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## **75 Prominent Judges, Prosecutors, Probation, Corrections and Law Enforcement Leaders Call on Supreme Court to Reject 241-Year Sentence for Juvenile**

*Former judges, prosecutors, and law enforcement leaders argue 241-year sentence imposed on juvenile in non-homicide case is unconstitutional*

**Seventy-five prominent criminal justice leaders** – including former U.S. Solicitors General **Kenneth Starr** and **Donald Verrilli**, former Acting U.S. Attorney General **Sally Yates**, and former F.B.I. Director **William Webster** – are urging the Supreme Court to overturn a 241-year prison sentence that a Missouri court imposed on Bobby Bostic for two armed robberies he committed as a 16-year-old.

In a friend-of-the-court (amicus) brief filed today, these leading officials joined in supporting Mr. Bostic’s petition to the Supreme Court, challenging his sentence—under which he is not eligible for parole until age 112. The brief, the second filing of its kind (the first is available [here](#)) from national law enforcement and criminal justice leaders, argues that the sentence is a violation of Mr. Bostic’s rights under the Eighth Amendment to the U.S. Constitution and the Supreme Court’s 2010 decision in *Graham v. Florida*, which held that juvenile offenders convicted of non-homicide crimes must have a meaningful opportunity to obtain release based on demonstrated maturity and rehabilitation. Mr. Bostic’s petition was filed with the Supreme Court by the American Civil Liberties Union of Missouri and the national ACLU.

“The Eighth Amendment requires our criminal justice system to account for the unassailable reality that children are different—an insight the Supreme Court has also recognized, and one which is supported by the ever-growing scientific literature regarding juvenile brain development,” said **Miriam Aroni Krinsky**, Executive Director of [Fair and Just Prosecution](#) and a signatory on the brief. “Recognizing that children have a unique capacity for rehabilitation and should be sentenced accordingly, with an opportunity for second chances, comports with both the pursuit of justice and public safety.”

Thirteen current elected prosecutors from across the country signed onto the brief, including **Washington, D.C. Attorney General Karl Racine**, **District Attorneys Scott Colom** (Columbus, MS), **Mark Dupree** (Kansas City, KS), **Eric Gonzalez** (Brooklyn, NY), **Mark Gonzalez** (Corpus Christi, TX), **John Hummel** (Bend, OR), **Larry Krasner** (Philadelphia, PA), **Beth McCann** (Denver, CO), **Tori Verber Salazar** (Stockton, CA), **Raúl Torrez** (Albuquerque, NM); **State’s Attorney Sarah George** (Burlington, VT), **State Attorney Andrew Warren** (Tampa, FL), and **Prosecuting Attorney Carol Siemon** (Lansing, MI).

They were joined by **nine former judges**, including retired federal judges **Nancy Gertner** (U.S. District Court for the District of Massachusetts), **Patricia M. Wald** (U.S. Court of Appeals for the D.C. Circuit), and **Ann Claire Williams** (U.S. Court of Appeals for the 7<sup>th</sup> Circuit) and retired Washington State Supreme Court Justice **Bobbe Bridge**. A full list of signators is below.

“Judges, law enforcement officers and prosecutors are aware that young people have the capacity to reform and grow out of the immaturity that can lead them to criminal conduct. We see that frequently in the cases that come into our offices and our courtrooms,” said **Denver (CO) DA Beth McCann**, one of the elected DAs who joined the brief.

The brief argues—on behalf of officers of the law—that the rule of law requires that Supreme Court decisions recognizing constitutional protections not be eviscerated by formalistic distinctions, such as that between a sentence labeled “life without parole” and a no-parole-until-age-112 sentence.

“Condemning a juvenile involved in a nonhomicide case to die in prison – with no opportunity for release – is unjust and irreconcilable with Supreme Court case law,” said **Ingham County (Lansing, MI) Prosecuting Attorney Carol Siemon**, another signator on the brief.

The amicus brief was authored by attorneys Clifford M. Sloan and Brendan B. Gants. [Fair and Just Prosecution](#), a national network of newly elected prosecutors committed to change and innovation, coordinated the amicus effort.

“This case represents an end-run around the Constitution and the law of the land as decided by the Supreme Court. It is a mere formality that the sentence issued in this case has an end date, because whether it’s 112 years or life without parole, the result is the same for this juvenile – death in prison,” said **Clifford M. Sloan**, one of the authors of the brief.

“Mr. Bostic’s sentence—241 years in prison starting at age 16—dooms him to life without parole. That is his punishment, no matter what term we use for the sentence he received,” said **Tony Rothert, legal director, ACLU of Missouri**. “The Supreme Court in *Graham* ruled that life without parole for juveniles is unconstitutional. Mr. Bostic should be no exception.”

The amicus brief is available [here](#).

