



Coalition of Bar Associations of Color

RESOLUTION SUPPORTING SENTENCE MITIGATION FOR YOUTH OFFENDERS

WHEREAS the Coalition of Bar Associations of Color (CBAC), organized in 1993, is a coalition created to act as a collective voice for issues of common concern to its member organizations; and

WHEREAS the member organizations of the Coalition of Bar Associations of Color are the Hispanic National Bar Association (HNBA), National Asian Pacific American Bar Association (NAPABA), the National Bar Association (NBA), and the National Native American Bar Association (NNABA); and

WHEREAS in *Roper v. Simmons*, 543 U.S. 551 (2005) the United States Supreme Court held that the death penalty cannot be imposed upon juvenile offenders under 18 years of age;

WHEREAS Justice Kennedy, writing for a clear majority of the Supreme Court in *Roper*, recognized that “lack of maturity and an underdeveloped sense of responsibility are found in youth more often than in adults and are more understandable among the young. . . . “[A]dolescents are overrepresented statistically in virtually every category of reckless behavior;” and “. . . [J]uveniles are more vulnerable or susceptible to negative influences and outside pressures, including peer pressure;”

WHEREAS the Court in *Roper* acknowledged the brutal crimes that too many juvenile offenders have committed but also concluded that the contrast between juvenile and adult offenders is too great to risk the imposition of the death penalty on a juvenile

THEREFORE BE IT RESOLVED that the Coalition of Bar Associations of Color urges the passage of legislation at every level which, at a minimum, specifically allows for the consideration of immaturity, lack of impulse control and judgment as mitigating factors to be weighed in the imposition of sentences on juvenile offenders.

CERTIFICATION

WE, the duly-elected Presidents of the Hispanic National Bar Association (HNBA), National Asian Pacific American Bar Association (NAPABA), National Bar Association (NBA), and National Native American Bar Association (NNABA), hereby certify that the foregoing Resolution was duly enacted by a duly-noticed meeting of the Board of Directors.



HINDA
HISPANIC NATIONAL BAR ASSOCIATION
HINDA



NNABA

Victor W. Morquez
President, Hispanic National Bar Association

5/15/08
Date

Vanita M. Banks
President, National Bar Association

5/15/08
Date

Heather Dawn Thompson
President, National Native American Bar Association

5/15/08
Date

President, National Asian Pacific American Bar Association

Date