

reliable sources. In accordance with MLA style, Spence names his sources in the text and lists them at the end. (See the Appendix for information on using and citing sources.)

They seemed larger than me that day, the rain drops, as they fell from an endless gray sky. They illuminated the headlights of oncoming traffic in an iridescent and blurred shine. The display of colors seemed only to intensify the fear and magnify the pain I felt inside about yet another tragedy taking place in my life. I sat there dressed in an orange jumpsuit, feet shackled together and a waist chain tightly secured around my midsection to restrict my arms firmly to my sides. The sheriff's van traveled at what felt like the speed of light, never allowing me to collect my thoughts before arriving at my next destination: life in an adult institution at the age of sixteen. The words compassionately spoken by the sheriff that day have never left the confines of my soul: "I didn't even start to get it together until I was twenty-five," he said. The sheriff will never understand the extent to which his words thrashed about my heart. Had I been tried and convicted as a juvenile, I would have been given a better chance at rehabilitation and a second chance in society at the age of twenty-five. I feel even more strongly now than I did back then that trying juvenile offenders as adults and sentencing them to life in prison is immoral.

In the year 2000, the people of California voted and passed Proposition 21. This allowed for juveniles as young as fourteen who are accused of a serious crime to be tried as adults at the discretion of the district attorney trying the case. Prior to Proposition 21, juveniles accused of such crimes were given what is called a "707(b) hearing" in front of a judge, to determine if they met the criteria to be tried as an adult. Before Proposition 21 was introduced, only in rare and extreme cases of violence were juveniles tried as adults.

It is easy for me to understand the feelings of one who is opposed to my position. Juveniles do commit crimes that are serious and are considered to be "adult crimes." The juveniles who receive life sentences are certainly not receiving them for petty crimes; it is not as if the fourteen-year-old shoplifter is locked up and the key is then thrown away. I would agree, too, that most juveniles have a sense of right and wrong from an early age. Surely children know that they are not supposed to take cookies out of the cookie jar unless given permission by their parents. On a greater scale most adolescents know it is wrong to smoke, use drugs, cheat, or steal and, therefore, know it is wrong to commit crime, period. But it seems only fair that if we are going to take into account the social development

Prison continues, on those who are entrusted to it, a work begun elsewhere, which the whole of society pursues on each individual through innumerable mechanisms of discipline. —Michel Foucault

Man is not made better by being degraded; he is seldom restrained from crime by harsh measures, except the principle of fear predominates in his character; and then he is never made radically better for its influence. —Dorothea Dix

Of the three official objects of our prison system—vengeance, deterrence, and reformation of the criminal—only one is achieved; and that is the one which is nakedly abominable. —George Bernard Shaw

JOURNAL RESPONSE What is the purpose of prison in a civilized society? Do we jail people to punish them, to rehabilitate them, or to protect others from them? Are there other ways to respond to crime? In your journal, write a few paragraphs exploring your thoughts on these questions.

Charlie Spence

Charlie Spence was born in 1980 and grew up in Sacramento, California, with two brothers and a single mother "who always tried her best." At the age of sixteen, Spence was sentenced to a prison term of twenty-six years to life; he is serving his time at San Quentin and has been working with at-risk youth since 2005. He takes college courses from Patten University through the Prison University Project and plans to earn a degree in social psychology. Spence reports that he "strongly desires to be not only free, but a leading voice for change in America's juvenile justice practices." Beyond sentencing reform, his interests include reading and sports.

Sixteen

(Student Essay)

Spence first wrote "Sixteen" for a Patten University composition course in 2009 and revised it for the Compact Reader in 2010. Not surprisingly, Spence is opposed to sentencing juveniles as adults. Although we might have reason to suspect his objectivity, he overcomes the problem by presenting his case rationally and by backing up his claims with ample evidence from

of morality within these children, then by that same token we should also consider their mental development and take into account the neuroscience and the high likelihood of rehabilitating these same children.

According to a newspaper article published in the *Los Angeles Times*⁴ and a study conducted for the University of San Francisco's Center for Law and Global Justice, 2,387 juvenile offenders have been given life sentences here in the United States (Weinstein; Leighton and de la Vega 2). To understand this prodigious number, and contemplate the depraved nature of this practice, consider that Israel, the *only other country* in the world to hand out such sentences, is a far and distant second with seven. According to the study, Israel has not handed out such sentences since 2004 (Leighton and de la Vega iii). While the populations in these two countries widely differ, these statistics seem to suggest that Israel uses such sentences in extreme cases only. It should be noted that of the juveniles sentenced to life without parole here in the United States, half of those sentences were issued to first-time offenders (Leighton and de la Vega 14). It is alarming that we are willing to sentence, at a staggering number, our youth offenders to life with or without parole considering that juveniles stand the greatest chance to be rehabilitated.

Senator Leland Yee of San Francisco-San Mateo, whose background⁵ is in child psychology, states, "Children have the highest capacity for rehabilitation. The neuroscience is clear; brain maturation continues well through adolescence and thus impulse control, planning, and critical-thinking skills are not fully developed" (qtd. in Weinstein). Other studies support this same finding: the San Francisco Center for Law and Global Justice study asserts, "Psychologically and neurologically, children cannot be expected to have achieved the same level of mental development as an adult, even when they become teenagers" (Leighton and de la Vega i). A perfect example of an immature brain is a fourteen-year-old child, with whom I became acquainted in juvenile hall, who had been asked by a peer to beat up a homeless man for twenty-five cents. This child, having never been accepted by a peer group before, proceeded to beat up the homeless man. The subsequent and tragic outcome of the situation was the homeless man died from his injuries and the child was given life in prison, all because he acted on an impulse to be accepted by friends and lacked the critical thinking skills of a fully developed mind. Had this been a mature adult who had been asked to beat up a homeless man for twenty-five cents, I find it hard to believe that he would have done it.

