

Youth Justice Coalition Statement

All of us at the Youth Justice Coalition (YJC) have been through the system and/or have family members who have been incarcerated for long periods of our lives. As part of our work, we are working to challenge the extreme sentencing of California's youth, including co-sponsoring a bill, which would give youth serving Juvenile Life Without Parole (JLWOP) a review of their sentence. We have worked closely with Tedi Snyder's family for three years. Mr. Snyder and his son - along with many other families - have organized for major changes in policies impacting youth in the system. When Tedi and his father could have easily focused on themselves, they gave countless hours to the protection and uplifting of other youth and parents.

Our thoughts today are with four families whose lives have been drastically impacted by the events of this case. We are here to support the two youth who were arrested and the two youth who were shot. On any given day, their roles could have been reversed. Like tens of thousands of young men before them, they are all child soldiers - victims of the decades-long war on L.A.'s streets. We know that L.A.'s addiction to incarceration has only grown the problems of violence and death.

We have come to know that court is most often reduced to a competition between lawyers. Preliminary hearings and trials are about seeing everything in black and white, good and evil, villains and victims. Court processes do not expose the shadows where life is really lived. In Tedi's case, you never heard in court that this was his first major arrest. Court isn't the place where you learned that when Tedi was 13, he heard gunshots and ran up to see one of his best friends dying. Or that at 14, Tedi saw another youth who he considered a brother shot and killed in front of him, and that the boy bled out onto the concrete as Tedi held him. Or that at 15, just two months before his arrest on these charges, Tedi was shot in the head, and nearly killed. Or that the day before his arrest, he was shot in the hand.

You didn't hear in court that Tedi is one of hundreds of thousands of youth surviving on some of the world's deadliest streets: that one in 78,000 young men are victims of homicide on the West Side of Los Angeles, but one in 2,200 are murdered on the South Side; or that in the last two decades, more than 100,000 people have been shot on the streets of South Central and Watts alone. It wasn't raised during the trial that the Rand Corporation and UCLA have determined that youth on the streets of South Los Angeles have higher levels of Post Traumatic Stress Disorder than youth on the streets of Baghdad or than the American soldiers returning home from Iraq and Afghanistan. You didn't hear anyone question during the trial why the child soldiers in the Congo, or Bosnia or Burma

are protected by human rights standards and given refugee status, counseling and re-training, while youth in the United States are sentenced to die in prison.

No one heard in court that Tedi was not a hard-core gang member, a blood-thirsty shot caller - as the Prosecution described him in his closing arguments - but a youngster searching for acceptance, money and power in the wrong places. No one testified to the fact that - for the past five years while his case dragged on in court - Tedi earned the love of both Probation and County Jail guards, teachers and his peers - both Black and Brown - from all different neighborhoods. No one heard in court about the fights Tedi has avoided in juvenile hall and county jail, or about the other youth who he has defended who were more isolated, and more vulnerable than him. Instead, the DA argued in this case - as they do in nearly every single case we have witnessed - that Tedi is broken, beyond repair, cold-blooded; that he must be caged until death.

In fact, Tedi's case illustrates much of what is broken in California's juvenile injustice system:

- The power of the District Attorney to direct file juvenile cases into adult court, without a fitness hearing that would enable a judge to determine what would best serve youth, victims and the larger community.
- Negligence on the part of a defense attorney too overwhelmed and overworked to adequately prepare for trial.
- The Prosecution's exploitation of a jury's fear of gangs to cripple their ability to reason.
- Lack of testimony from gang experts other than law enforcement.
- Inaccuracies in the Police testimony in court combined with insufficient or ineffective investigation of the crime.
- And, most importantly, mandatory minimums, gang and gun enhancements that have replaced judicial discretion with politics. State legislators and ballot initiatives - rather than judges - both impose and interpret the law.

The Significance of Recent Court Decisions

The YJC is proud that we were part of the national movement that worked on the *Graham v. Florida* case. In the Supreme Court's decision, it found that sentencing youth to Life Without Parole in a case where no one was killed constitutes cruel and unusual punishment given that there is no "meaningful opportunity for review or release." What is the difference between J-LWOP and the 50-80 to Life sentence that Tedi Snyder faces? In fact, just this month, the Second California Appellate District in *People v. Mendez* cited *Graham v. Florida* and ruled that a "sentence of 84 years to life constitutes cruel and unusual punishment because it amounts to a de facto sentence of Life Without Parole (LWOP)." In *Roper*, the Supreme Court found that giving youth the death penalty

was also cruel and unusual. The idea that Tedi will have his first parole hearing at the age of 95 seems to us exactly like a death sentence. Too often, families have told us that the death of a child would be less painful than life in prison. Furthermore, the United States is the only nation in the world that imposes LWOP and other extreme Life sentences on youth.

The court - judges, DAs, clerks, court and Probation officers - are sworn to uphold the law. But, how do you maintain laws that grind youth into dust, and feed families and communities despair? How do you support a system that gives Latino youth five times longer sentences, and African American youth 18.3 times longer sentences than white youth? Imagine what Tedi could accomplish - and what all the other youth serving extreme sentences in California and the nation could accomplish - if they were given the opportunity for another chance? Imagine what you could accomplish if one of you - Judge Ohta, the clerk, the court reporter, the court officer, or ADA McKinney refused to uphold the mandatory sentencing of Tedi Snyder Life?

Some youth are dying in the streets. Some, like Tedi, are sentenced to die in prison. When a child's future is buried, then all L.A.'s and California's future is buried. Judge Ohta, we urge you to break an unjust law, to do what you know in your heart is right. Stand with Tedi and the youth of L.A. Tedi - no matter how long it takes, we will stand with you until you come home.

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