**For additional questions, or to speak with amici, please contact Miriam Krinsky at [krinskym@krinsky.la](mailto:krinskym@krinsky.la) or 818-416-5218.**

## **FULL LIST OF SIGNATORS**

1. **Roy L. Austin, Jr.**, former Deputy Assistant to the President for the Office of Urban Affairs, Justice, and Opportunity; former Assistant U.S. Attorney, U.S. Attorney’s Office for the District of Columbia.

2. **Shay Bilchik**, former Associate Deputy Attorney General and Administrator, Office of Juvenile Justice and Delinquency Prevention, U.S. Department of Justice; former Chief Assistant State Attorney, 11th Judicial Circuit (Miami-Dade County), Florida.
3. **Bobbe J. Bridge**, former Justice, Washington State Supreme Court.
4. **Michael R. Bromwich**, former Inspector General, U.S. Department of Justice; former Chief, Narcotics Unit, U.S. Attorney's Office for the Southern District of New York.
5. **Jim Bueermann**, former Chief of Police, Redlands, California; president, The Police Foundation.
6. **Gladys Carrión**, former Commissioner, New York State Office of Children and Family Services; former Commissioner, New York City Administration for Children's Services.
7. **Scott Colom**, District Attorney, Sixteenth Circuit, Mississippi.
8. **Rock Cowles**, former Officer, Boiling Springs Police Department, South Carolina.
9. **Brendan Cox**, former Chief of Police, Albany, New York.
10. **Mark A. Dupree, Sr.**, District Attorney, Wyandotte County (Kansas City), Kansas.
11. **Peter Edelman**, former Director, New York State Division for Youth.
12. **Clarence Edwards**, former Chief of Police, Montgomery County, Maryland.
13. **George C. Eskin**, former Judge, California Superior Court; former Assistant District Attorney, Ventura County and Santa Barbara County, California.
14. **John Farmer**, former Attorney General, State of New Jersey; former Assistant U.S. Attorney, U.S. Attorney's Office for the District of New Jersey.
15. **Lisa Foster**, former Judge, California Superior Court; former Director, Office for Access to Justice, U.S. Department of Justice.
16. **Shelley Fox-Loken**, former Corrections Officer, State of Oregon; former Parole and Probation Officer, State of Oregon.
17. **Neill Franklin**, former Major, Baltimore City and Maryland State Police Departments.
18. **Brian Gaughan**, former Officer, Iowa and Illinois Police.

19. **Sarah F. George**, State's Attorney, Chittenden County (Burlington), Vermont.
20. **Nancy Gertner**, former Judge, U.S. District Court for the District of Massachusetts.
21. **Michael Gilbert**, former Corrections Officer, Arizona Department of Corrections.
22. **Diane Goldstein**, former Lieutenant Commander, Redondo Beach Police Department, California.
23. **Eric Gonzalez**, District Attorney, Kings County (Brooklyn), New York.
24. **Mark Gonzalez**, District Attorney, Nueces County (Corpus Christi), Texas.
25. **James P. Gray**, former Judge, Superior Court of Orange County, California.
26. **Vanita Gupta**, former Acting Assistant Attorney General and Principal Deputy Assistant Attorney General for the Civil Rights Division, U.S. Department of Justice.
27. **Michele Hirshman**, former First Deputy Attorney General, State of New York; former Chief, General Crimes and Public Corruption Units, U.S. Attorney's Office for the Southern District of New York.
28. **Tim Hitt**, former Corporal, Monroe Police Department, Louisiana; former Deputy Sheriff, Ouachita Parish Sheriff's Office, Louisiana.
29. **Martin F. Horn**, former Commissioner, New York City Department of Corrections; former Commissioner, New York City Department of Probation; former Secretary of Corrections, Commonwealth of Pennsylvania; former Executive Director, New York State Division of Parole.
30. **John Hummel**, District Attorney, Deschutes County (Bend), Oregon.
31. **Michael P. Jacobson**, former Commissioner, New York City Department of Corrections; former Commissioner, New York City Department of Probation.
32. **Candice Jones**, former Director, Illinois Department of Juvenile Justice.
33. **Dorothy Yates Kirkley**, former Acting U.S. Attorney, Northern District of Georgia; former Assistant Attorney General, State of Georgia.
34. **Larry Krasner**, District Attorney, Philadelphia, Pennsylvania.

