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## **Juvenile Law Center Submits Amicus Brief in Support of Cyntoia Brown**

*Brief Challenges Life Sentence Imposed on Brown When She Was 16 Years Old*

**Philadelphia, PA** (January 16, 2018) – Today Juvenile Law Center, along with several other advocacy organizations, [filed an amicus \(friend of the court\) brief](#) in the United States Court of Appeals for the Sixth Circuit, on behalf of Cyntoia Brown, a Nashville young woman who received a life sentence with the opportunity for parole after 51 years when she was just sixteen years old. Cyntoia's case recently garnered national media attention when several celebrities, including [Rihanna](#) and [Kim Kardashian West](#), spoke out against this unjust and unconstitutional, sentence.

"Cyntoia's sentence is wholly disproportionate for a 16-year-old girl, and therefore unconstitutional," said Marsha Levick, Deputy Director and Chief Counsel for Juvenile Law Center. In a series of cases between 2005-2016, the U.S. Supreme Court has made clear that the developmental differences between youth and adults prohibit sentencing children as if they are "mini-adults." Mandatory life without parole sentences are now impermissible under the Constitution's ban on cruel and unusual punishment.

"With a life sentence and a chance for parole only after 51 years of incarceration, the court has sentenced Cyntoia to die in prison. Moreover, this sentence was mandatory and thus imposed without any consideration of Cyntoia's background, childhood, or other distinctive developmental attributes," continued Levick. "Her sentence violates recent Supreme Court decisions like *Miller v. Alabama* and *Montgomery v. Louisiana*, where the Court ruled that all but the rarest of juveniles – those who are permanently incorrigible -- deserve a chance to re-enter society before the expiration of their sentence."

Brown's lawyers have asked the Sixth Circuit Court of Appeals to overturn her sentence and order that she be re-sentenced. Her lawyers are also arguing that she was actually innocent of the homicide for which she was convicted because, as a child who suffered from Fetal Alcohol Syndrome, she lacked the sufficient mental capacity to be convicted of first-degree murder. She is currently serving her sentence at the Tennessee Prison for Women.

"Since the U.S. Supreme Court decision in *Montgomery v. Louisiana*, most states have rolled back the harsh sentencing practices imposed on youth, offering both opportunities for resentencing and the opportunity for parole," said Riya Saya Shah, Senior Supervising Attorney at Juvenile Law Center. "This Tennessee sentencing scheme is unduly harsh, foreclosing both any realistic opportunity for parole or any individualized consideration. Scientific research confirms that young people are extremely unlikely to reoffend; kids mature and grow out of offending behavior. Cyntoia's exemplary record since she has been incarcerated more than proves her capacity for rehabilitation. Consistent with the Supreme Court rulings, Cyntoia deserves to have her day in court, and re-sentenced only after an individualized consideration."

Juvenile Law Center [has fought extreme sentencing of youth across the country](#), and served as co-counsel in *Montgomery v Louisiana*. Brown's case is a reminder that youth continue to face unjust and unconstitutional sentences, despite Supreme Court rulings and research confirming their developmental differences and their unique capacity to change.

Joining Juvenile Law Center as amici are: Southern Poverty Law Center; Center on Wrongful Convictions of Youth, Bluhm Legal Clinic, Northwestern Pritzker School of Law; Children and Family Justice Center, Bluhm Legal Clinic, Northwestern Pritzker School of Law; The Sentencing Project; Campaign for Fair Sentencing of Youth; The Phillips Black Project; Massachusetts General Hospital Center for Law, Brain and Behavior; and Robert F. Kennedy Human Rights.

*Juvenile Law Center advocates for rights, dignity, equity and opportunity for youth in the foster care and justice systems. Founded in 1975, Juvenile Law Center is the first non-profit, public interest law firm for children in the country. We fight for youth through litigation, appellate advocacy and submission of amicus (friend-of-the-court) briefs, policy reform, public education, training, consulting, and strategic communications. Widely published and internationally recognized as leaders in the field, Juvenile Law Center has substantially shaped the development of law and policy on behalf of youth. We strive to ensure that laws, policies, and practices affecting youth advance racial and economic equity and are rooted in research, consistent with children's unique developmental characteristics, and reflective of international human rights values. For more information about Juvenile Law Center's work, visit [www.JLC.org](http://www.JLC.org).*

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