
Rocky Mountain News
Series on Life Without Parole

September 2005

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Part I

Rocky Mountain News

September 15, 2005

Special Report: Locked Up Forever

Debate builds over the fate of 46 teen killers sentenced to life in prison without parole

By **Gwen Florio, Sue Lindsay and Sarah Langbein, Rocky Mountain News**
Photography by **Dennis Schroeder, Rocky Mountain News**



Awaiting his fate: Antonio Farrell is held before sentencing at the Adams County Detention Center in 1997. He was 17 when he and another teen killed Barbara Jane Castor, 76.

Ira Castor remembers his telephone ringing at 5:30 p.m. on Sunday, Nov. 17, 1996.

It was Floyd Wilson, his mother's neighbor.

Your mom's bathroom window is broken, Wilson told him.

No big deal, Castor figured. His 76-year-old mother, so energetic he called her "Granny Go-Go," was always working on her knickknack-crammed ranch home outside Brighton. He figured she'd been painting, again, and had knocked a ladder through the glass.

The phone shrilled a second warning.

Your mom's car is gone, Wilson said. Has been since Friday, he said.

Ira Castor slammed down the phone in his Lochbuie home, sprinted to his truck and floored it toward Brighton.

An emotional debate

Fifty-one weeks after those telephone calls, two teenagers, Kevin Blankenship and Antonio "Tony" Farrell, were sentenced to life in prison without parole for the murder of Barbara Jane Castor.

The two are among 45 young men and one woman in Colorado's prisons who were juveniles when they committed murders that got them locked away forever.

That's one in every eight lifers in Colorado.

A debate over how to handle such cases is playing out nationwide, putting many states, including Colorado, under a spotlight.

The issue:

Are such unyielding sentences appropriate for those arguably too young to fully understand or control their actions?

Or, are their crimes — all murders — so heinous that the risk is simply too great to ever give them a chance at freedom?

The debate gained momentum in March, when the U.S. Supreme Court ruled the death penalty unconstitutional for anyone younger than 18, a practice that had been allowed in 19 states, although not in Colorado.

Such organizations as the international Human Rights Watch, the American Civil Liberties Union and the Colorado Springs-based Pendulum Foundation see eliminating mandatory life-without-parole sentences for juveniles as the next logical step.

Lawmaker gets involved

"We are throwing away the key to some lives — not all — that might be rehabilitated," said state Rep. Lynn Hefley, R-Colorado Springs.

Hefley sponsored an unsuccessful bill last spring that would have added Colorado to the handful of states where juveniles convicted of even the most brutal crimes eventually could be eligible for parole.

"In a majority of cases, these people could become thoughtful, sensitive, remorseful adults," said Steven Drizin, a Northwestern University law professor who co-authored one of the briefs cited by the Supreme Court in its ruling striking down the death penalty for juveniles.

"A life without parole can be more demoralizing than a death sentence," Drizin said. "It's the death of hope."

But prosecutors see the sentences as a crucial deterrent to a crime rate that, a decade ago, seemed out of control.

Most of the state's young lifers were sentenced in the mid- to late-1990s, when the juvenile crime rate peaked.

Today, violent crime by juveniles in Colorado, as well as nationally, is at its lowest level since the mid-1980s. No crime has landed a Colorado juvenile in prison for life since 2000, according to Department of Corrections records.

Most of the lifers sentenced as juveniles in Colorado are in their 20s, with little experience of the freedoms — or responsibilities — of adulthood. When one of Colorado's young lifers was asked what he missed most about life on the outside, he answered:

"Peanut butter Cap'n Crunch."

The Pendulum Foundation, which seeks more flexible sentencing for juveniles, emphasizes their youth.

"Children," it calls them.

"Our Colorado teenagers."

Or even, "our Lost Boys," a nod to the fact that all but one are male.

Bob Grant, who heads the Colorado District Attorney's Council, uses a different word.

"I refer to them as murderers," he said, "because they are."

The teenagers in question shot their victims, stabbed them, strangled them. They beat them with their fists, a baseball bat, a pair of fireplace tongs, a rock, even a victim's platform shoe.

Their youngest victim was a 3-year-old boy who stopped a gang member's stray bullet while napping in his car seat. The oldest was an 86-year-old woman whose teenage neighbor said his idea of "doing something sexual" got out of hand.

These inmates are serving life sentences for killing 46 people.

The victims include Barbara Jane Castor, a mechanic's mother who was fiddling under the hood of her Cutlass outside the Kmart in Brighton when two boys asked her for a lift.



Family photo: Barbara Jane Castor was 76 when she was abducted in November 1996 and left to die in a freezing field. Her family called her "Granny Go-Go" because of her energetic lifestyle.



Seeking solace: Richard Castor, front, and his nephew, Troy Castor, comfort one another on Nov. 20, 1996, after a news conference concerning Castor's murder. Richard Castor is her son, Troy her grandson.

'A lot of madness'

The new tires on the old Cutlass caught Kevin Blankenship's attention, he told authorities.

Only a week after stealing a car and running away from their fractured homes in Rockford, Ill., he and Farrell were broke and at loose ends in Colorado.

Not that their situation was much worse than what they'd left behind. Blankenship's father, a near-stranger to him, was dead of a drug overdose; his mother was on welfare and crack, and had been entangled with a series of men, court documents show.

Blankenship was small for 16, only 5-foot-4, and asthmatic. Baby fat rounded his features. A skinny mustache penciled his lip. He kept running away from whichever relative was housing him at the time.

"There was a lot of madness back there," Blankenship recalled recently in prison.

So when Farrell suggested heading to Colorado, where he'd lived for a time and had a girlfriend, Blankenship was game, even a little excited, he said.

"I had never seen mountains before, so that was something new," he said.

Farrell did not respond to a Rocky Mountain News request for an interview. But court records describe a life that was even more tumultuous than Blankenship's.

Farrell had been in and out of mental institutions since he was 7. By 17, Farrell had experienced years of physical and sexual abuse, and had tried to kill himself. He'd also threatened to kill his mother and tie up his stepfather, rape him and kill him.

He told a psychiatrist that he'd heard voices most of his life: "Two males, two little devils. They talk regularly with deep voices."

The youths' single week on the road turned into an extension of the chaos they'd fled. They stole a second car in Ogallala, Neb., and lived in it until the carburetor busted. After that, they hung around the Tomahawk Truck Plaza in Brighton until they were asked to leave. They hit up elderly people for rides.

One couple gave them a ride to the Kmart, where they spotted the Cutlass and its driver, Blankenship told investigators.

She turned out to be a nice old lady. Talkative. Gave them a ride, no problem, chatting all the while to Farrell, beside her, and Blankenship, in the back seat.

She told them about her husband and his Alzheimer's.

She told them he died a few years back.

She told them she lived alone.

Then Kevin Blankenship jammed a gun into the soft flesh of her throat, and Barbara Jane Castor stopped talking.



Site of slaying: Part of a concrete dam stands near where Castor died in the fall of 1996. Her teenage killers bound her, covered her 130-pound body under more than 300 pounds of debris — logs, chunks of cement, a tire — and drove away in her Oldsmobile Cutlass. That night the temperature plunged to 11 degrees, and 6 inches of snow fell.



A time to remember: Ira Castor, left, and Richard Castor pay an emotional visit recently to the remote site northeast of Strasburg in Adams County where their mother was left to die. Kevin Blankenship, 16, and Antonio "Tony" Farrell, 17, were convicted of first-degree murder in Barbara Jane Castor's slaying and sentenced to life without parole.

No discretion for judges

Although most states allow life sentences for juveniles, they diverge wildly in how those laws are applied. Blankenship and Farrell are both from Illinois, which has 1,342 inmates serving life without parole. But only five committed their crimes as juveniles.

Colorado has 46 young murderers among its 360 lifers.

Here, the road to life without parole begins with death.

Only those found guilty of first-degree murder — killings that are premeditated and intentional, or committed during other felonies — get life. But they always get it.

The law mandates life without parole for first-degree murder, just as it mandates that jurors can't know about the inflexibility of the penalty when they're deliberating. Nor does the judge have any say. There are only two ways out of prison: reconsideration by the appeals court or support from the governor, who can commute the sentence.

That troubles Karen Ashby, the presiding judge in Denver Juvenile Court.

"I think judges should have the discretion to make decisions in individual cases, based on the circumstances in those cases," she said.

Judges, she said, are more likely to take into account the views of all concerned — the victim, the defendant and the community — than district attorneys, whose chief role is to prosecute cases, she said.

Under Colorado's system, the decision on how to charge an individual rests solely with prosecutors. A decision to pursue second-degree murder instead of first-degree, for example, could shave years off an offender's prison time.

Alison Parker of Human Rights Watch said that although many states have life without parole, few mandate the sentence.

"Frankly, from a human rights perspective, that raises concerns," said Parker, author of *Thrown Away: Children Sentenced to Life Without Parole in Colorado*.

Colorado differs from many states in another respect. It allows district attorneys to "direct file" a juvenile case in adult court. Until 1993, a judge had to hold a hearing to transfer the charges, Grant said. That same year, the law was expanded to allow children as young as 12 to be tried in adult court for violent crimes, although transfer hearings are still required for children younger than 14.

A significant change in sentencing laws had already occurred in 1990, making life in prison truly a life sentence. Previously, lifers were eligible for parole after 40 years, Grant said.

The 1993 changes in the law converged with a surge in killings by teenagers that came to be known in Denver as the "Summer of Violence."

More than 43 people across the state were slain by juveniles in 1993, the most in a single year since at least 1984, according to the Colorado Bureau of Investigation. Rapes and violent assaults also were up, and continued to run high through 1998.

The youth of the killers and the savagery of their crimes shocked the public:

- A 14-year-old and two 16-year-olds punched, kicked and clubbed a teacher until she bled to death.
- A 16-year-old was among seven gang members who kidnapped a 14-year-old girl. The group gang-raped and sexually tortured her for hours before stabbing her 28 times and throwing her into Clear Creek.
- A 17-year-old was sexually assaulting an 11-year-old neighbor when her mother walked in. He beat the mother and daughter to death with a baseball bat.

All of those youngsters now are serving life without parole.

"The worst of the worst," Grant called them, when opposing Hefley's bill. "There's no cookie bandits on that list."

Grant cites firsthand experience for his adamant support of tough sentencing laws. He was the Adams County district attorney when Barbara Jane Castor went missing and a youth tipped off authorities that two kids named Kevin Blankenship and Tony Farrell had spent the weekend partying at Castor's house before family members realized she was gone.

'She was plumb feared'

Blankenship's weapon was only a broken BB gun, but it makes sense to Ira Castor that his mother would have climbed right into the trunk when told.

"She was plumb feared of guns," he said.

Ignoring the screams and banging from the trunk, Farrell drove out onto the plains, along gravel roads where the view in all directions is of rolling fields and grazing land. The roads were well-graded, and the ride was fairly smooth. But the last quarter-mile was so bumpy, along a frozen mud track across a field, that Farrell turned off the road and drove across the field beside it, Blankenship told authorities.

The car topped a hill and descended the other side, out of sight from a couple of nearby farmhouses. It stopped by a dry creekbed. The boys opened the trunk. Barbara Jane Castor's hands were raw from pounding against it.

The day was cold, but Castor believed ladies shouldn't wear pantsuits. Her green dress, pink sweater and tan raincoat were adequate for running errands but not to withstand the bitter winds that sweep the empty stretches of the plains. She kept a brown wool blanket, a gift from her mother, in the Cutlass in case of emergencies. This was surely an emergency.

The blanket was taken from the car.

Then it was torn into strips.

'Foolish, foolish choices'

Kids are different.

That pretty much sums up the argument that more leeway is needed in sentencing juveniles.

The report from Human Rights Watch says teens have less ability to control their impulses, think through the consequences of their acts and resist peer pressure.

Hefley says she has reviewed studies showing that "truly, the brain is not developed and these young people make foolish, foolish choices."

Difficult childhood environments compound the problem, say Hefley and other advocates. Jacob Ind, who was 15 when he recruited a 17-year-old friend to help him kill his mother and stepfather, alleged years of emotional, physical and sexual abuse.

Blankenship's childhood was, according to a prison report, "extremely dysfunctional . . . and marred by physical abuse." At his trial, his attorney described him as "dumb as a rock," a characterization that still rankles.

"I knew I didn't really consider myself to be a real intelligent individual," Blankenship said recently in prison. "I didn't think I was all the way down there."

In Farrell's young lifetime, he's been variously diagnosed with psychiatric disorders, including depression, identity disorder and "major depressive disorder, recurrent with psychotic features, congruent with mood."

He told doctors he had hallucinations, blackouts and migraines. His maternal grandparents were both schizophrenic; his father, an alcoholic; his stepfather, bipolar, according to a psychiatric report. His mother was diagnosed with borderline manic and post-traumatic stress disorder, the report said.

He spent three months in a psychiatric hospital in 1996 and was released six months before Castor's murder. By September, he was "crying all the time." In October, he was "feeling bad." In November, "I'd hit stuff just to hurt myself in other ways."

November is when his voices — "my two devils" — came back.

They were with him when he fled to Colorado.

They spoke to him on Nov. 15, the day he and Blankenship abducted Castor, according to a psychiatrist's report.

"They said, 'It's all your fault. You're hurting her.' "



Prison schooling: A ninth-grade dropout, Blankenship earned his GED after other inmates tutored him. He recently wrote a letter to the governor arguing that society helped cultivate many of the state's young killers. This photo was taken in May at the Limon Correctional Facility.



Charged with murder: Kevin Blankenship leaves Adams County Court on Nov. 20, 1996, when he was 16. He was subsequently convicted.

Left to die

The lone remaining abutment of the washed-out concrete dam rears above the otherwise monotonous prairie vista.

Barbara Jane Castor was down below, on the side of the dry creekbed, screened by tangled brush.

It was two weeks before Thanksgiving. Strips of the blanket that could have warmed Castor instead secured her wrists. String bound her legs together, along with more pieces of her mother's blanket. A final scrap of wool became a blindfold. Castor was placed on her back, and her arms yanked above her head and tied to pieces of rebar.

Someone could have walked within a few yards of her without seeing a thing. Not that anyone would have passed. Harvest season in these acres of farm fields was long past. The nearest town, Strasburg, was nearly 20 miles away.

It was getting dark. Stuff was heaped on her. Logs. Chunks of cement. The spare tire was placed on her face, but she jerked her head out from under it, Blankenship told investigators. Another log went on top of the tire. More than 300 pounds of debris pressed down on the 130-pound woman with a bum knee.

Barbara Jane Castor couldn't move, but she could still talk.

"Why are you doing this?" she asked.

