5-18-69); murder of white male age 35 in Oklahoma City on 9-8-85 and murder of mother age 32 and stepfather age 43 in Oklahoma City on 3-5-86; sentenced on 10-2-86.

## PENNSYLVANIA

Hughes, Kevin: Black male; age 16 at crime and now age 36 (DOB: 3-8-62); rape and murder of black female age 9 in Philadelphia on 3-1-79; sentenced on 10-27-83.

Lee, Percy: Black male; age 17 at crime and now age 29; murder of two black females, ages 17 and 33, in Philadelphia on 2-26-86; sentenced on 1-28-88.

## SOUTH CAROLINA

Conyers, Robert Lewis: Black male; age 16 at crime and now age 23; murder of white female age 2 in Clarendon County on 11-24-91; sentenced on 2-17-94.

Hudgins, Joseph: White male; age 17 at crime and now age 22 (DOB: 9-1-75); murder of white male age 21 (deputy sheriff) in Anderson County on 12-7-92; sentenced on 7-28-93.

Hughes, Herman Lee, Jr.: Black male; age 17(?) at crime and now age 21(?); robbery and murder of male age 20 in Orangeburg on 3-18-94; sentenced in 1995.

Powers, Ted Benjamin: White male; age 16 at crime and now age 24; burglary, robbery, and murder of white male age 68 in Lexington County on 9-8-90; sentenced on 2-23-96.

## TEXAS

Alvarado, Steven Brian: Latino male; age 17 at crime and now age 24; robbery and murder of adult Hispanic male and adult Hispanic female in El Paso on 9-22-91; sentenced on 10-5-93.

Arroyo, Randy: Latino male; age 17 at crime and now age 18; kidnapping and murder of Latino male age 39 in San Antonio on 3-11-97; sentenced on 3-6-98.

Arthur, Mark: Black male; age 17 at crime and now age 19; murder of Latino male age 41 in Harris County on 12-21-96; sentenced on 12-17-97.

Barraza, Mauro Morris: Latino male; age 17 at crime and now age 26 (DOB: May 1972); murder of white female age 73 in Haltom City (Tarrant County) on 6-14-89; sentenced on 4-8-91.

Beazley, Napoleon: Black male; age 17 at crime and now age 21 (DOB: 8-5-76); robbery and murder of white male adult in Dallas (Dallas County) on 4-19-94; sentenced in 1995.

Capetillo, Edward B.: Latino male; age 17 at crime and now age 21 (DOB: 5-13-77); murder of multiple victims in Harris County on 1-16-95; sentenced in March 1996.

Dewberry, John Curtis: White male; age 17 at crime and now age 20; murder of white male age 57 in Beaumont (Jefferson County) on 12-25-94; sentenced on 11-21-96.

Dinkins, Justin Wiley: White male; age 17 at crime and now age 21 (DOB: 7-28-76); murder in Randall County on 3-12-94; sentenced in 1995.

Dixon, Anthony Jerome: Black male; age 17 at crime and now age 21; robbery and murder of white female adult in Houston (Harris County) on 5-15-94; sentenced in 1995.

Graham, Gary L.: Black male; age 17 at crime and now age 34 (DOB: 9-5-63); robbery and murder of white male adult in Houston (Harris County) on 5-13-81; sentenced on 10-26-81.

Jones, Anzel: Black male; age 17 at crime and now age 20 (DOB: 2-4-78); murder of multiple victims in Grayson County on 5-2-95; sentenced in 1996.

Jones, T.J.: Black male; age 17 at crime and now age 21 (DOB: 11-1-76); robbery and murder of elderly male in Gregg County on 2-2-94; sentenced in 1995.

Martinez, Miguel Angel: Latino male; age 17 at crime and now age 25; robbery and murder of white male age 33 and two Hispanic males (ages 14 and 22) in Laredo (Webb County) on 1-18-91; sentenced on 4-8-92.

McGinnis, Glenn Charles: Black male; age 17 at crime and now age 25; murder of white female adult in Montgomery County on 8-1-90; sentenced in spring 1992.

Miles, Laquan: Black male; age 17 at crime and now age 24 (DOB: 3-12-74); kidnapping and murder of two black male adults in Waco (McLennan County) on 8-24-91; sentenced on 6-2-93.

Mitchell, Gerald Lee: Black male; age 17 at crime and now age 30; murder of white male adult in Harris County on 6-4-85; sentenced on 4-12-86.

Monterrubio, Jose Ignacio: Latino male; age 17 at crime and now age 21 (DOB: 7-6-76); rape and murder of Latina female age 17 in Brownsville (Cameron County) on 9-5-93; sentenced in 1994.

Ortiz, Oscar, III: Latino male; age 17 at crime and now age 22 (DOB: 5-5-76); robbery and murder of Latino male age 38 in Bexar County on 1-19-94; sentenced on 7-6-95.

Patterson, Toronto: Black male; age 17 at crime and now age 21 (DOB: 10-17-77); murder of black female age 3 (along with female age 6 and female age 25) in Dallas on 6-6-95; sentenced on 11-21-95.

Perez, Efrin: Latino male; age 17 at crime and now age 22; rape and murder of white female age 14 and Latina female age 16 in Houston (Harris County) on 6-24-93; sentenced on 9-22-94.

Rey, Johnny: Latino male; age 17 at crime and now age 24; murder of white male age 72 in Randall County on 5-12-91; sentenced in February 1992.

Soriano, Oswaldo Regaldo: Latino male; age 17 at crime and now age 23 (DOB: 1-26-75); robbery and murder of adult male in Amarillo on 11-17-92; sentenced in 1993.

Villareal, Raul: Latino male; age 17 at crime and now age 22; rape and murder of white female age 14 and Latina female age 16 in Houston (Harris County) on 6-24-93; sentenced on 9-22-94.



Williams, Nanon McKewn: Black male; age 17 at crime and now age 23 (DOB: 8-2-74); murder of white male age 19 in Harris County on 5-4-92; sentenced in 1993.

Wills, Robert James (AKA Bobby Joe): Black male; age 17 at crime and now age 31 (DOB: 1-28-67); robbery and murder of white female in Orange County on 1-17-85; sentenced on 5-14-85.

#### VIRGINIA

Jackson, Chauncey: Black male; age 16 at crime and now age 19 (DOB: July 1978); robbery and murder of black male age 28 in Norfolk on 8-31-94; sentenced on 5-20-97.

Roach, Steve E.: White male; age 17 at crime and now age 22; robbery and murder of white female age 70 near Stanardsville (Greene County) on 12-3-93; sentenced in 1994.

Thomas, Douglas Christopher: White male; age 17 at crime and now age 24 (DOB: 5-29-73); murder of white female and white male (both age 33) in Piankatank Shores (Middlesex Co.) on 11-10-90; sentenced on 11-21-91.

Wright, Dwayne Allen: Black male; age 17 at crime and now age 24; robbery, attempted rape, and murder of black (Ethiopian) female age 34 in Fairfax County in 1991; sentenced on 1-24-92.