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Testimony
Jacques Pelham
April 25, 2003
Senate Committee on Judiciary

Ladies and Gentleman of this committee, this bill is not about abolition it is about punishment. Children who commit horrible crimes must be punished and we must ensure our society is safe. But we must also ensure that our society achieves its goals of justice and fairness when it punishes its children. It is our argument that the juvenile death penalty does not achieve these goals and it should not be used as an acceptable form of punishment in the State of Nevada. For those who have already committed crimes and deserve to be punished, the evidence presented and the arguments you will hear show that life WITHOUT the possibility of parole is a more legally acceptable and just punishment.

The medical evidence you will hear and see is overwhelming in that it shows the inferior mental capacity of juveniles. We must also consider the standards of decency and justice established both internationally and domestically regarding this issue. It is frightening to think that the United States has shared the use of the juvenile death penalty with countries that do not allow women the right to vote and consider stoning an acceptable form

of capital punishment. Furthermore, numerous legal organizations from state legislatures to state supreme courts to the American Bar Association have denounced the juvenile death penalty. In 1999 the Montana State Legislature voted to raise it's state minimum age to 18 and in 2001 the Indiana State Legislature did the same thing.

Public opinion is also in favor of raising the minimum age that the death penalty can be imposed. The studies and polls we will present undeniably show that the juvenile death penalty is unacceptable to the people of the United States.

Unfortunately, Teens can commit what are considered "the worst of the worst" crimes. However, our system of justice is founded on making the punishment fit the intent and culpability of a criminal. In its proper use, the death penalty is intended to punish criminals whose intent and culpability is beyond the reaches of any other punishment. Our argument shows that juveniles must be punished, but simply do not meet the criteria for this ultimate adult punishment.

We trust that your judgment will not be clouded by emotion and anger while you determine the future of what Nevada's standards of justice will entail.

Instead, we believe that you will see this argument for what it truly is, a plea for this State to raise to the level of decency and fairness established in the medical standards presented and the legal doctrines used by the majority of people throughout the world.