35. **Miriam Aroni Krinsky**, former Chief, Criminal Appeals Section, U.S. Attorney's Office for the Central District of California; former Chair, Solicitor General's Advisory Group on Appellate Issues.
36. **Corinna Lain**, former Assistant Commonwealth's Attorney, Richmond, Virginia.
37. **Douglas Letter**, former Terrorism Litigation Counsel and Appellate Litigation Counsel, Civil Division, U.S. Department of Justice.
38. **Robert L. Listenbee**, First Assistant District Attorney, Philadelphia, Pennsylvania; former Administrator, Office of Juvenile Justice and Delinquency Prevention, U.S. Department of Justice.
39. **David M. Long**, former Special Agent, Office of Labor Racketeering, U.S. Department of Labor—Office of the Inspector General.
40. **John Mathews II**, former Assistant U.S. Attorney, U.S. Attorney's Office for the District of Puerto Rico.
41. **Gordon D. McAllister, Jr.**, former Judge, District Court of Tulsa County, Oklahoma.
42. **Beth McCann**, District Attorney, Second Judicial District (Denver), Colorado.
43. **Patrick McCarthy**, former Director, Delaware Division of Youth Rehabilitative Services.
44. **Mary McCord**, former Acting Assistant Attorney General and Principal Deputy Assistant Attorney General for National Security, U.S. Department of Justice; former Chief, Criminal Division, U.S. Attorney's Office for the District of Columbia.
45. **Terri McDonald**, Chief Probation Officer, Los Angeles County, California; former Assistant Sheriff, Los Angeles County, California; former Undersecretary, California Department of Corrections and Rehabilitation.
46. **Steve Miller**, former Sergeant, Canton Police Department, Michigan.
47. **David Muhammad**, former Chief Probation Officer, Alameda County (Oakland), California; former Deputy Commissioner, New York City Department of Probation.
48. **Titus Peterson**, former Lead Felony Prosecutor, Fifth Judicial District Attorney's Office, Colorado.
49. **Jim Petro**, former Attorney General, State of Ohio.

50. **Channing Phillips**, former U.S. Attorney, District of Columbia; former Senior Counselor to the Attorney General and Deputy Associate Attorney General, U.S. Department of Justice.
51. **Karl Racine**, Attorney General, District of Columbia.
52. **Ira Reiner**, former District Attorney, Los Angeles County, California.
53. **Meg Reiss**, former Chief of Staff, Nassau County (Long Island) District Attorney's Office, New York; former Assistant District Attorney, Kings County (Brooklyn) District Attorney's Office, New York.
54. **Tori Verber Salazar**, District Attorney, San Joaquin County (Stockton), California.
55. **Vincent Schiraldi**, former Commissioner, New York City Department of Probation; former Director, District of Columbia Department of Youth Rehabilitation Services.
56. **Harry Shorstein**, former State Attorney, Fourth Judicial Circuit, Florida.
57. **Carol A. Siemon**, Prosecuting Attorney, Ingham County, Michigan.
58. **Neal R. Sonnett**, former Chief, Criminal Division, U.S. Attorney's Office for the Southern District of Florida.
59. **Darryl A. Stallworth**, former Deputy District Attorney, Alameda County (Oakland), California.
60. **Norm Stamper**, former Chief of Police, Seattle Police Department, Washington.
61. **Kenneth W. Starr**, former Judge, U.S. Court of Appeals for the District of Columbia Circuit; former Solicitor General of the United States.
62. **Paul Steigleder**, former Deputy Sheriff, Clackamas County Sheriff's Office, Oregon.
63. **Mark D. Steward**, former Director, Missouri Division of Youth Services.
64. **Carter Stewart**, former U.S. Attorney, Southern District of Ohio.
65. **Thomas P. Sullivan**, former U.S. Attorney, Northern District of Illinois.
66. **Carl Tennenbaum**, former Sergeant, San Francisco Police Department, California.

67. **Raúl Torrez**, District Attorney, Bernalillo County (Albuquerque), New Mexico.
68. **Donald B. Verrilli, Jr.**, former Solicitor General of the United States; former Associate Deputy Attorney General, U.S. Department of Justice.
69. **Patricia M. Wald**, former Chief Judge, U.S. Court of Appeals for the D.C. Circuit.
70. **Andrew H. Warren**, State Attorney, Thirteenth Judicial Circuit (Tampa), Florida.
71. **William H. Webster**, former Judge, U.S. Court of Appeals for the Eighth Circuit; former Judge, U.S. District Court for the Eastern District of Missouri; former Director, Federal Bureau of Investigation; former Director, Central Intelligence Agency.
72. **Ronald Weich**, former Assistant Attorney General, U.S. Department of Justice; former Special Counsel, U.S. Sentencing Commission; former Assistant District Attorney, New York County (Manhattan), New York.
73. **Carl Wicklund**, former Executive Director, American Probation and Parole Association.
74. **Ann Claire Williams**, former Judge, U.S. Court of Appeals for the Seventh Circuit; former Judge, U.S. District Court for the Northern District of Illinois.
75. **Sally Yates**, former Acting Attorney General of the United States; former Deputy Attorney General of the United States; former U.S. Attorney for the Northern District of Georgia.