Then she begged: "Don't do this. Don't do this."

Finally, she prayed. "God help me," she said.

That gave the teens pause. As the youths drove away, they discussed their fears that "God'll get us," Blankenship told authorities later.

"We started praying and stuff," Blankenship told investigators.

But they just kept on driving.

'Boggles the mind'

Lynn Hefley's bill, lauded by activists working for changes in juvenile sentencing, ran into trouble almost immediately. The first version would have made juveniles sentenced as adults eligible for parole after serving a portion of their sentences.

District attorneys, led by Grant, vehemently objected.

Even some of the bill's supporters said some of the young lifers were exactly where they needed to be.

Harold "Hal" Gaither, a retired Texas juvenile court judge who testified on behalf of the bill, agreed with Hefley that some juveniles merit a second chance.

"The best way is to be able to sentence them and observe them for a long period of time," Gaither said.

However, Gaither said any sentencing reform should allow for locking up the worst offenders for life.

"What some of these kids are capable of doing just boggles the mind," he said. "Some deserve to stay behind bars for the rest of their lives, and keep them in there after they're dead."

Opponents of the bill tend to believe that is true of all juvenile murderers, said Richard Swanson, a psychology professor at Metropolitan State College of Denver and the former deputy director of the state's Youthful Offender System.

The public, Swanson said, "sees juveniles as an increasing threat to them. Their kind of reflexive response is to put them away and don't ever let them out again."

But he wonders about the costs of keeping someone in prison for life instead of rehabilitating an inmate who might eventually contribute to society.

The average cost to incarcerate a prisoner in Colorado in 2004 was \$27,825. That means spending nearly \$1.4 million to keep a teen murderer behind bars for 50 years.

"Society, a jury, whomever, has to decide at some point whether he's salvageable," Swanson said. "Or is he so bad we're going to use a cell for the next 60 years?"

Frank Moya, who represented Blankenship during his murder trial, said he'd include his former client among the handful who might merit another chance.

"He's not a scary kid," Moya said. "This is someone who, 20 years from now, I wouldn't be afraid was going to go out and hurt someone else."

Blankenship refused during a prison interview to discuss Castor's kidnapping.

Moya has his own ideas about what happened that day.

"Farrell went over the edge. And (Blankenship) was just too dumb to jump out."

A party — and confession

Blankenship had plenty of opportunities to jump.

Barbara Jane Castor went to Kmart on a Friday. When police picked up Blankenship and Farrell the following Monday, the two had spent three days together, off and on, at her house.

They played pool in her basement and watched her TV. They showered in her bathroom. They raided her fridge. But they didn't eat the eggs. Those, they threw at the walls. They smashed her piggy banks and took an ax to the walls, looking for more money, Blankenship told investigators.

"It was probably the worst-trashed house I'd ever seen," Adams County Sheriff's Sgt. Mike Kercheval told the Rocky Mountain News at the time.

Blankenship didn't break from his friend until authorities split them up. Suddenly alone, Blankenship began calmly detailing the crime to authorities. When Farrell found out, he threatened to kill Blankenship.

Today, they're in different prisons.

Details from that confession helped ranchers lead authorities to Barbara Jane Castor's body.

They found her on Tuesday, almost exactly 48 hours after Floyd Wilson's Sunday afternoon call to Ira Castor. The wait, Castor's son said, was agonizing.

A single question looped incessantly through his mind.

"Where you at, Mom? Are you calling to us and we ain't here?"

Barbara Jane Castor's own wait was considerably shorter.

Sometime that Friday night it began to snow, 6 inches by the time it was over, a gleaming pale cloak over Castor's makeshift tomb.

"My mother," said Ira Castor, "is a person who can't stand the cold."

The mercury plunged to 11 degrees that night.

At that temperature, flesh freezes in 30 minutes.

It can hurt to breathe.

At some point that night, Barbara Jane Castor stopped hurting.

Starting a discussion

Hefley plans to bring back her legislation in 2006.

The new proposal, she said, will be "substantial," as opposed to this year's final version, which was amended, then amended again, after contentious hearings on the issue.

In the end, the bill included only a proposal to study how juveniles are charged and sentenced as adults in Colorado. Both the Senate and House approved the bill by generous margins.

It went to Gov. Bill Owens on May 23.

Four days later, he vetoed it.

Owens, who prides himself as a tough-on-crime governor, has commuted only one sentence. That was in 2000, for a person convicted of theft and aggravated motor vehicle theft, according to Mark Noel in the governor's office.

When he vetoed Hefley's bill, Owens said that studying the issue "exhibits a bias . . . that certain sentencing practices, which have demonstrably reduced crime in this state, are not working."

The governor also objected to scrutinizing the direct-file system.

"There is no evidence that this system, which helps keep violent offenders off our streets, is broken," he said.

Nonetheless, the governor said, "I remain open to discussions of how to enhance Colorado's juvenile justice system."

Kevin Blankenship is trying to start that discussion.

In a letter to the News, Blankenship responded to a question about how much time he thought he deserved to serve.

"My answer is NONE according to law," he wrote.

He explained his reasoning in another letter, this one written to Owens at the behest of the Pendulum Foundation. In 2 1/2 single-spaced pages, Blankenship told the governor society had failed its responsibility to young people.

That letter represented an achievement, Blankenship said during his prison interview. When he entered prison as a ninth-grade dropout, "I couldn't read or write or spell."

Other inmates tutored him to the point where he earned his GED, he said. "It takes a genuine individual to do that," he said of their help.

In his letter to Owens, he wrote:

"How can you expect a Malnourished mind to display intelligence when it has been deprived or miseducated?"

Life sentences for juveniles treat the young lifers "as if what we were demonstrating wasn't a learned behavior, like we came out of the womb as problem children."

He signed off, "Peace!"

Blankenship said his ability to write such a letter demonstrates the changes he's made during his near-decade in prison.

Letters aren't his forte, though, he said. He prefers writing stories.

The diminutive Blankenship's favorite is a children's story he's titled "Little One."

"Little One," he said, "is about a little orphan boy in Egypt.

"He couldn't read or write or spell. An older individual took him in and schooled him. He was short for his age, but intelligent. He talked to other boys his age, but they shut him out."

Unlike Blankenship, Little One got a second chance. He was able to rise above his peers. He did so by exhibiting the two qualities that Blankenship lacked on Nov. 15, 1996.

Little One, Blankenship said, showed "courage and honesty."

Once scorned, Little One became the Pharaoh of all of Egypt.

Part II

Rocky Mountain News

September 15, 2005

Colorado got tough on boy, 12, in 1893

By Gwen Florio, Rocky Mountain News

Colorado's history of dealing severely with young murderers dates back to 1893.

That's when a jury found a soft-cheeked boy guilty of shooting a man three times in the back because "I wanted his pretty watch and gun."

Antone Wood, the son of a dairy farmer, was said to be 11 when he killed Joe Smith, 22, who had stopped to ask the boy directions outside Brighton, where both were hunting rabbits.

It was later established that Antone was 12.

Antone was the youngest person in the nation to be tried for murder with robbery as a motive, according to news accounts at the time and records from the Colorado Territorial Prison Museum in Cañon City.

It took two trials to convict him of second-degree murder. He was sentenced to 25 years.

In 1900, he and three other men escaped from the Colorado State Penitentiary, killing a guard as they fled.

Antone and another prisoner were captured and returned to prison, hidden in a hay wagon to avoid being lynched by a mob of more than 100 people — which is what happened to one of the other captured prisoners.

The case attracted so much attention that Antone's life improved during his years in prison.

A former college professor tutored Antone and found his mathematical abilities to be near-genius. The young inmate also studied the violin.

Two wealthy people — Madge Reynolds, an oilman's wife, and philanthropist Elbert Hubbard — campaigned for Antone's release.

Even his guards argued for his parole, according to the Cañon City Public Library's History Center.

Twelve years after he went to prison, Antone was paroled at the age of 24. Little is known about his life after that.

Part III

Rocky Mountain News

September 15, 2005

Letter from Kevin Blankenship to Gov. Owens

Editor's note: All inmates' letters are being published as they were written. They have not been edited for content or grammar. In the following letter, the inmate writes that there are 47 inmates serving life without parole for crimes they committed as juveniles. The actual number is 46.

Dear Governor Owens,

I hope this letter reaches you in the best of health and circumstances.

Before I go any further I would like to introduce myself. My name is KEVIN BLANKENSHIP and I'm one of the many juvenile's that have been cast into the pits of the Department of Corrections (D.O.C.)

This letter isn't just for me, but for the rest of the juvenile's that may be unlettered and haven't acquired the ability to articulate themselves via the art of writing.

In life there is what we call cause and effect. Cause is defined as anything producing an effort or result. Effect is defined as anything brought about by a cause; result. The best example's I can give of cause and effect are:

If you study enough, the result is that you'll become smarter. If you deprive a ignorant mind of education, then the end result is an ignorant person.

Every child is born into this world ignorant, and since it takes a village to raise a child, then it's on the community to make sure this ignorance is dissipated by way of knowledge.

A man can only do what he knows; now we understand that we are born ignorant, so if you're not taught anything, then you'll remain ignorant. In this condition, If you ever decide that you want to do something; whatever it may be, it can only be done out of ignorance.

How do we expect a Malnourished mind to display intelligence when it has been depraved or miseducated; via games, T.V., and its environment?

If someone gives a monkey a loaded gun, and the monkey kills everybody in the room. You don't blame the monkey, but the one that gave the monkey the gun is blamable. Why dont you blame the monkey?, because the monkey doesn't understand the extent of his actions. The effect is everybody in the room being killed, the cause is, someone gave him a gun.

There are two groups of people that would blame the monkey or the effect for this event. The first group is those who don't understand what cause and effect is, which would make them ignorant to it. The second one is those who are responsible for the condition that exist, and are reaping a benefit from that specific condition. Usually this second class of people will blame the monkey or effect, just to sway the minds of the ignorant, so they can continue to benefit. THE EFFECT CAN NEVER OVERCOME THE CAUSE.

we are being programmed everyday through T.V., school, and our environment to handle our problems with violence. We see the police shoot, beat, and kill someone everyday and they get a pay raise. We've seen President Bush promote a lie about Weapons of Mass Destruction that claimed the lives of many innocent Iraqi people; as well as American Soldiers lives, and the County re-elects him which shows they are in support of his agenda.

Right now there are only 47 juveniles in the state serving Life without the possibility of parole; but if we don't stop this cycle of miseducation, then I guarantee you that there are hundreds more waiting to walk down the path of ignorance.

Maybe we don't care about our youth; which would mean we don't care about our future. Maybe we have invested in private prison's (since they are on the stock market), and we want to send the youth there until they get older; so we can collect that \$50,000 to \$100,00 a year per inmate, for all of those years they spent, from the government.

We have to decide ourselves whether we're concerned with lining our pockets with money, or are we willing to go to the effect of this epidemic that America is faced with; which is locking juvenile's up and throwing away the key.

You may be saying that what I'm talking about is a moral issue; but incest is a moral issue, yet there are laws against it. Why are there laws against incest?, because the legislature understood that if they didn't make a law against it; it would taint the moral fabric of America. Such is the miseducation or deprivation of a human. The only thing that separates man from the beast of the field is knowledge.

I said all of this to ask you as humbly as I can, "What have you done personally to eradicate this problem"?

All 47 of us juvenile's that are serving Life without the Possibility of Parole has had the POLICE POINT A FINGER AT US, THE VICTIMS FAMILY, THE PUBLIC, THE JUDGE, THE DISTRICT ATTORNEY, OUR LAWYERS, THE CORRECTIONAL OFFICERS, OUR FELLOW INMATES, AND SOMETIMES OUR FAMILY, ETC.

When you point a finger at someone you have three more pointing back at you. It was and still is the responsibility of everybody to make sure the children are educated. We shouldn't have to come to the penitentiary and teach ourselves, this is the adult's or a responsible person duty.

We (all 47 juvenile's) were treated as if what we were demonstrating wasn't a learned behavior, like we came out of the womb as problem children.

Everyone that pointed a finger at us should ask themselves "What have I done to help or hinder this situation"? Until we ask ourselves this question, the condition will remain.

THANK YOU FOR TAKING TIME OUT OF YOUR BUSY DAY TO READ MY HUMBLE WORDS. PEACE!

SINCERELY

K. BLANKENSHIP

Part IV.

Rocky Mountain News

September 16, 2005

List of 46 inmates serving life without parole

The following is a list of the 46 inmates serving life without parole for murders committed when they were juveniles:

Name	Date of offense
Jason Gonzales	February 13, 1992
Victim(s): Leland "Hap" Thompson, 74, repeatedly beaten on the head	
Samuel Mendez	July 25, 1992
Victim(s): Freida Winter, 78, beaten in Greeley; police linked Mendez to slaying four years later through fingerprints	
Marcus Fernandez	November 4, 1992
Victim(s): Lyle Wohlers, 51, a Colorado State Patrol trooper, shot during a traffic stop	
Jacob Ind	December 17, 1992
Victim(s): Kermod Jordan, 57, and Pamela Jordan, 41, his stepfather and mother, shot and stabbed to death in their home	
Philip Trujillo	March 18, 1993
Victim(s): Lee Pumory, 16, the grandson of a former Colorado Supreme Court justice, killed in a drive-by shooting	
Phillip Montoya	June 28, 1993
Victim(s): Chris Romo, 17, killed in a gang-related shooting	
Allan Lucero	August 18, 1993
Victim(s): Robert Elshire, 71, killed in a parking lot during an attempted robbery	
Christopher Selectman	February 25, 1994
Victim(s): McKinley Dixon, 18, shot to death over a baggie of marijuana	
George Chavez	July 11, 1994
Victim(s): Simplicio Dominguez Trejo, 34, carjacked, then killed	
Gregory Romero	April 17, 1995
Victim(s): Terrance Mayo, 17, and Rachelle Peterson, 16, shot to death	
Raymond Gone	February 25, 1995
Victim(s): Shawn Leinen, 28, Denver police officer, shot while cornering a car thief	
Donnell Carter	April 17, 1995
Victim(s): Terrance Mayo, 17, and Rachelle Peterson, 16, shot to death	
Raymond Johnson	December 21, 1995
Victim(s): Casson "Biscuit" Evans, 3, killed in a drive-by shooting while sitting in his car seat	
Paul Littlejohn	December 21, 1995
Victim(s): Casson "Biscuit" Evans, 3, killed in a drive-by shooting while sitting in his car seat	
Roosevelt Harris	April 10, 1995
Victim(s): Christopher Ramos, 24, shot in the head outside a credit union where he was using an ATM	
Curtis Brooks	April 10, 1995
Victim(s): Christopher Ramos, 24, shot in the head outside a credit union where he was using an ATM	
Raymond Cain	January 31, 1995 or February 1, 1995
Victim(s): Sadie Frost, 19, a Southern Ute tribal member, shot in the head	
Jennifer Tombs	September 28, 1996
Victim(s): Latanya Lynn Lavallais, 23, a babysitter, shot in the head six times	

