

Episode 6 SHOW NOTES

Episode 6 - Standards of Decency

Should juveniles who commit murder ever be given a second chance, or do they deserve to be locked up for life? In 2012 that question made its way to the Supreme Court in a landmark case argued by renowned attorney and activist Bryan Stevenson. Their ruling, while not a slam dunk, gave Sterling hope for an eventual release.

Show Notes

Featured

Sterling Cunio

[Ryan O'Connor](#), Criminal Defense Attorney

Chloe Williams, Criminal Defense Attorney

[Aliza Kaplan](#), Professor of Lawyering and Director of the Criminal Justice Reform Clinic at Lewis & Clark University School of Law.

Melissa

Media

[Audio Report](#): NPR, "Do Juvenile Killers Deserve Life Behind Bars" (March 2012)

[Video](#): PBS, "Weighing Life Without Parole for Juvenile Murder Convicts" (March 2012)

[Oral Arguments](#): *Miller v. Alabama* (2012)

References and Sources

[Case](#): *Miller v. Alabama* (includes Summary of Facts, Recordings of Oral Arguments, and Written Opinions)

[Report](#): Equal Justice Initiative, "Cruel and Unusual: Sentencing 13- and 14-Year-Old Children to Die in Prison" (2008) (with updates)

[Info Page](#): Equal Justice Initiative, "Death Penalty"

[Report](#): Oregon Justice Resource Center, "Youth and Measure 11 in Oregon: Impacts of Mandatory Minimums" (2019 Update)

[Article](#): NPR, "Four of 'Oregon Five' Juvenile Killers Go Before Parole Board" (October 2012)

[Report](#): Vera Institute of Justice, "Incarceration Trends in Oregon" (2019)

[Article](#): Equal Justice Initiative, "Sentencing Commission Finds Black Men Receive Longer Sentences Than White Men for Same Crime" (November 2017)

[Article](#): The Appeal, "People of Color Receive the Harshest Punishments, and the Disparities are Growing" (December 2019)

[Article](#): NPR, "When a prison sentence becomes a death sentence" (April 2023)

[Article](#): My Oregon News, "Seven Things to Know About Juvenile System Changes" (March 2020)

[Report](#): The Sentencing Project, “No End in Sight: America’s Enduring Reliance on Life Imprisonment” (2021)

[Article](#): Multnomah County, “Multnomah County celebrates SB 1008, a milestone in juvenile justice reform” (August 2019)

[Article](#): Prison Policy Initiative, “The Aging Prison Population” (August 2023)

Supreme Court Cases

[Roper v. Simmons](#) (2005) - capital punishment of juvenile offenders is unconstitutional

[Graham v. Florida](#) (2009) - life without parole of juvenile offenders in non-homicide cases is unconstitutional

[Miller v. Alabama](#) (2012) - mandatory life without parole of juvenile offenders in homicide cases is unconstitutional unless the juvenile is found “permanently incorrigible”

[Montgomery v. Louisiana](#) (2016) - applies Miller v. Alabama retroactively

More Information

[Webpage](#): Equal Justice Initiative, “Miller v. Alabama”

[Article](#): Justia Verdict, “On the Tenth Anniversary of *Miller v. Alabama*, Much Work Remains to End Juvenile Life Without Parole Sentences” (July 2022)

[Law Review Article](#): Columbia Law Review, “*Miller v. Alabama* and the Problem of Prediction” (2020)

[Article](#): The Marshall Project, “RBG’s Mixed Record on Race and Criminal Justice” (September 2020)

[Article](#): Oregon Public Broadcasting, “A racist history shows why Oregon is still so white” (June 2020)