Juvenile offenders should be punished for serious crimes they⁶ commit, but as juveniles in juvenile facilities, where a "life" sentence

ends at age twenty-five. The oldest that children can be tried as minors is seventeen, an age that allows for eight years of time in which they can serve their punishment and in which we have an opportunity to rehabilitate them. Age sixteen allows for nine years and so on. By placing our youth in adult facilities with life sentences, we are giving up on them. According to the Center on Juvenile and Criminal Justice, fifteen- to twenty-one-year-olds make up 13 percent of our prison population and together they make up 22 percent of all suicide deaths in our institutions. Juveniles are 7.7 times more likely to commit suicide in adult facilities than in juvenile facilities. Whereas only 1 percent of juveniles reported rape in the juvenile system, that actual number is nine times higher in the adult system. It is not just about these numbers, though. At what point do we brand a person for life for the worst thing he or she did as a child?

The lack of mental maturity and development within the minds⁷ of juveniles is what sets the stage for a 2005 US Supreme Court ruling in which the Court determined that it is unconstitutional to execute a person under the age of eighteen. In their majority opinion, the Court cited research saying that the mental capacity of juveniles was not the same as that of adults (*Roper v. Simmons*). Here, the highest court in the United States is acknowledging that juveniles lack careful and exact evaluation and judgment, as well as the ability to control sudden spontaneous inclinations or urges because of their undeveloped minds. Perhaps this is the reason why juveniles are not allowed to choose for themselves whether or not they can go watch an R-rated movie until the age of seventeen. They cannot vote until age eighteen, buy a pack of cigarettes until age eighteen, or buy alcohol until the age of twenty-one. The contrast here is drastic; by one means we are suggesting that seventeen-year-old teenagers are only entering a mature enough mental state to choose whether they wish to watch an R-rated movie, yet by another we are suggesting that they are mature enough to understand the full consequences of a crime they may commit.

Obviously, we as a society recognize the difference between the⁸ mental capacity of juveniles and adults too, or we would not have constructed laws based on the age of an individual as a determining factor for conduct. It seems unfair that we only want to recognize the difference in mental development between adult and child up to the point when the child exercises bad judgment. I hate to think that we are so cruel as a society and a country that we would rather place our children in prison because of poor decision making

with an immature brain, for a crime they are convicted of, than try to rehabilitate them while their mental capacity for reform is at its pinnacle.

Works Cited

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- Roper v. Simmons 543 US 551. Supreme Court of the US. 2005. *Supreme Court Collection*. Legal Information Inst., Cornell U Law School, n.d. Web. 10 Feb. 2010.
- Weinstein, Henry. "Focus on Youth Sentences." *Los Angeles Times*. Los Angeles Times, 19 Nov. 2007. Web. 2 Feb. 2010.

Meaning

1. According to Spence, what is the purpose of sending people to prison? What *should* be the purpose, as he sees it? Where in the text does he state the central assumption that grounds his argument?
2. Why does Spence believe that sentencing juveniles to life is immoral? Summarize his supporting arguments in your own words.
3. Spence tells readers that he is serving a life sentence, but he doesn't say what crime he committed. Does it matter? Why, or why not?
4. Some of the following words may be new to you. Try to guess their meanings from the context of Spence's essay. Test your guesses in a dictionary, and then use each new word in a sentence or two of your own.

iridescent (1)	prodigious (4)	spontaneous (7)
confines (1)	depraved (4)	inclinations (7)
discretion (2)	capacity (5, 8)	pinnacle (8)
neuroscience (3, 5)	subsequent (5)	

Purpose and Audience

1. What is the purpose of the personal story with which Spence opens his essay? How did it affect you?
2. Who would Spence's ideal readers be? Politicians? Prisoners? Average citizens? Why do you think so?

Method and Structure

1. Examine how Spence uses information and ideas from sources to develop and support his main idea. What might his argument have lost without this material?
2. How would you rate Spence's ethical appeal? What strategies does he use to overcome readers' potential doubts about his objectivity?
3. How does Spence handle opposing viewpoints? What is the effect of acknowledging that juveniles do commit serious crimes and that life sentences for juvenile offenders are not handed down lightly?
4. **OTHER METHODS** In paragraph 4, Spence uses comparison and contrast (Chapter 11) to examine the sentencing practices in the United States and Israel. What are the differences? How does this comparison further Spence's argument that trying juveniles as adults is wrong?

Language

1. How would you describe Spence's attitude toward his subject? What is the overall tone of his argument?
2. Why does Spence take such pains to refer to juvenile offenders as "children" throughout his essay? How does he use repetition of key words to reinforce his main point?

Writing Topics

1. **JOURNAL TO ESSAY** The United States imprisons more of its citizens than almost any other country. Why is this the case? Reread the quotations and the journal entry you wrote before reading Spence's essay (p. 338). Develop your ideas into an essay that explains and supports your thoughts on the uses of imprisonment in America. Do we, as Spence suggests, jail people to punish them for their crimes, or do other motives come into play? Are such motives reasonable? Is imprisonment effective at accomplishing the purposes assigned to it? Is the institution abused or misused in any way? Whatever your position, be sure to support it with plenty of details and examples and to consider how others might disagree with you.
2. Prison is a perennially popular subject in fiction. Find a novel or film that takes prison, or something related to prison (such as involuntary commitment to a mental hospital), as its subject. (For novels, you might consider Charles Dickens's *Little Dorrit*, Malcolm Braly's *On the Yard*, or Kurt Vonnegut's *Hocus Pocus*. Films touching on this subject include