Larry Lucas October 1, 1996
Victim(s): Shawn Castillo, 18, a high school student, his body was found near the top of Raton Pass three days after his death

Christopher Weedman October 31, 1996
Victim(s): Tiffany Boelter, 14, mutilated

Kevin Blankenship November 15, 1996
Victim(s): Barbara Jane Castor, 76, kidnapped and left to die of exposure

Antonio Farrell November 15, 1996
Victim(s): Barbara Jane Castor, 76, kidnapped and left to die of exposure

Trevor Jones November 21, 1996
Victim(s): Matthew Foley, 16, shot in the head in a parking lot

Frank Vigil Jr. May 30, 1997 to May 31, 1997
Victim(s): Brandy Duvall, 14, gang raped and stabbed 28 times, bled to death

Adam Drake April 29, 1998
Victim(s): Eric Harris, 30, shot five times

Nathan Ybanez June 5, 1998
Victim(s): Julie Ybanez, 43, his mother, beaten and strangled to death with fireplace tongs

Terrance Wilder August 8, 1998
Victim(s): Joel England, 24, Roderick Marable, 38, beaten to death

Steven Anaya April 22, 1999
Victim(s): Gregorio Martinez-Luna, 40, shot to death

Andrew Medina July 15, 1999
Victim(s): Kristopher Lohrmeyer, 17, shot in the head outside an ice cream parlor

Miguel Trimble October 6, 1999 (died two days later)
Victim(s): Ennis Walton, 29, shot in the chest

Lorenzo Montoya Jr. January 1, 2000
Victim(s): Emily Johnson, 29, clubbed to death

Nicholas Martinez January 1, 2000
Victim(s): Emily Johnson, 29, clubbed to death

George Lo April 21, 2000
Victim(s): Vien Than, 19, shot when a gunman opened fire on two carloads of people

Alexander Pogosyan September 7, 1998
Victim(s): Edgardo Morales Jr, 18; Zach Obert, 18; Penny Bowman-Medla, 37; Greg Medla, 18; Marissa Avalos, 16, shot to death on Labor Day 1998

Reinhald Quevedo March 23, 1998
Victim(s): Miguel Magana, 18, killed in a gang-related shooting

Joseph Hunter February 9, 1995
Victim(s): Dorothy Woodham, 86, clubbed with a fireplace shovel, strangled and stabbed 16 times

Ahmad Nelms October 6, 1999 (died two days later)
Victim(s): Ennis Walton, 29, shot in the chest

Erik Jensen June 5, 1998
Victim(s): Julie Ybanez, 43, beaten and strangled to death with fireplace tongs

Verle Mangum February 16, 1996
Victim(s): Janet Davis, 42, and daughter Jennifer, 11, beaten to death

Chip Sutherland January 3, 1996
Victim(s): Ida Jean Wancura, 60, his grandmother, shot to death

Columbus White April 28, 1998
Victim(s): Lora Armenta, 86, beaten to death when her home was burglarized

Gabrial Adams December 17, 1992
Victim(s): Kermode Jordan, 57, and Pamela Jordan, 41, shot and stabbed to death in their home

Jeff Johnson

March 28, 1994

Victim(s): John Leonardelli, 55, robbed of his car, watch and other valuables and killed in a parking garage

Leroy Gardenhire III

February 29, 1992

Victim(s): Tommy Lee Emory, 26, shot when his killers mistakenly thought he had stolen their car

Marcus Clouatre

November 29, 1992

Victim(s): Douglas Sparr, 34, son of a federal court judge, bound and gagged, blindfolded, stabbed and hit on the head. Strangled with cords and had bleach poured down his throat.

Jerome Perea

December 2, 1993

Victim(s): Yvonne Cossio, 24, gunned down in her front yard in front of her children

Part V.

Rocky Mountain News

September 17, 2005

Juveniles sentenced to life without parole in the U.S.

Because of differences in the way corrections systems compile statistics, it is difficult to determine exactly how many people serving life without parole in the United States committed their crimes as juveniles.

- The Rocky Mountain News contacted every state for statistics, and 29, including Colorado, responded. Seven states said they allow life without parole for juveniles convicted as adults but currently have none. An eighth state, New York, allows it but didn't know if it has any.
- Twenty-one states reported a total of 734 inmates serving life without parole for crimes they committed as juveniles, ranging from one each in five states to 227 in Florida, which has more than 4,700 lifers.
- Colorado, where 46 of its 360 lifers committed their crimes as juveniles, has one of the highest proportions among the states responding.

Part VI.

Rocky Mountain News

September 18, 2005

Special Report: Growing up in prison

Jacob Ind says he now realizes the pain he caused others when he killed his parents

By Sue Lindsay, Rocky Mountain News



A time for reflection: Jacob Ind, 27, checks his hair in his cell at the Limon Correctional Facility this month. Ind, who killed his parents in Woodland Park in 1992 when he was 15 after what he says was a childhood of abuse, spent eight years in 23-hour prison lockdown where the quiet time, he said, allowed him to "do a lot of self-reflection."

Jacob Ind's crime had all the hallmarks of a cold-blooded execution.

The 15-year-old wanted his parents dead and arranged to have a friend kill them in their Woodland Park home.

But after the couple survived being shot and stabbed while in their beds, Ind took matters into his own hands.

Unnerved by his mother's anguished screams, Ind aimed a gun at his stepfather's head and pulled the trigger. He missed but fired again.

Then he shot his wailing mother.

The teen spent the night with his parents' bodies and went to school the next day, taking a math test before he was questioned about the murders.

Ind has been condemned to life behind bars without the possibility of parole for the Dec. 17, 1992, deaths of his mother and stepfather, Pamela and Kermode Jordan.

His accomplice, Gabriel Adams, is also serving a life prison sentence.

But even the judge who sentenced Ind said the teen was the product of a troubled upbringing.

"Whatever else we can say here, there really was a lack of mutual love, mutual respect and mutual compassion in your family," said El Paso County District Judge Mary Jane Looney.

"That seems really tragic because I think that left you in many ways almost a hollow person. I wish that could have been changed. Had you had a different kind of life, perhaps we wouldn't be here."

Ind's defense attorneys argued there was more than a lack of love and compassion in Ind's home.

They alleged that Ind arranged the killing to end years of sexual, physical and emotional abuse by both parents.

During the five-week trial, the teen's defense team put on a case against Ind's parents — a case based largely on testimony from Ind's older brother, who said he moved out because of abuse.

Charles Ind, who changed his name after the trial, told jurors that he and Jacob were subjected to sexual abuse and frequent beatings as young boys after their mother married Kermode in 1978.

He gave detailed accounts of being tied to a toilet during sexual encounters with their stepfather and being beaten and whipped with weapons called "Billy Belt" and "Mr. Stick."

Neither Ind nor his brother told anyone about the sexual abuse until just before Ind went on trial. Jacob Ind didn't testify in his defense.

The defense also included testimony from Ind's maternal grandmother and a family friend, who told jurors they observed suspicious behavior involving Jacob Ind and his stepfather.

Prosecutors disputed the claims of abuse. They argued the so-called physical abuse was merely discipline and that the sexual abuse didn't take place.

At the sentencing hearing, Looney said she was troubled by her lack of options. Colorado law mandates life without parole for first-degree murder.

"I'm not saying that a long sentence, including a life sentence, is not appropriate for murder," she said. "I think it is."

But, Looney said, she believed a teenage defendant such as Ind should have some hope of parole.

"It seems to me that kind of change might be an appropriate change in the statute in many cases that I've seen — certainly this case."

Now 27, Jacob Ind has been in prison for 11 years.

"For a long time I couldn't acknowledge the gravity of what I did," he said.

"I was thinking, 'Well, I killed two child molesters. What do I care?' As I've gotten older and matured, I've realized the pain I've caused my family and my friends, everyone who knew me. It bothers me a lot, the pain I've caused."

Ind said he is still angry with his parents.

Among other things, he said, they poisoned him against his natural father, who has supported him throughout the trial and his imprisonment.

"When you're a kid and trying desperately to earn the love of your mom and she's completely demonizing this guy, you're going to demonize him, too, just to try to earn that little bit of respect or love you can get," Ind said.

A bright student, Ind said he idolized pothead comic Tommy Chong but had planned to go to college and become a quantum physicist.

His goal at home, however, was simple: "I just wanted to live to the next day. I was just living in a state of dread and terror. Every day I didn't kill myself was a good day."

"Getting beat, degraded, insulted and humiliated time and time again, that just destroys you as a person."

When he was first arrested, Ind said jail gave him a sense of family he never had with his parents.

"I spent Christmas in the juvenile system, and it was actually one of my best Christmases I ever had," he said.

But that ended once he was transferred to prison.

The worst part, he said, is "having to be around all the inmates. That's the punishment. Most of them are losers. They aspire to nothing better. All the normal stages of growth that a person goes through, I've done in this crazy environment."

At first, Ind said he fought and emulated experienced inmates. "I used to look up to them. I thought, 'I want to be a convict just like them.' "

As a result, Ind spent eight years in 23-hour lockdown. It was there, he said, that he finally decided to work on changing his outlook — and the direction of his life.

"It gave me quiet time away from everyone else so I could focus on my own issues. I was able to do a lot of self-reflection," he said.

"I decided I didn't want to be like these other people that I see around here. I'm going to follow my own path."



Jacob Ind, 27, said the worst part of his mandatory life sentence at the Limon Correctional Facility is "having to be around all the inmates. That's the punishment." In 1992, when he was 15, left, he killed his parents in their home in Woodland Park, claiming he suffered years of sexual, physical and emotional abuse.

At the Colorado State Penitentiary, Ind said, he began taking medications for a borderline personality disorder, depression and self-mutilation.

But Ind said he's received little therapy behind bars.

"The main concern here is that I don't kill myself or kill someone else," as opposed to rehabilitation, he said.

Like many of Colorado's young lifers, Ind believes his sentence is too long.

He said he should have been sent to a mental institution for "zero to life to get this kid's head on straight and release him when he's no longer a threat."

His path to turn himself around involves lots of study and reading history, politics and religion.

His favorite book is *The Clash of Civilizations and The Remaking of World Order*.

He works in the power sewing unit at the prison.

"I'm basically an 8-year-old Asian girl slaving away, except she probably gets paid more than I do," he joked.

Ind considers himself a Christian now, but says he was raised as a "Bolshevik" by his stepfather and mother.

"I was raised diehard communist, atheist and to hate all forms of religion as silly superstitions," he said.

But after he killed his parents, he said, he prayed.

Over time, he has come to understand that he had options other than murder.

Abused teens need to "get the strength to leave," Ind said.

"That's the hard part. Most of them have been battered down so much they don't have the strength to tell, let alone to leave."

Ind said he and his brother told teachers and social workers only the most basic details about their home life, hoping they'd get help.

But help never came.

Ind said teachers, friends and authorities need to recognize that a small complaint may signify a deep underlying problem.

"Kids do their little cries for help the best they can," he said.

"From their point of view, they're taking great giant leaps by putting those little red flags out. But people don't understand, and it falls on deaf ears because they expect the kids to just gush out everything. From the kids' perspective, they're yelling, 'Hey! Help!' but to everyone else it's just like, 'Peep, peep,' no big deal."

Ind believes his advice would fall on deaf ears if he tried to counsel teenagers.

"Geez, teenagers are so hard-headed I don't know if there's anything I could say without just putting them through this drudgery in here," he said.

"To be in prison is probably the most pathetic life you could ever have, and they should avoid it at all costs. This is definitely a life to nowhere."

Part VII.

Rocky Mountain News

September 18, 2005

'My crazy life'

Inmate's path in prison leads through a gang and drugs to love and God

By Sarah Langbein, Rocky Mountain News



Former gang member: Gregory Romero, 27, sits in a visitation room in June at the Fremont Correctional Facility. After entering prison for killing two people at 17, he joined a gang and used drugs. But he gave them up after he began going to church. Now, Romero says he devotes his life to God. He is not eligible for parole.

CAÑON CITY — Gregory Romero is covered in his own artwork, tattoos that run up and down his arms and spot his chest, back and stomach.

But the smallest one — three dots near the corner of his left eye — tells his story best.

"It represents Mi Vida Loca," Romero said.

My crazy life.

A life that has taken a sharp turn.

Troubled teen. Convicted killer. Gang member.

But now, Romero says, a life given to God.

He's 10 years into a double-life sentence without the possibility of parole for killing Terrance Mayo and Mayo's pregnant girlfriend, Rachelle Peterson, in 1995 in Denver.

Authorities called him the triggerman in a murder plan hatched by Mayo's jilted ex-girlfriend, 16-year-old Cheryl Armstrong. Prosecutors told jurors that Armstrong persuaded her friend Romero by saying Mayo had bad-mouthed him.

After the shooting, prosecutors said, Romero bragged about how Mayo lay shaking on the floor after he was shot four times. Thirteen weeks pregnant, Peterson, curled up under a blanket, was hit by 10 bullets.

Romero will not talk about the crime because his case is on appeal. His lawyers contended that the teen was drunk and not part of the killing.

But the jury didn't buy it. Romero was convicted of first-degree murder.

Romero, at 17, had never been away from home. He was sent to the place he is likely to call home for the rest of his life — prison.

"I was really scared," Romero said. "I remember sitting in that cell, crying all night long. Not knowing what to do. Not knowing if I was ever going to get home again."

He spent time at Limon, then the Colorado State Penitentiary after guards found a shank under his mattress. Today he is in the Fremont Correctional Facility in Cañon City.

"When you come to prison with a life sentence, you have nothing to work for," Romero said. "You have nothing to look forward to, especially as a juvenile — you have your whole life ahead of you. You know that saying when you're a kid, 'What do you want to be when you grow up?' Well, you've got to ask yourself that same question when you come to the joint, except now your options are limited. You can either turn to gangs, turn to drugs or you can turn to the Lord."



Romero at 17

Romero tried all three.

Knowing he wasn't going home to his family, Romero turned to what he figured was the next best thing: a gang.

He said he'd never been involved in a gang on the outside, but court testimony suggests otherwise. During a preliminary hearing for Romero and his three co-defendants, prosecutors characterized the shooting as gang-related.

Either way, Romero eased into prison gang life. He attacked rivals and handled drug deals at the request of senior gang members. Soon, he was using his prison money to pay for his own drugs, mostly heroin.

"It kinda got to a point where that's the way I was coping with things," he said. "I had a gang and that was my family. And I had drugs and that was my freedom."

Then Romero met Rose Herrera, a woman on the outside who has spent much of her adult life working in a private reconciliation program for offenders and victims.

In her letters to him, Herrera, who is in her 50s, talked about God. Romero started going to church with a fellow gang member. He listened closely when the chaplain preached about forgiveness.

"It took me a long time to forgive myself for everything that happened," he said. "And I've heard sermons where they've taught us that before you're able to forgive others, you have to first be able to forgive yourself. And that was a hard step for me."

The next hard step was leaving the gang. Romero and his churchgoing gang brother broke the news to the gang together. Later they were baptized as Christians together.



A knight behind bars: Romero says this self-portrait illustrates his changed life. It shows him in armor, a nod to his past with the Gallant Knights Insane gang, but he says he's taken the helmet off to leave that world behind.

All the while, he confided in Herrera, telling her about gang life, about life on the outside, about his daughter, Jade, whom he never saw.

After six months, Herrera and Romero said they were in love. She'd visit him in prison every weekend. They'd pray and read the Bible together. Soon they were engaged.

His ring was engraved with: Always and Forever.

Hers: True Love Waits.

"He was a hard-core (gang) leader, and now he's a leader of God," Herrera said. "I don't think I would be this happy with anyone else."

Both hope he'll be set free one day.

But if the conviction stands, Romero said, he'll be "all right."

"I'll know it's because God wants me behind bars to help the other young people coming in," he said. "I've already touched a few lives with my story and my testimony. Hopefully, I will be able to touch more."

Part VIII.

Rocky Mountain News

September 18, 2005

Verdict brought tears of thanks

Victim's mother says young couple missed out on life's lessons

By Sarah Langbein, Rocky Mountain News

Terrance Mayo and Rachelle Peterson were young lovers - focused on each other and the baby they were expecting.

But the couple also formed two unwilling corners of a love triangle.

And that entanglement proved fatal.

Authorities characterized their deaths as part of a "fatal attraction," murders devised by Mayo's scorned former girlfriend.

On April 26, 1995, 16-year-old Cheryl Armstrong sent two teenage friends armed with guns into the Denver home of Mayo's parents to do her bidding, prosecutors said in court.

When Gregory Romero and Donnell Carter returned to Armstrong, who was sitting in the getaway car, they told her that Mayo, 17, and Peterson, 16 and pregnant, were dead.

"I love you guys so much," Armstrong told them, according to court testimony.

Attempts to locate the families of Mayo and Peterson were unsuccessful. But Mayo's mother, Juliet, has made her views clear to the court.

When Romero was found guilty of first-degree murder, she tearfully gave thanks to God.

"This is one down and three to go," she said, referring to the three co-defendants.

Carter, also a juvenile, was convicted of first-degree murder, and, like Romero, was sentenced to life without parole.

Armstrong was sentenced to 96 years, and Terrance Bawiec, 22, received 12 years for burglary and for being an accessory to a crime.

In 1996, when Bawiec was sentenced, Juliet Mayo wrote an emotional letter to the judge, urging a stiff sentence. She told the court about how her son placed second in the science fair and participated in a geography bee.

"There are so many life lessons that Terry and Rachelle had not or will not experience," Juliet Mayo wrote. "There are many things in life we will only be able to dream about. The thousand 'what ifs.'

"I often wonder what kind of home life these children (the killers) must have had. They certainly could not have had nurturing and loving parents. Because these parents did not even have the compassion or the common courtesy to offer condolences to me or my husband."

Part IX.

Rocky Mountain News

September 18, 2005

Brother defends Ind, but remains angry

By Sue Lindsay, Rocky Mountain News

Charles Ind remains angry with his brother for killing their mother nearly 13 years ago.

But he strongly opposes having him spend the rest of his life in prison for it.

Jacob Ind was 15 when he killed their mother and stepfather, Pamela and Kermode Jordan, after what the brothers say were years of sexual, physical and emotional abuse.

Charles, who has since changed his name to distance himself from the murders, agreed to an interview only if his new name was not published.

"Jacob wasn't born to do what he did. He was made into it," said Charles, now 31.

"I'm not saying that justifies murder, but it's not right to put a 14- or 15-year-old kid in prison for the rest of his life."

At the time of the murders, Charles said he was an 18-year-old high school senior who had moved out of the house because of the abuse and his stepfather's violent alcoholism.

"It took all my courage just to move out of the house," he said. "But that left Jacob to bear the brunt of what went on."

Charles said his brother had severe mental problems and deep depression. Just before the murders, Jacob had stopped eating, sleeping and keeping himself clean, his brother said.

Teachers were aware of that and some of the problems in the home. Charles said he also reported physical abuse to social services. But both boys remained mum about the sexual abuse until Jacob's trial.

The school began to arrange counseling for Jacob, but no action was taken to remove him from the home. Pamela Jordan assured the school there was no problem, Charles said, "and threatened to litigate if they pressed the issue."

"I believe Jacob was in a place where there was no future for him," he said.

Charles said his brother should have been sent to the state mental hospital for treatment instead of prison.

Charles said he doesn't believe his brother has received the help he needs behind bars.

"Saying you can never develop into anything else, that's not true . . . (But) mental health care in prison, whether you are a lifer or not, is scary at best," Charles said.

"If you are a lifer, it's virtually nonexistent. His case manager at Cañon City told me they were lucky to get a handbook (on mental disorders)."

Charles is still tormented by his mother's death.

"To be honest, I'm still angry at Jacob. I would still testify for him in court or before the legislature," he said.

"But I'm angry about him putting the family in the position where we have to live without him. And I'm angry that he killed my mom. I knew my mom before Kermodé came into the picture.

"Jacob never had that because he was too young. I knew the person she was before she was trapped in this psychological vortex of Kermodé."

Part X.

Rocky Mountain News

September 18, 2005

Slain tot's mom finds her mission

She teaches about the dangers of gangs

By Sarah Langbein, Rocky Mountain News



Gang prevention: Sharletta Evans leads children she mentors on an outing at Moorhead Park in Aurora. Dedicated to teaching kids to stay away from gangs, she said, "This is how I honor my son and my God."

AURORA — Thirty kids stare up at Sharletta Evans from under a tree in Moorhead Park.

They know her better as Miss Bunny.

The kids range in age from 4 to their teens, and they're preparing for a heavy subject: gang prevention.

Miss Bunny has taught them the importance of making solid choices, loving themselves and managing anger.

But this subject has special meaning to her.

Knowing there's probably no better way to illustrate her point, Evans tells them about the son she lost 10 years ago.

Casson "Biscuit" Evans didn't live long enough to make childish decisions or stupid mistakes and learn the rights and wrongs of life.



Casson "Biscuit" Evans was killed at age 3.



Raymond Johnson was 16 when he was arrested in the shooting death of Casson "Biscuit"



At the time of his arrest in the toddler's killing in December 1995, Paul Littlejohn was 15.

The 3-year-old was shot to death in a drive-by in Denver in December 1995. Strapped into a car seat of a parked Cadillac, Casson didn't have a chance.

Shooters Raymond "Cooter" Johnson and Paul "Pezzo" Littlejohn thought they were sending a message to a rival gang.

About 11/2 years after Johnson and Littlejohn were sentenced to life in prison without parole, Evans' sister, Lynne Mayes, wrote to them.

"First of all, I want to let you know that my sister does forgive you, she forgave you a long time ago," Mayes wrote. "As a matter of fact, she spoke forgiveness before she even knew who killed her baby . . . You probably wake up sometimes and feel like your life is over. Your lives are not over, even Casson's life is not over. God will give you eternal life, and it's there for the asking."

In God and in Casson's death, Evans found her mission. Two years ago, she created a community-supported, gang-prevention organization. "I thought, no more crying in my pillow — it's time to go help," Evans said.

So on this hot summer afternoon, Miss Bunny gathered the children in the shade of a tree and asked them to listen to the Rev. Leon Kelly, an anti-gang activist who heads Open Door Youth Gang Alternatives. Kelly gripped his "death list" in his hand. Casson is among the more than 650 names of young people in the metro area killed by violence, much of it gang-related, since 1988.

In prison, Johnson, who fired the fatal shot, said he's left gang life behind in his devotion to the Nation of Islam. He still has Mayes' 1999 letter.

He chooses his words carefully as he speaks of life behind bars. There is a good part, he said. "You gotta deal with yourself. You can't run from yourself anymore."

Littlejohn, however, continues his life in prison as a gang member.

Evans said she forgives them, but she doesn't want to see Johnson or Littlejohn walk free.

Efforts to change laws on how teenage killers are sentenced frighten her.

"If you pass a law like that, what will the future look like?" Evans asked. "Will they have a license to kill?"



A time for prayer: Raymond Johnson, left, at 26, is serving a life term in the Limon Correctional Facility and is devoted to the Nation of Islam. "You can't run from yourself anymore," he said. **Gang member:** For his role in the boy's death, Paul Littlejohn, now 25, right, is serving time at the Buena Vista Correctional Facility where he continues his life in a gang.

Part XI.

Rocky Mountain News

September 19, 2005

Special Report: High-risk behavior

Researchers say teens show poor judgment because their brains are still growing

By Sue Lindsay, Rocky Mountain News

Everyone knows teenagers are impulsive, take bad risks and do stupid things.

Now scientists understand why, and the reasons may have far-reaching implications for how teenage murderers are punished.

In the past five years, new brain-imaging research has shown that the brains of teenagers are different from those of adults. Teens' brains are still growing and changing. In fact, a key part of the brain that affects judgment may not be in place until men and women reach their early 20s. This revelation played a pivotal role in persuading the U.S. Supreme Court in March to bar the death penalty for anyone younger than 18.

"It is proper that we acknowledge the overwhelming weight of international opinion against the juvenile death penalty, resting in large part on the understanding that the instability and emotional imbalance of young people may often be a factor in the crime," the court said.

"As any parent knows and as the scientific and sociological studies . . . tend to confirm, a lack of maturity and underdeveloped sense of responsibility are found in youth more often than in adults and are more understandable among the young. These qualities often result in impetuous and ill-considered actions and decisions."

Now, advocates of juvenile justice reform hope the studies will trigger changes in state laws such as Colorado's that sentence teenagers to life without parole when they are charged as adults and convicted of first-degree murder.

In Colorado, a convicted murderer must be 18 to receive the death penalty.

The research suggests an anatomical basis for teens' risky behavior and poor judgment.

Scientists previously believed the brain was 90 percent of its adult size by the age of 6 and finished developing by 12.

But they were wrong.

Teams of researchers at the National Institute of Mental Health and the University of California have learned through magnetic resonance imaging that the brain continues to mature during the teen years - beginning a final push around 16 or 17.

"We found that the frontal lobes were the last to develop," said UCLA brain researcher Paul Thompson. "These brain regions control inhibition, rash actions, rage and anger." They also control decision-making, risk perception and impulse control.

While a 14- or 17-year-old knows the difference between right and wrong, they don't have the same abilities to control their behaviors and assess risks the way adults do," said Steven Drizin, a Northwestern University law professor who helped author one of the briefs the Supreme Court considered in its ruling on juvenile death penalty.

Relying on gut reactions

Just before puberty, a growth spurt takes place in children's brains, the researchers found. Then new connections between neurons are formed to make nerve transmissions faster, more efficient and accurate.

Until their brains mature, teens rely heavily on a more primitive part of the brain, the amygdala, which is responsible for "gut" reactions including "fight or flight" responses and aggressive behaviors, said David Fassler, a Vermont psychiatrist who has testified frequently in support of efforts to overturn laws that allow juveniles to be executed.

At the same time, teens are besieged by raging hormones. In boys, levels of testosterone, which is linked to aggressive behavior, skyrocket.

"What we're finding is that adolescents actually use a different part of their brain than adults do, in particular when responding to things with emotional content," Fassler said. "They are much more likely to use the more primitive parts of their brain."

This accounts for much of the risky behavior associated with the teenage years, he said.

"Almost all of us do things that are impulsive, irresponsible and out of character (as teenagers). That's really tied to how (young people's) brains work," Fassler said. "Fortunately, most people don't commit heinous crimes. But almost everyone can look back on things they did as adolescents and say to themselves, 'What was I thinking?'"

A study by Harvard neuropsychologist Deborah Yurgelun-Todd showed that adolescents frequently misinterpret the emotions of others. When asked to assess emotions depicted in photographs, they often misidentified expressions of fear as anger or hostility. So what implications does this research have for sentencing juveniles who commit murder?

Organizations such as the American Bar Association, American Medical Association, American Psychiatric Association and American Psychological Association joined the battle to overturn the death penalty for juveniles.

None has yet taken a formal position on life sentences for juveniles.

The brain researchers themselves are reluctant to join activists who are clamoring for change. "Yes, the brain of a 16-year-old is different than the brain of a 25-year-old," Jay Giedd, a brain imaging researcher at the National Institute of Mental Health, said in an interview on PBS NewsHour last October. "But what should that mean for the judicial system or other systems? I think that it's just too great of a leap at this point."

UCLA researcher Thompson said many of his colleagues signed petitions to overturn the death penalty for juveniles, but he was not among them.

"I think it's too early for brain development research to be used in legal cases," he said. "Some experts say it is highly relevant to assessing behavioral immaturity. But I don't think it should be used as a potential excuse for criminal behavior. The science just isn't there."

Trying to assess the blame

Nevertheless, juvenile justice experts who oppose life sentences for teens contend that the brain research bolsters earlier behavioral studies on teenagers.

They say the legal concept of proportionality supports prohibiting life without parole for teens. Proportionality holds that fair punishment should reflect the harm caused as well as the defendant's blameworthiness.

For a host of reasons, the blameworthiness of teenagers is less than adults who commit the same crimes, said Laurence Steinberg, a Temple University professor of psychology whose studies were cited in the Supreme Court's death penalty ruling.

"Somebody who can't foresee the consequences of what he is doing, can't resist pressure from others to do something he knows is wrong and can't control his impulses, is not as responsible as someone who can do all those things," he said. "The brain research gave the psychosocial research more credence. Arguing that someone *doesn't* think ahead or control their impulses is less persuasive reasoning than arguing that someone *can't* control their impulses." Still, while all youths undergo the same stages of brain development, only a tiny fraction commit the gruesome crimes that land them in prison for life.

"Immature brain development is not an excuse for juvenile criminal activity," Drizin acknowledged. "(But) it is an explanation which mitigates their culpability. It explains why they should be held accountable and in some cases punished severely, but never as severely as an adult who commits the same crime."

But prosecutors disagree.

"The taking of a human life is the ultimate crime. Irreversible. It does not matter to the victim of a murder whether the person holding a gun is 16 or 60," said Bob Grant, executive director of the Colorado District Attorney's Council.

Attorneys can use brain development arguments in a teen's defense at trial, Grant said, but he opposes any change to Colorado's law.

Teens need hope, expert says

Those who support laws that allow for the possibility of parole argue that teens can be rehabilitated because their personality and character are not yet formed.

"Life without parole for kids presumes that they can't be changed," Steinberg said.

Psychiatrists and psychologists do not diagnose antisocial personality disorder in anyone younger than 18 precisely because teen personalities are works in progress, Fassler said. "Traits in childhood will often not persist in adulthood," he said.

Drizin argues teens need hope to live up to their potential. "The overwhelming majority of juveniles are involved in impulsive or risky, even delinquent, behaviors during the teenage years. The majority . . . go on to become productive citizens who don't commit crimes," he said.

"When you impose life without parole on someone, you are basically crushing any hope for them to develop into that person," he said. "It doesn't matter what you do in prison to improve yourself, overcome your problems. You are what you did. Not only is that a tremendous waste of state resources, it's a naive and incomplete view of who adolescents are."

The issue

One in eight lifers in Colorado - 46 out of 360 - were sentenced for murders committed when they were younger than 18.

In the wake of a U.S. Supreme Court ruling that ends the death penalty for juveniles, a national debate is emerging over laws such as Colorado's that require life without parole for teens convicted as adults of first-degree murder.

• Those who want to change Colorado's law say:

New research shows juveniles' brains are not fully developed so their faulty judgment makes them less responsible for crimes than adults. Juveniles could be rehabilitated and should get a chance at parole.

• Those who oppose changes to the law say:

Inmates serving life without parole took others' lives and have forfeited their right to freedom.

The young killers, if released, would pose too great a risk to society.

Part XII.

Rocky Mountain News

September 20, 2005

'I'd rather cease to exist'

Two young lifers say they don't intend to grow old behind bars

By Sue Lindsay, Rocky Mountain News



Calming the spirit: Nathan Ybanez, now 23, meditates in the yard outside his cell block at the Sterling Correctional Facility this month, an experience he said he rarely allows himself. "I listen to the silence, look at the openness. You don't get that very much here," he said.

Life in prison without parole is a long time.

It was hard for Nathan Ybanez and Erik Jensen to imagine when they were 16.

It's impossible for them to accept at 24.

Both are serving life sentences for killing Ybanez's mother.

But neither plans to grow old and die behind bars.

"If this is my fate just to spend this existence like I am in here, which is a lot of torment, a lot of anguish and frustrations," Ybanez said, "I'd rather just cease to exist."

Ybanez said it's against his personal code to commit suicide.

But both Ybanez and Jensen said they might provoke situations in which they are killed by others.

"Most kids really do not plan on being here that long. Most dudes say either, 'I'm out,' or 'I die trying,' make them kill you or something like that," Jensen said.

"When you've got something to live for, yeah, dying sounds like it sucks," he said. "But once you've been down here long enough with this whole thing hanging over your head, dying's not scary anymore."

Despite their fatalistic views, both inmates are determined to better themselves in hopes of a different life in the future - and a means of maintaining sanity behind prison walls.

Ybanez writes stacks of dark poetry, quotes Aristotle and studies world religions.

Jensen has written five fantasy novels, one of which was just published by his parents. He also dispenses advice on a Web site set up by his parents to help abused teens before they turn to violence.

Ybanez was 16 and Jensen was 17 in 1998, when they murdered Julie Ybanez. Prosecutors said both participated in the killing. Ybanez and Jensen say Jensen was there but only helped remove the body.

Ybanez, now 23, said he killed his mother after years of physical, emotional and sexual abuse - allegations that did not come out during his trial but now form the basis of the killers' appeals.

Julie Ybanez was at her townhome in Douglas County on June 5, 1998, when she was clubbed and strangled with fireplace tongs bent around her neck.

Nathan Ybanez was arrested early the next day as he was dumping his mother's body in Daniels Park near Sedalia. Her body was wrapped in a blood-soaked rug and stuffed headfirst in a sleeping bag, her feet sticking out the end. Her face was covered with plastic wrap.

Ybanez now says he wishes he had left home for good and avoided the confrontation that ended his mother's life.

He describes a chaotic home life in which his parents repeatedly stormed into his room in the middle of the night, threw him into the car and drove him places, including a military school in Missouri where they threatened to send him. His father said that happened only once. Prosecutors argued this was the motive for the murder.

Being sent to prison, Ybanez said, was a "relief."

"I felt better off in prison afterward than I had in my previous life before," he said. "Prison is a very bad place. It's worse than most places, but that's definitely still how I feel."

Jensen, 24, who grew up in affluent neighborhoods with supportive parents, felt anything but relief when he was incarcerated. "That was the scariest I've ever been in my whole life," he said. The first night in jail, he said, he awoke to find an inmate on top of him repeatedly pleading, "Mom, quit hitting me, quit hitting me!"

By the time he was sent to prison, Jensen dreaded the future painted by more experienced inmates.

"They tell you the first thing that's going to happen is they'll send someone in to kick your (expletive). If you don't fight, they will terrorize you forever. If you do fight, you've basically signed yourself up for a lifetime of fighting and drama. At the same time, you still may get raped by a bigger, badder dude than you," Jensen said.

Ybanez and Jensen have had little contact with each other since their convictions, but before the killing, the two were best friends - playing in their band, Trouble Bound.

"We thought we owned the world," Jensen said.

When he was a kid, Ybanez said, he dreamed of becoming an archaeologist. Jensen said his dreams were those of a typical 17-year-old: "I just wanted to get out of my house, to live on my own."



Hope hurts: Erik Jensen, 24, said when he arrived in prison, he thought he'd get out any day, but his dreams were always dashed. "That made it too hard," he said. This photo was taken in June at the Arkansas Valley Correctional Facility. Jensen got his tattoos in prison.

Both are bright and articulate, but their personalities are very different.

Described by Jensen's parents as sweet, charming and withdrawn before the murder, Ybanez now has a dark, brooding manner and a penetrating stare. He seldom smiles and gives stark, direct answers during lengthy interviews with a reporter.

"My parents dictated the way I thought, what emotions I could have and when I could have them," Ybanez said. "Nothing was in my control. I think emotions are very precious and priceless things. I don't share them with very many people, only with people I feel deserve them."

By contrast, Jensen has retained his cocky, self-confident persona. He describes inmates as if he were a sociologist.

"Most dudes in the joint are a predator of some sort. There's a lot of sociopath-type personalities here," he said.

Jensen said he fought a lot when he first came to prison to show that he wouldn't be a victim. He spent almost two years in 23-hour lockdown at the Colorado State Penitentiary before working his way out to the Arkansas Valley Correctional Facility. "Especially when you're a young kid, decent-looking from suburbia and all that - that's a hot commodity to all the predators in the joint."

The worst part of every day, Jensen said, is waking up. At night, he dreams he is on the streets.

"There's always that one or two seconds when I wake up where I'm not sure I'm in prison, and then I get that realization that I am. That's the worst part of my day."

Ybanez said what he misses most about life outside prison is "the sense of possibility. You're totally free, so each day could bring something totally amazing into your life. Who knows who you could meet or what you could be doing or the things you could experience?"

Instead, the inmates must conform to a routine that Ybanez describes as repetitious and mind-numbing.



Moment of truth: Nathan Ybanez listens as he is found guilty in 1999 of killing his mother, Julie Ybanez, the year before. He was 16 when he took part in the murder at her townhome in Douglas County.

"Ninety-five percent of the time I feel disconnected from everybody else," Ybanez said.

He once tried to glue a guard's door shut and spent more than a year in solitary for helping another inmate's escape attempt. But he says being alone in a cell 23 hours a day isn't such a bad thing.

He yearns for quiet time in the prison yard at the Sterling Correctional Facility.

"Occasionally, very rarely, I'll allow myself to go out and sit on the grass right in the middle of the yard when there's not a lot of people out there and it's not so loud, it's kind of quiet," he said. "I'd say that's my favorite place here. I listen to the silence, look at the openness. You don't get that very much here."

On his own Ybanez has studied philosophy, psychology, physics, chemistry, mathematics, mythology and world religions, obtaining most of his books through interlibrary loans. He is studying Buddhism and has been reading *Healing Anger* by the Dalai Lama.

He taught himself French and Spanish and is learning Russian and Chinese. He learned to read and write Hebrew for his religious studies.

Ybanez has seen his father about once a year since he was convicted, but the relationship is rocky.

Jensen gets weekly visits from his parents, who paid to publish his first fantasy novel. Jensen has written five books in longhand. Pat and Curt Jensen have spent years shuttling reams of his prose for typing and revisions.



Lost opportunity: Jensen was 17 when he took part in the killing of his friend's mother.

"We are proud of what our son has been able to accomplish," Pat Jensen said. "We wish that it wasn't from behind prison walls, but we are proud of him. We are not ashamed."

Attorneys are working on appeals, but the two are wary of hope.

"I allow myself to have hope because my lawyer has asked me to hope," Ybanez said. "For many years I didn't allow myself to entertain hope because hope is a weakness. You open yourself up to failure and you feel pain." Jensen said he assumes his appeals will fail.

"At first I kept thinking I would get out any day. And then I didn't," he said. "We kept hoping and hoping and hoping, and we just kept getting them smashed. That made it too hard. It hurt. I really hope that I do get out, but if it happens, it will probably floor me."

As he waits, the Web site - www.nextdayfoundation.com - that Jensen's parents helped him set up offers his advice to abused teens.

"Before it ever gets to the point where you fear for your life or are contemplating taking someone else's life, get help. The road Nate and I traveled is a frightening lonely one with no U-turns."

Part XIII.

Rocky Mountain News

September 20, 2005

Poll backs sentencing shift

System now requires life without parole for some teen killers

By Gwen Florio, Rocky Mountain News

A poll commissioned by a group seeking to change Colorado's juvenile sentencing system found that most of those responding would support changes to a system that now allows juveniles to be sentenced to life without parole.

The study was conducted Aug. 19 to Aug. 24 on behalf of Pendulum Juvenile Justice, an organization that advocates for more flexibility in sentencing for juveniles. In Colorado, teenagers who are convicted of first-degree murder face the same mandatory sentences of life without parole as adults.

Colorado's prisons hold 46 people who are serving life without parole for murders committed as juveniles.

A Republican-sponsored bill that would have created a process to study the issue was approved by the legislature, but vetoed by Republican Gov. Bill Owens this spring. The Colorado District Attorneys Council opposed the bill.

On Monday, Bob Grant, head of the council, said that group believes that stricter sentences and other changes that toughened juvenile penalties were responsible for a marked drop in juvenile crime in the past several years.

Last month's poll by Ridder/ Braden Inc., a consulting firm that often works for Democrats, asked 501 likely voters around the state a series of questions about the sentencing and treatment of juveniles.

One of the poll's initial questions concerned a possible ballot initiative that proposed several changes to the current system of sentencing and treating young offenders. A total of 62 percent of the respondents said they would strongly or somewhat support such changes.

Then the poll asked more detailed questions; for instance, whether people would support giving judges discretion in cases involving juveniles convicted of violent crimes.

Under the current system, district attorneys make the decision whether a juvenile is charged as an adult. Seventy percent of those responding said they strongly or somewhat supported that change.

The poll also noted that critics of the proposed changes maintain that it would let dangerous people out of prison, while others say that the current system has resulted in "numerous" instances of youngsters serving life sentences for killing a parent who sexually abused them.

The *Rocky Mountain News* interviewed more than half the 46 inmates serving life without parole who were juveniles when they killed people.

Only two of those inmates alleged sexual abuse by their parents.

The poll question should have said "some, not numerous," said Mary Ellen Johnson, head of the Pendulum Foundation. Pendulum Juvenile Justice is the foundation's political arm.

After those questions were answered, pollsters repeated the earlier question about the ballot initiative.

The question was:

Shall the state of Colorado, in regards to the sentencing and punishment of juveniles, establish the following: the Court, rather than district attorneys, shall determine whether a juvenile is tried as an adult; juveniles tried as adults shall have a different sentencing structure from adults; juveniles will be segregated within their own age group in adult prisons until they reach the age of 21; and juveniles currently serving life in prison may go before the Court and apply for stringent parole after serving 15 years of their sentence?

Seventy-two percent said they would strongly or somewhat back such a plan.

Part XIV.

Rocky Mountain News

September 19, 2005

Woman's slaying rips apart family

Man lost his wife to murder, his son to a life term in prison

By Sue Lindsay, Rocky Mountain News

Roger Ybanez lost both his wife and son when Nathan Ybanez killed his mother in 1998.

"It's an absolutely awful thing," Roger Ybanez said. "It's real difficult. I'm on both sides of it."

"At first I was so distraught and so angry about the whole thing, I didn't know what to think," said Roger Ybanez, who remarried and moved to Texas after the murder.

"But as the days progressed, my main goal was to do whatever I could do to help Nathan out."

Roger Ybanez wouldn't discuss his son's claims of sexual and severe physical abuse by both parents, which didn't come out at trial and are the basis for his appeal.

"I think they're trying to ride the wrong horse to the race here," he said.

But he says Colorado's system of allowing juveniles to be tried as adults and requiring life without parole for first-degree murder is wrong.

"I just don't think that juveniles should be tried as adults, and the sentencing is way too one-sided. There's no flexibility for juveniles," he said.

"I'm not here to tell you that a juvenile shouldn't be punished for a class 1 felony. I think that they should be. But what is enough? Right now, the kid's been in a jail cell for half of his life."

He said teenagers can't participate meaningfully in their defense.

"I don't think that the adult court protects their rights," he said.

"I really think that juveniles are incapacitated to some extent in how they can help themselves (in a criminal case). A teenager's perception of the world is so different. They really don't understand the system and what the consequences will be on the rest of their life if they don't participate."

Nathan Ybanez didn't cooperate with his attorney in forming a defense strategy, his father said.

"He was not talking to anyone. He was not talking to me or anyone else about how it happened or why," Roger Ybanez said.

"People more qualified than me should decide what the appropriate sentence is, but there needs to be some type of punishment and rehabilitation," Roger Ybanez said. "In prison, there is not much of that. It's basically just a holding pen for people who committed crimes."

He said there should be options between a juvenile sentence and an adult life sentence.

"Now it's either a get-out-of-jail free card on one side and the most horrendous possible sentence on the other. Judges are not given any middle ground," he said.

Roger Ybanez said he never dreamed he would be in a place to contemplate such issues.

"I thought we had a great relationship between the three of us," he said. "We were not any different from any other middle-class family. We went to the mountains, went skiing.

"Nathan played basketball, and we went to all of his games. Then in a 12-month period we went from the middle of paradise to like Katrina. What in the world happened?

"Everyone thinks things like this never will happen to me. But it can."

Part XV.

Rocky Mountain News

September 20, 2005

Kids an echo of slain mom

Daughter has mother's personality, son has her looks, grandmother says

By Sarah Langbein, Rocky Mountain News



A link to the past: Photographs provide Sahrie, 15, with memories of her mother, Yvonne Cossio, who was killed in the front yard of her home in 1993. Sahrie and her brother, Donte, 16, are being raised by their grandmother, Carol Cossio, right.

Yvonne Cossio would have been 36 now, watching her kids learn to drive or get dolled up for prom.

Instead, her 55-year-old mother is raising them.

Carol Cossio looks across the living room and sees her dead daughter, Yvonne, alive in her grandchildren.

They have her smile, her dark chocolate eyes. "Sahrie has her personality, and Donte looks just like her," Cossio said.

Yvonne's kids were 3 and 4 when they witnessed 17-year-old Jerome Perea gun down their mother in the front yard of her Denver home in 1993. Donte ran to her and "tried to wake her up," Cossio said. Sahrie peered out on the crime scene from an upstairs window, not really understanding what was going on. It wasn't until Donte was 7 that he started having nightmares about what he'd seen.

"I think about (Perea) and I think what a coward to shoot a woman in the back and in front of her children," said George Cossio, one of Yvonne's brothers. "He never deserves to get out. I wish he could've gotten the death penalty."

Instead, Perea is serving life in prison without the possibility of parole.

Yvonne, 24, befriended Perea, who was seven years her junior, and he fell in love with her.

When the teen realized the feelings weren't mutual, it began a downward spiral that led to her very public death.

To make matters worse, the Cossio family said, Perea never showed remorse at the trial.

Now, sitting in the Limon Correctional Facility, Perea said his decisions were based on rejection and immaturity.

"I think I'm at a time in my life now where I would be ready to talk to them," Perea said.

"I pray every night. I pray for my family. I pray for guidance. I pray for the victim's kids and their families."

Sahrie, 15, and Donte, 16, don't like talking about their mother or the man who killed her. For years they had to answer the dreaded question: "Where's your mother?"

"In heaven," they said when they were younger. Now they hold tight to pictures and stories - other people's memories.

Carol Cossio not only has her memories but her grandchildren as a constant reminder of the daughter who was taken from her. She is nervously anticipating an empty nest and realizes her days of having kids living at home are coming to an end.



Facing prison time:

Jerome Perea, 17 in the photo above, shot Yvonne Cossio to death in front of her two young children in 1993.

Seeking guidance: Perea, serving a mandatory life sentence, said he prays every night. He blamed rejection and immaturity for his decision to kill. This photo was taken in May at the Limon Correctional Facility.

For 36 years, she's been raising children - hers, then Yvonne's. The thought of being alone has stirred up dreadful feelings.

"There are nights I still wake up and cry for her," Carol Cossio said. "Lately I've been feeling very lonely and missing her."

She still cringes when she talks about Perea. Rarely does she call him by his first name. Typically, she just refers to Perea as "him" or "he."

"I'm frightened by him," she said. "I sure wouldn't want him out there walking the streets again."

Yvonne Cossio's family said prison is where Perea belongs.

"No normal person, young or old, is going to think about killing someone and actually do it," George Cossio said.

"I don't think anyone with that in their mind can be rehabilitated."

Part XVI.

Rocky Mountain News

September 19, 2005

Journal entry from Nathan Ybanez

Editor's Note: These are excerpts from a journal written by Nathan Ybanez, who is serving life without parole after killing his mother. Except for items in parentheses, which give context, the information appears in its original form, unedited.

Concentration Camp of the Soul: Life inside a Colorado Prison

A prison journal by Nathan Ybanez, who entered prison at 16 and is now 24. He's serving life without parole.

4/14/05: Today was canteen day. Everything is always so hectic on canteen day. All the men scramble around frantically to settle debts. Here people deal in food and hygiene. Objectively I can stand back and look at the humor of two grown men wanting to fight each other over a few soups and a bar of soap, but I don't laugh. Here people hardly have anything so small things become very important.

I don't buy much canteen. I try to live mostly off what they feed us, but it's hard sometimes. The portions are often small, and a third of the meals are hard to force down. Many of the men in here freak out if they don't have canteen. I think the act of eating helps them forget where they are a little.

Day 2: Today and yesterday were hectic days. The cops know somebody is tattooing in the pod ././. but they haven't been able to find it. They hate when they can't find things. So, they've been kind of harassing everyone. Shaking down everyone's rooms and acting hostile. In case you're wondering, a "shake-down" is when you are forced out of your room by 2 guards who tear everything in your cell up looking for stuff they can take from you. Most of us don't have very much, but regardless I've never seen a cop leave from a shake down without a garbage bag full of stuff. Then, after they've shook you down, you've got to go put everything back in order because it's like a tornado hit it. And hope nothing dear to you has been taken because you'll have to fight tooth and nail to get it back if you get it back at all.

Day 3: (In the past) I've had to stand my ground and be prepared to kill a couple men because they were preying on me. But, I'm fortunate and happy to say I've never been forced to stab anybody, and I haven't been raped. There have been a few times I was completely terrified. There have been times I felt the hands of death near. But because I stood my ground with strength I'm now left alone. But, to get to a place where people leave you alone your personality has to change. You really do have to be willing to seriously injure or kill people if the need arises, and you have to be prepared to die because if things go to that level it's a possibility. Now, most times things can be resolved with a fight. Still, prison permanently changes you in that regard. You have to become hard, or break apart.

(On the frustrations of prison life and following rules and orders that sometimes make no sense:) Like Chinese water torture. Eventually that drip comes which sends you over the edge into madness. And the people outside looking in think, "How foolish! It was only a drop of water!"

In the same way I both saw and felt the potential for these men to explode. And it made me angry as well. On the streets you can go home to get away from the frustrations of the world, or at least to some place with peace. Here, you go nowhere. You can't. And there is no place of peace. So when I see somebody snap over something seemingly small, I don't laugh.

Day 4: Today was an all right day. But I got very tired. That happens a lot in here. I get tired for no reason. Even after sleeping all night. Maybe it's because I never sleep well. Maybe it's because this place steals my energy.

Day 5: I've been really stoked about stealing these new heavy-duty sporks from chow. You see, in prison you don't get any silverware. You get really flimsy sporks and knives. That might not seem like a bad thing to

you, but try eating a slab of meat, or something you really need a fork for with a plastic Spork and knife. After about a week of struggling with your food you really miss metal silverware.

Generally, there are two ways people in here feel about all the loss. Some people get really angry about the little things. Others miss the big things.

Because I got locked up so young (16) I didn't get to do hardly any of the big things. I've driven a car less than 10 times. Never even had a driver's license. I can count on one hand the number of girlfriends I've had. Only 2 of them were real. The others just kid crushes. And I never had sex with any of them. (Yea, ha, ha. Laugh, but I were abused and had a bad childhood so sex was a real issue with me.) I was waiting for the right girl. I've never been in a bar. Never been to an art gallery. Never paid taxes. You get the idea never really did anything.

Now, of these two viewpoints. I'd say the first one predisposes a person towards institutionalization. And the other protects them from it-- or leads to death and suicide and lots of violence. Recognizing this, I cultivate my pain. I don't wanna forget how much I hate this place or desire my freedom. 'Cause if that happens there's no point in living anymore. And if I die, I'd rather it be somebody killing me while I'm trying to escape, than killing myself.

Today my friend I play guitar with left. I don't know where he went, but I know he won't be coming back. That's another thing that's hard about prison. This isolation, or alienation, whatever; the point is you can't find anybody to get close to because you, or they, always get moved. Every time they move one of your friends it's a cold truth you may never see them again in this life. And it hurts. So, the longer someone is in prison the less friends they make. They get tired of everyone being taken away from them. Eventually, they hardly speak to anybody, and that's sad, because many of these people have a lot to share, but it will die away with them. I'm still a "youngster," still a fool, because I still allow myself to develop bonds with people. I still let people touch my heart. But, slowly and ceaselessly, this prison system is destroying those good, human qualities I still possess. I tell myself all the time I won't let these people and this system mold me, but the truth of the matter is it is happening in small ways. If the truly important parts of myself get taken I hope I have enough awareness to kill myself.

Day 7: Today was a good day. I got to go to the law library and study the law in the morning. I have to study the law if I want a chance to get out of here.

And, I got a letter from a friend. I write to that said she graduated from college. Mail is extremely important to guys in here. For many people, it's all they have that keeps them going. So, here's to good days! They should be cherished.

She sent me an invitation to her graduation. It made me feel like I was happy, but falling at the same time. I was so touched that she thought enough about me to send me something. But I was sad cause I can't be in that world. I never even graduated high school, so I don't know what it's like to feel that sense of accomplishment, but I would really love to be there to congratulate this girl. It's strange getting things like that in the mail because they are links to a world I've never known. You wish you were there, even though you don't know what it's like. You figure because everyone looks so happy it's gotta be a wonderful place.

Day 9: Today, I typed up a flyer describing how to order from the Tattered Cover Bookstore. My plan is to somehow get copies of it, and flood this prison with them. Why? Because we aren't allowed to have catalogues here. Sound stupid? Senseless? It is. It seems this prison really doesn't want any inmates ordering books, magazines, and newspapers. They make it so difficult. In fact, it's even difficult to get to the library here. They only allow us to go to the library (well, my unit at least) 3 days a week. Two of those days I work. And, when I do have time to go, it's very difficult to get a pass. Only a certain amount of people are allowed at the library, so you need a pass to go there. Because so many people need to go, there's always a large line.

So, you see, nothing is easy in here. Yesterday I spent an hour waiting to try to go to the library. Surprising, as it may seem, there's not that long of a wait. I won't even go into the hostile atmosphere you meet when you get to the library.

Anyway, the last 3 days I've been dead tired for no reason. I find, periodically, that happens to me. I can barely walk to chow. I was commenting on it to another inmate who's been down (been locked up) many years. He said, "It's this place that does it to you. It just drags you down-- steals your energy. Don't matter how much sleep you get. It's not your body that's tired." He's right.

Day 10: In a cell there are two bunks. That means two people. The cell is about 15' long by 8' feet wide. The bunks are at the back end. They are about 3' wide. And on one side of the cell, there is a 2' wide desk. All things are steel or concrete. Oh, and there's a steel combination toilet/sink next to the door. That's not very much space for two adult people. Especially when, on average, 14-16 hours there together. On lock-down you'll spend 23 hours there together. Think about how much tension can exist between two people living in the same house. That's the same house! Now imagine that tension being reduced and compacted into a single small room. Insane. It can be very insane. Especially in a place that is full of negativity. And many of the people here have many deep problems. So, it's very difficult to find peace here. As I said, every thing here is steel or concrete. No carpet of course. And that has a large impact when you fight in these cells. With all the tension it's normal that there would be a lot of fights.

Because there really is nothing to do here, but these people force us to be "full-time assigned" (work 8 hours a day) people end up being forced into classes they've already taken 2 or 3 times. I've taken anger management 3 times. And none of it was worth anything. What has been helpful are my own private studies. There are, basically, No educational programs here. But I've studied many things on my own. And the spiritual stuff here is negative. All the Christians are delusional, and covering up personal problems with empty actions and words, instead of being naked and going through the pain of fixing them. The meditation the Buddhists teach is good though. I'm not a Buddhist, but learning to be aware of and control your thoughts and emotions is great. I wish everyone learned it.

It's hard to find peace in here. If there was a place where each of us could find some alone time it would be easier, but there is no alone time here. And it's loud. Noise all the time. I blast my fan and radio so I don't have to hear the yelling and keys and all the things that make me want to scream and cut my brain to pieces. A consistent sound is easier to deal with. One thing this place does to make me strong. Somebody could try to kill me right now, and I don't think it would bother me much. I'm in a constant struggle as it is, so it actually might be a bit of relief.

These steel bunks are difficult to sleep on. Between your body and the steel is a plastic foam mat that is about 1 ½ " thick. Everything is so soft where you guys live. Do you realize that? Hugs are soft. Don't underestimate their value. There are no hugs here. Well! Back to my studies.

Day 11: Tonight it's silent in here. Like whoever makes the world each day decided to give us a break. There's no yelling, no ringing metal, no jingling keys, no stomping boots, no slamming doors, no jarring laughter, or roaring vents. Nothing. And it is so blessed I wish I could have just a little bit of silent peace every week. I won't get greedy and ask for it every day. Just one time a week. But, this is so rare. The vents are always on. They are so loud. You wouldn't think that, but they're like those jets. I've grown used to them over the years, but then a night like tonight will come along and remind me of how things are supposed to be. And I feel my soul just relax. And it's surprising because you thought you were relaxed. But you weren't. You'd just grown used to the tension. So, I'm thankful for this night when I'm reminded of how things should be. And I breathe in the silence.

Day 12: I'm bubbling with frustration and anger today. I know, logically, it's futile, but things have just "gotten" to me today. That drip of water that could send me over the edge is getting mighty close. Good thing it's lock-down. So many little frustrations today. For the last 2 days there've been all these "visitors" here. "Visitors" are people dressed in civilian clothes with nametags who are escorted around the prison by other cops. The cops talk to them and show them the prison, us inmates, and everything else. I hate visitors. I have no idea who these people are.

It's an angering experience having these people watch you. All of us feel it to be very disrespectful. It's like this is a zoo and they consider us some strange breed.

To these people we aren't human. To them we are sub-human. What we think or how we feel doesn't matter. The way I feel, it's enough punishment to be here and be persecuted for the rest of your life because you have a felony on your record. They don't need to gawk at us. Another thing-these "visitors" don't see real prison because the guards clean up their acts when they're around.

The law makes no room for the surrounding circumstances of a crime. Most people in here have things that, if they were known, make their "crime: seem like it's reasonable. We all do things that re wrong. We all make mistakes. And there should be compassion for those who are not perfect. We should try to make them better people so they can make right the things they've done wrong.

Day 13: Today I went to a college class Adam's State College is offering called "Development of Civilization." I don't qualify for this class. In order to qualify you must be under 25 and have less than 3 years to your P-E-D (Parole Eligibility Date). Because the state of Colorado gives people so many years few

people qualify to take the college course they're offering. But, I asked respectfully if I could sit in and listen without receiving credit. At first the instructor was hesitant. He said DOC had a negative stance towards the college program and he was bound by what they said. But he let me stay in the end. There are 12 people in the class, and it was delayed a week because there almost weren't enough people who qualified to even hold the class. But I'm glad they are holding because that means I get to learn.

Now, DOC did say that if we don't "qualify" to take the class we can pay for it. But the cost is \$375. That is a lot of money for someone who has no way to make money.

In here (remember I said you're forced to work) they pay you 60 cents a day if you work all day. That translates to \$12 month. With that \$12 you have to buy everything you need (soap, stamps, etc?) and pay for medical (\$5 a visit) if you need to go. On top of that, most people have to pay money (restitution) to the court, which means 20% of everything they make is taken immediately by DOC. Twenty per cent of \$12 is \$2.40. So, you can see it's difficult to get an education here. But, I'm happy they are finally offering something positive for these guys in here. It's cool to see these guys excited about learning. The instructor even allowed me to check out a textbook.

Day 14: (On his lack of sympathy for inmates who have been beaten by other inmates:) I feel like they shouldn't dwell on their hardships, but should continue on with life. That's a sign of strength. Giving in to your pain is almost like giving up, and that's wrong. Maybe I shouldn't feel this way, but I do. If I felt the pain of everyone I meet who's in suffering I wouldn't survive. So, I've changed my way of interacting with the world. Plus, physical pain is so minor! It all heals rather quickly. But mental and emotional pain wound so deeply sometimes they never heal.

I've seen a lot of people get f----- up in here. And it almost never fazes me. It did when I first came to prison, but no longer. Perhaps that's another sign of institutionalization. But it enables me to function so I can work towards bettering myself and attaining my freedom.

A lot of people say they're going to kill themselves in here, or try. When I was in a different "facility" than I am now I probably saw 10 people climb outside the rail on the third tier (probably 30-35') and prepare themselves to jump headfirst. Remember, it's all steel and concrete here, so you can imagine the mess. When this would happen you'd have guys come out, group up and start cheering.

"Hey! Jump! Do it! You're f----- worthless!"

Now I never saw anybody actually jump. But there've been instances where people did. And lots of times they didn't die! That's probably worse than dying. The main reason everyone cheered for these guys to kill themselves was because most of the time the person out on the rail had stabbed a lot of people in the back, or something along those lines. They weren't considered "good" people.

Maybe another reason these guys in here cease caring about other people is because the world ceased caring about them.

Some of the things in here are hard to express or explain. If you care you're vulnerable. If you care about something the possibility exists for you to feel afraid. And there's nothing worse than feeling alone and afraid. Since you're always alone in here, at least you can kill off your fear. Since I've trained myself not to feel upset by physical pain or death there's not much that causes me to fear. And since I don't have any relationships of any depth in here there's not much to fear emotionally. So, I'm kind of protected. I know the rest of the dudes in here, or at least a majority feel the same. That's why many cut themselves off from their loved ones on the streets. It's not that they don't love them — they love them too much. If you hold onto something like that in here it'll end up killing you.

Of course, I'm not as smart as the rest of these guys. I still allow myself to write people — to stay connected to them, and love them. Maybe it'll be my downfall.

Day 15: So in prison you never see any water except for what comes out of the shower or the sink. In fact, the most water you see is what's in the toilet. Sometimes the mop bucket. Missing water isn't one of the obvious things you'd think about, when it comes to prison. But you definitely feel the loss. I imagine what it used to feel like to swim — to have my whole body submerged in water. But it's hard to remember. I think it felt relaxing and vivifying.

The way the showers work here is a button. There's a nozzle (metal, like all things here) and water sprays out of it. There are no temperature controls, so you can't make the water comfortable. You just push the button, and after about 3 seconds the water shoots out. It stays on for a pre-determined amount of time and then you have to push the button again. Many times the water is either uncomfortably cold (read, like an ice-box) or hot (read, scalding). And, the showers are right in the middle of the pod, so there's no real privacy. Yes, you do have a shower curtain, but it's clear plastic on top and bottom so the cop can see you.

When you first get to prison you have trouble getting used to the showers. You feel tense and vulnerable — and you are. When I first go here I wore all my clothes to the shower. I didn't want to walk anywhere without being fully dressed. I knew it was dangerous. Especially if you're young, small sized and good-looking. I was all those things. And extremely homophobic. But, with time you get used to it. So, I don't wear much anymore. And the uncomfortable feeling of showering doesn't bother me much anymore either. I don't look at water as something relaxing anymore. It's just practical. Prison is full of these things. Stuff that used to bring you comfort on the streets brings you little to no comfort in here. Because of this you grow harder. You lose your manners. But, in other ways, you learn to be respectful. It's almost like this is a different culture. Norms that are followed out there don't mean much in here. And norms that don't even exist out there become quite important in here.

We don't have faucets here. Remember I said your sink is also your toilet. The sink puts out water like a drinking fountain. It's like a drinking fountain with two buttons — one for hot and one for cold. And, because you have to keep pushing the buttons to keep the arc of water going, it gets annoying. But, you can get most things accomplished with it. Except wash your clothes. You get written up for washing your own clothes here. Does that sound strange? That's because it's another one of those rules that doesn't make sense. You're also not allowed to hang your clothing so they can dry if they're wet. These are things you could get written up for.

Day 16: I'm sitting here looking out of my window. The windows in this cell are placed in the middle of the wall opposite the sliding steel door. There are two. Each is about the length of your pen high, and a yardstick wide 6" deep. A skinny guy like me might barely be capable of squeezing my head into it sideways. It's Plexiglas, and doesn't open of course. But at least I can see the grassy hillside beyond the fences (there's 3 of them, ringed with razor-wire and one is electrified with 10,000 volts). For some reason, in Ad Seg (solitary) they place metal plates on the outside of the windows so you can't see out of them. There's no security reason for this because the windows are exactly the same as these ones. So, it's obviously a way to cause you torment mentally. And in some holes you don't have any windows. I was in one that felt like a dungeon. It was very dark there. And not much space to do push-ups. We laughed about being there at the time, but it wasn't funny. Anyway, you probably wouldn't think depriving someone of fresh air and the ability to see the outside sky and ground is very important. But, it actually affects you deeply subconsciously. These days, out there, everyone spends so much time indoors the thought of losing the outdoors doesn't seem too harsh. But, I can tell you — when I saw a sky without fences, or metal grating between it and my eyes for the first time, after coming out of Ad Seg (I spent 2 years there) I was overwhelmed. I wanted to breathe all of it in. It was so peaceful and liberating. Unfortunately, they put me back in lockdown for 7 more days before releasing me into population. All of us were mad about that. We'd figured we'd done our time.

Then, when I went to court they escorted me through a normal parking lot before placing me in a van (inside the van is a cage like a kennel for humans). I felt like crying. I was so surprised by the horizon. There were no walls! No fences! Nothing! I could see as far as my eyes could see. And there were trees! The experience is very hard to describe. It's like seeing the most beautiful thing in the world — something directly connected to the divine, something transcendental — for the first time. It was awe inspiring and magnificent. My breath stopped. I couldn't believe I'd forgotten what things looked like without walls, razor wire, and fences. I wonder how many other things I've forgotten?

This is another way prisoners are different than all of you. We've seen things from a perspective you can't imagine. Because of this we think differently than you. We attach importance to things you don't think twice about. And we get angry about these seemingly unimportant things being interfered with or taken. Our reactions seem extreme, but if you experienced what we experience you'd see the rational nature of how we act.

For instance, in Ad Seg and the hole they have a tendency to not give you your "hour-out" into the outside cage when they're lazy or have a facility lock-down or something of that nature. When an inmate doesn't get their hour out they react violently a lot of the time. Of course these cops think, "How irrational! It's only an hour and you're acting like a madman!" But to the inmate that 1-hour out of his/her cell 5 times a week might be the only thing that keeps them feeling human and sane. There's so much depression in here usually it's only a handful of things that keep you holding on. The love of just one of those things could make you upset

enough to kill somebody. Is a prisoner wrong to severely hurt or kill someone who causes him/her such pain and torment they don't feel as though they can even exist anymore! Is anybody wrong for that? I don't know. But I sympathize with people pushed to that level. I see it nearly every day. One thing is for sure — regardless of morals, you can only push a human being so far before they break. When something breaks it doesn't just injure itself, it injures anyone around it the broken pieces reach.

There are people out there (you might be one) who think prison needs to be about torture and torment. But few people think to the future when those people who've been tortured and tormented over the years are released back into society. They commit more crimes. And the level of crime is nearly always greater. This is because of the pain they've experienced; nobody here respects the law. In prison you learn to hate the law.

In India there was (and largely still is) a caste system. At the bottom rung (in fact mostly not even considered a true caste) were the pariahs, the "untouchables." These were criminals, prisoners, and slaves. They weren't even considered to be human and was looked on with disgust. I see these people in here. WE are the pariahs. And no matter how fancy the words are you use, or how clean you make the prison appear, the fact is these poor souls are considered throwaways by you — society. Look within yourself and those around you objectively and you'll see what I'm saying is true.

Part XVII.

Rocky Mountain News

September 19, 2005

Video: How a teen brain develops

(To view videos, please visit the following url:

http://www.rockymountainnews.com/drmn/local/article/0,1299,DRMN_15_4080247,00.html)

Researchers at UCLA and the National Institute of Mental Health recorded images of the brains of 13 children who were scanned every two years for eight years. The researchers found a consistent pattern of development.

The areas that control basic functions such as movement formed neural connections at an early age, followed by the areas that control language and speech. Not until the late teens does the brain fully develop areas of judgment and impulse control.

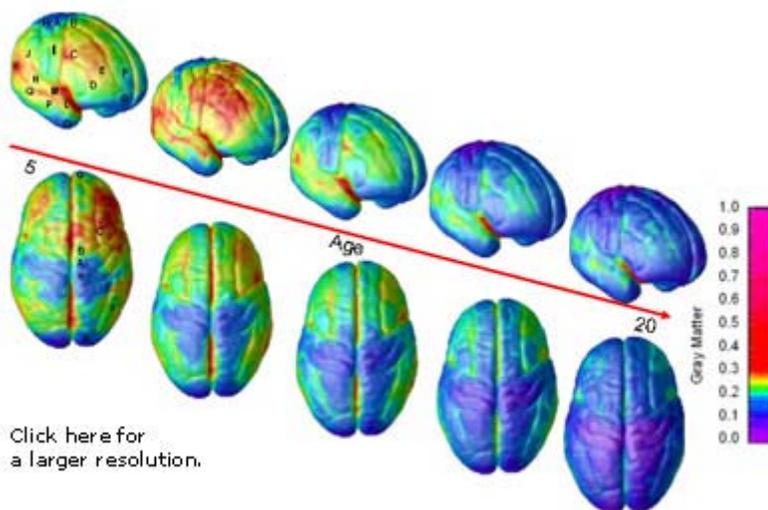
The research did not focus on criminal behavior, but opponents of life without parole for serious juvenile offenders point to this research as evidence that juveniles may lack the capacity to make decisions in the same way adults do and should not be sentenced like adults.

For a time-lapse movie showing the brain's development, see below.

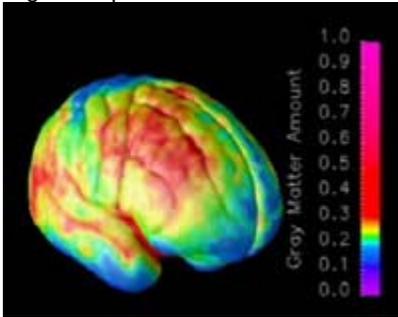
Areas in red and yellow indicate parts of the brain that are not fully developed. Areas in blue and green are more developed. Contrary to the popular use of the phrase, "gray matter" refers to brain tissue that has not yet fully developed neural connections.

Time-Lapse Imaging Tracks Brain Maturation Ages 5 to 20

Constructed from MRI scans of healthy children, these time-lapse "movies" compress 15 years of brain development (ages 5-20) into just a few seconds. Red indicates more gray matter, blue less gray matter. Gray matter wanes in a back to front wave as the brain matures and neural connections are pruned. Areas performing more basic functions mature earlier; areas for higher-order functions (emotion, self-control) mature later. The pre-frontal cortex, which handles reasoning and other "executive" functions, emerged late in evolution, and is among the last to mature.

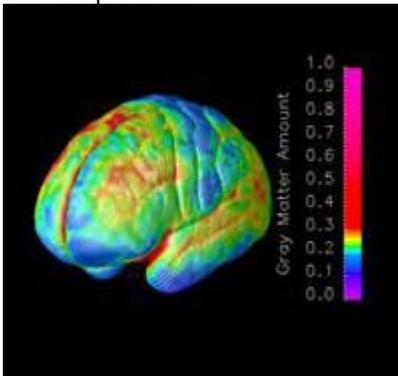


Right oblique movie



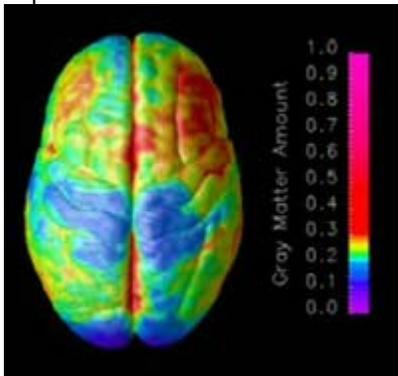
To watch the timelapse video visit the url above »

Left oblique movie



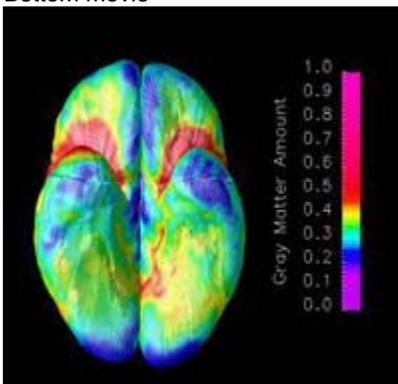
To watch the timelapse video visit the url above »

Top movie



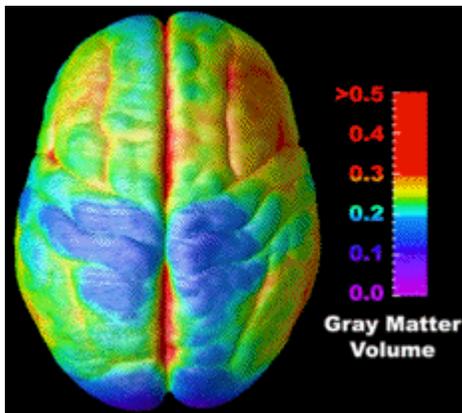
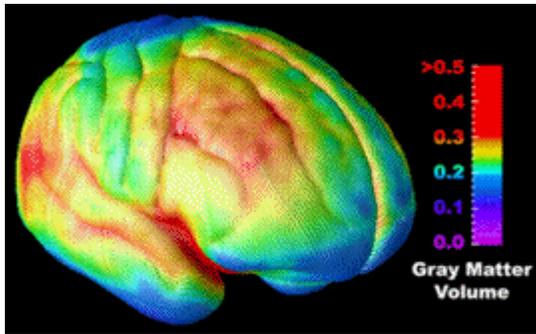
To watch the timelapse video visit the url above »

Bottom movie



To watch the timelapse video visit the url above »

Animated graphics



Part XVIII.

Rocky Mountain News

September 20, 2005

Special Report: Life term without parole just one option

New Texas law allows sentence but doesn't make it mandatory

By Gwen Florio and Sue Lindsay, Rocky Mountain News

With more executions than any other state, Texas has a tough-on-crime reputation.

Yet when it comes to dealing with young criminals, juvenile-justice advocates point to the Lone Star state as a model.

In 1987, just as crime rates nationwide were beginning to rise, Texas began a system of what was known as blended sentences for juveniles convicted of serious crimes, said Neil Nichols, the Texas Youth Commission's general counsel.

Youths charged with the most serious crimes in Texas still could be transferred to adult court. And until a recent U.S. Supreme Court ruling invalidated the death penalty for juveniles, they faced possible execution if convicted.

But with blended sentences, juveniles convicted of serious crimes could begin their time in the juvenile system, then transfer at age 21 into adult prisons where - depending on their progress - they could serve up to 40 years before becoming eligible for parole.

"That's what gives (an inmate) motivation. He can't just sit on his hands," Nichols said.

Advocates of sentencing reform for juveniles say that sort of system gives young criminals a chance to mature, making them better candidates for rehabilitation.

Sentencing teenagers to life without parole "goes against a long history in this country of believing in the capacity of society to rehabilitate people when they still are young. This is why we had a separate juvenile justice system," said Temple University's Laurence Steinberg, a psychologist who has been involved in the national debate.

"We are not very good at looking at people when they are 16 and predicting what they will be like when they are 30. We know there is a huge drop in violent crime after age 24 or 25," said Steinberg.

Ahmad Nelms, 23, a former gang member convicted of killing a Denver man in 1999 when he was 17, said his views have changed significantly in the six years he's spent behind bars.

"I never really understood (about the future). I was a kid. I thought it was all just, 'Have fun and hang out.' I was gangbanging it, doing all the wrong things. I didn't understand the big picture."

Because he was charged as an adult in Colorado and found guilty of first-degree murder, Nelms was automatically sentenced to life in prison with no chance of parole.

Until Sept. 1, that wouldn't have happened in Texas.

But a new law went into effect then, specifically allowing life without parole for young Texas murderers.

"Damn," said Paul Rosenthal, when reminded of the change in Texas. "I was just about to say how great it was in Texas."

Rosenthal is the legislative affairs director for the Pendulum Foundation, a Colorado Springs group that advocates juvenile sentencing reform. Even with the new law, he said, most serious juvenile offenders in Texas will likely end up with the blended sentences.



Fate locked in after conviction: When Adam Drake was convicted of first-degree murder in 1999, the judge had no choice but to sentence him to life without parole. Judge David Parrish wondered at the time if he had done enough to inform Drake of the difference between life without parole handed down at trial vs. a lengthy sentence worked out in a plea bargain. This photo was taken at the Arkansas Valley Correctional Facility in August.

Unlike Colorado's law, Texas law never mandated life without parole for first-degree murder. Furthermore, a hearing was required before a juvenile case could be transferred to adult court. Colorado prosecutors can file a juvenile case in adult court without such a hearing, unless the juvenile is under 14.

Texas changed its juvenile-sentencing laws in March, after the U.S. Supreme Court declared the death penalty unconstitutional for anyone younger than 18.

Dianne Clements, president of Justice for All, a Texas victims rights group, said there was a fear that dangerous killers who might have faced execution could eventually be eligible for parole just because they were juveniles when they committed their crimes.

The idea behind the new law, she said, was to remove the possibility that "17-year-olds can feasibly be out at 57."

Although Clements supported the change, she said she remains ambivalent about giving life-without-parole sentences to juveniles.

"Do I think it makes a difference in the real-world outcome? No, I don't," she said. Juries, she said, will likely give life-without-parole sentences to young killers who earlier might have gotten the death penalty.

"Some crimes," she said, "you just forfeit your right to be in society."

Harold "Hal" Gaither, a retired Texas juvenile court judge who testified before the Colorado legislature this spring, said Texas' new law illustrates the political realities of juvenile sentencing reform.

"You don't want to appear, from a political standpoint, to be soft on crime when you're talking about the taking of someone's life," Gaither said. "You have to let everybody know that what you're really after is fundamental fairness."

'A sliding scale of criminal responsibility'

A Colorado sentencing-reform bill that Gaither backed was vetoed in May by Gov. Bill Owens, after it had been amended to propose only a study of the issue.

Supporters of such legislation argue that there's a difference between youngsters and adults, even when those juveniles are tried in adult court for crimes such as murder.

"Their brains are simply immature developmentally, which affects their thought processes and ability to exercise self-control," said Barry Feld, a law professor at the University of Minnesota who has written several books on juvenile justice. Feld favors "a sliding scale of criminal responsibility" when it comes to sentencing juveniles, something he calls the "youth discount."

"Kids would get shorter sentences than adults on a sliding scale of criminal responsibility. A 14-year-old would get 25 percent of the adult sentence, a 16-year-old would get 50 percent," he said.

A life sentence for a 16-year-old would still amount to about 25 years in prison, he said.

"Even though they do the same horrific harm as adults, they are simply not as responsible," he said.

Society already takes this into account by setting older ages for when juveniles can vote, drive, drink and serve on juries, he said.

However, Colorado and most other states hold them as responsible as adults for serious crime.

'Little bitty condensed sentence'

Some scoff at Feld's idea.

Murder, said Gaither, "is not like the *Reader's Digest*. If somebody kills somebody with a gun, it's not with little bitty condensed bullets. He's not entitled to a little bitty condensed sentence."

He advocates sentencing teen killers for a long time, then making a thoughtful determination whether the person is a good candidate for parole.

Steven Drizin is a Northwestern University law professor who co-authored one of the briefs cited by the U.S. Supreme Court in its ruling striking down the death penalty for juveniles. He agrees that teens who kill should be punished but re-evaluated over time.

Brain research on teens shows that "adolescents are less culpable (and) it imposes an obligation on society to do what we can to impact these brains in pro-social ways," Drizin said.

Feld points out that the U.S. punishes juvenile offenders more severely than other nations.

"When I talk about my youth discount, it is not a radical idea," Feld said.

The issue

One in eight lifers in Colorado - 46 out of 360 - were sentenced for murders committed when they were younger than 18.

In the wake of a U.S. Supreme Court ruling that ends the death penalty for juveniles, a national debate is emerging over laws such as Colorado's that require life without parole for teens convicted as adults of first-degree murder.

- Those who want to change Colorado's law say:

New research shows juveniles' brains are not fully developed so their faulty judgment makes them less responsible for crimes than adults. Juveniles could be rehabilitated and should get a chance at parole.

- Those who oppose changes to the law say:

Inmates serving life without parole took others' lives and have forfeited their right to freedom. The young killers, if released, would pose too great a risk to society.

Part XIX.

Rocky Mountain News

September 21, 2005

Law requires judge to give 'life for a life'

Retired jurist wondered at trial whether he did enough to guide teen toward plea bargain

By Sarah Langbein, Rocky Mountain News



"The thought that I might never have children, the thought of what I'm going to do when my parents die, the insanity of all of this. I don't want to live like this forever." - **Adam Drake, who is doing life in the Arkansas Valley Correctional Facility near Ordway**
Judge David Parrish had no choice.

Adam Drake's fate was certain the moment he was convicted of first-degree murder in the death of Eric Harris. Unless he wins an appeal or the governor commutes his sentence, Drake, who was 17 when he killed, will spend the rest of his life behind bars.

That's Colorado law.

"For now the law is clear," Parrish, an El Paso district judge, told Drake in 1999.

"The sentence is life, a life for a life. And that means in our system, right now, there's no escaping it unless you physically escape. There's no parole. It's life."

But Parrish obviously was conflicted.

Drake had been offered two plea agreements multiple times: one for 25 to 48 years and the other, 35 to 48 years, Drake said. From the bench, Parrish wondered if he should have made more of an effort to guide the teen toward a plea deal.

"My opinion, your chances at trial were not going to be good, and that's why I wonder whether or not I did enough to try to convey to you the difference between life without parole and 30 to 45 years or whatever your plea bargain would have been," Parrish said.

"But it's too late now, unless, of course, you can succeed in an appeal. And there are some issues that you have certainly some possibility of prevailing on appeal and getting a new trial."

Parrish, now retired, declined to talk about his comments because Drake's case is still making its way through the appeals process.

But those words stuck with Drake, a lanky, articulate 24-year-old imprisoned in the Arkansas Valley Correctional Facility near Ordway.

He says he clings to the hope that Parrish was right and he'll have a chance to win an appeal.

"It's all I dream about," Drake said. "Every other wish is secondary."

In 1998, Drake was living in a boys home as a result of chronic running away and truancy.

One night, he said, he and a handful of friends met Eric Harris at a Denny's. Harris offered them a place to stay.

The killing happened a few visits later.

Drake claimed self-defense, saying that he was trying to help his friends escape Harris, 30, a man he characterized in court as a sexual predator.

He confessed to police that he shot Harris five times with a stolen gun but said he fired only after Harris came at him.

He also told police that Harris had tried to strangle him once.

"By the time that I stopped (shooting), he was at my feet and the last shot went into the back of his head," Drake said.

"And that's still what I can vividly remember.

"I understand being punished for what I did. I just don't think the crime fits the punishment in the case of my crime."

Drake passes the days by reading magazines such as *GQ* and *Harper's Bazaar* and books from a list of the top 100 greatest novels.

While he flips through the pages, he sets a television in his cell to closed captioning and listens to the radio.

"You start living vicariously through reading and television," he said.

On the outside, Drake's mother, Sook, managed to keep her son's crime from extended family members, even relatives in Colorado Springs, for nearly two years because the case received little media coverage.

Finally, at a gathering when family starting asking about her son and where he'd been, Sook Drake confessed her secret.

"I was so ashamed," she said. "I kept thinking, 'What did I do wrong in my past?' I thought I wanted to kill myself."

She attended her son's trial by herself, all the while fearing she'd run into someone she knew at the courthouse and not know what to say.

Sook Drake speaks to her son once or twice a week and usually visits him twice a month.

It's hard for her to see him dressed in green prison clothing, but, she added, "I'm very proud of the young man he's become."

Adam Drake insists he's become a better person behind bars but he doesn't know if he'll ever get to prove that on the outside.

"The thought that I might never have children, the thought of what I'm going to do when my parents die, the insanity of all of this," he said.

"I don't want to live like this forever."

Part XX.

Rocky Mountain News

September 21, 2005

Mother's faith in system restored

By Sarah Langbein, Rocky Mountain News

Sonya Purifoy tried to raise her son right. She'd gotten off welfare to give her kids a better life and sent her boy to Catholic school in hopes of steering him toward a good future.

But her efforts didn't save her son.

Eric Harris died when he was 30, at the hands of a Colorado Springs teen, Adam Drake.

Reached in recent months, Purifoy declined to talk about her son or his murder.

But the New York mother gave voice to her family's sorrow - and gratitude for Drake's life sentence - in a poignant letter to El Paso District Judge David Parrish.

"First I would like to thank the state of Colorado. You have all restored my faith in the criminal justice system. Eric was not just another black person who got killed and nobody cared. You all cared."

Purifoy thanked everyone who helped solve her son's murder and gave her support, specifically the Colorado Springs Police Department, victim's advocates and the district attorney's office.

"I am forever grateful," she wrote in her letter, dated Sept. 25, 1999.

"Through all of this, everyone involved can tell you that I never portrayed my son as a saint.

"Eric had his problems and sometimes a lifestyle that I did not accept at times.

"Eric was not just some ghetto black man. He was a Catholic school educated kid who came from a decent home. I got off welfare 27 years ago and went to work so my children could have a better life.

"But somehow Eric just got with the wrong crowd of people. But I do believe that while he was out there, that he was truly trying to get his life back together. Mr. Drake cheated him out of that.

"I feel somewhat sorry for Adam Drake because he is still really a child, and most of all I feel sorry for his mother. But like me, they will never have to worry about where he is or what he's doing.

"Mr. Drake will never take anyone else's life, and he will never get in trouble again if he is behind bars.

"As hard as I know that can be to a parent to accept, sometimes it can be a relief.

"My son is in a better place, and that is what I truly believe. I never have to worry about him again. I always know where he is and what he's doing.

"Somehow it might be better for Mr. Drake to wind up in prison. At least he's alive, and maybe his poor mother will not have to go through what I did."

Part XXI.

Rocky Mountain News

September 20, 2005

Letter from George S. Chavez to the News

Editor's note: These are excerpts from a letter sent to the Rocky Mountain News by inmate George G. Chavez, who is serving life without parole for murder. The information appears in its original form, unedited.

My name is George G. Chavez, I'm twenty six year old, and I've been in prison for going on eleven years.

I can't really remember what my life was like as a child, prison is all I've known for the past ten years.

What I would say to other youngsters about what I'm going though is this: at one point or another everyone has heard the saying, "you don't know what you've lost until it's gone". This is painfully true in my case. The two most important things in life which is family & freedom were taken by a system that claims they act in the best interest of everyone. It doesn't matter if you're 13 years old or 30, if you get put in front a D.A. who has "justice" in mind & your family don't have money, then chances are you'll be tollin' the line soon. According to the State of Colorado I'm a cold blooded killer (at age 15) and as a so called cold blooded killer I'll say this; I wouldn't wish this punishment on anyone!

I do have hope that my sentence will be overturned. Show me a man with no hope and I'll show you a dead man.

I can't speak for the rest of the youngsters doing time in these joints, only for myself. And with that being said I want to say this: It didn't take 20, 30, or 40 years for me to realize the crimes I'm accused of are wrong. It didn't take forever for me to realize how the victims had & have to deal with the pain of crime everyday. In short, I'm not claiming to be some angle, but by no means am I the cold blooded killer I'm accused of being.

To keep a particular position people will talk all day about "get-tough" laws for youngsters. Why doesn't anyone focus on the point before the crime?