

What 'Serial' Didn't Tell You About Adnan Syed

The addictive public-radio series focused on his background. A broader problem is at play that hurts thousands of kids.



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With only one episode left, *Serial* withdrawal is already setting in for some rabid fans. The weekly podcast from the creators of *This American Life* is the sort of sensation that has consumed dinner conversations and water-cooler chitchat over the past few months, with listeners around the world asking whether high school student Adnan Syed really killed his ex-girlfriend Hae Min Lee in 1999—a crime for which he was convicted and sentenced to life in prison.

The series has inspired articles analyzing the evidence in Syed's case, commentary has highlighted the show's failure to address the endemic racism plaguing the criminal justice system, and parodies and Reddit boards have pored over every detail—there's even a podcast about the podcast.

At this point, all that's missing from the national conversation was revealed by host Sarah Koenig in the opening minute of Episode 1. Koenig frames the entire *Serial* narrative this way: "For the last year, I have spent every working day trying to figure out where a high school kid was for an hour after school one day in 1999."

Kid.

Koenig describes Syed as a kid. Not as a man, not as an adult. That's because at age 17, Syed was a kid, legally and developmentally. That kid was sentenced to life imprisonment.

We in the U.S. are so desensitized to the imposition of extreme sentences on kids that *Serial* does not even contemplate the inappropriateness of Syed's sentence, regardless of his guilt or innocence. At the age of 17, Syed was charged with an adult crime, tried in adult court, and given an adult sentence. This is a uniquely American phenomenon. In Europe, for example, it is rare for kids to be sentenced to more than 15 years. Yet an estimated 2,500 individuals in the U.S. are serving life-without-parole sentences for crimes committed as kids. These extreme sentences, like

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Syed's, don't provide any meaningful release opportunity to kids who mature into stable, thoughtful adults.

To be clear, Syed was sentenced to life plus 30 years, so he technically has a chance at parole. But Koenig was right that being paroled is extremely difficult when an individual like Syed maintains his innocence and fails to show remorse. It is also worth noting that in Maryland, where Syed is incarcerated, release on parole for a life sentence is almost nonexistent and requires approval by the governor. In the past decade, no one serving a life sentence has been paroled in Maryland. So for all practical purposes, the state of Maryland sentenced Syed, a kid, to die in prison.

The United States is the only country in the world to sentence kids to life without parole. Ten other countries are known to have life without parole on the books as a possible sentence for youths, but the U.S. is the only country that actually sentences kids to life without parole.

We are off the charts compared with most of the world in our sentencing of kids, and we should be ashamed to be in the company of those who are worse than we are in the treatment of children. While a handful of countries still impose the death penalty on children—and the United States only abolished the practice following a Supreme Court decision in 2005—the overwhelming majority of the rest of the world's criminal laws more consistently reflect the basic human understanding that kids are less culpable than adults, and as such, they deserve different treatment in the criminal justice system. The U.N. Convention on the Rights of the Child (which only the U.S., Somalia, and South Sudan haven't signed) explicitly prohibits life without parole for children. Even Pope Francis has weighed in, declaring that criminal penalties should not apply to children and calling for an end to life imprisonment.

Sentences like Syed's are not only out of step with the entire rest of the world, but they also fly in the face of what we know of kids' capacity for change—so much so that in recent years the U.S. Supreme Court has scaled back the availability of extreme sentences for children, specifically because they fail to account for the differences between kids and adults.

The Supreme Court has recognized what we all know from common sense and life experience—that kids' brains do not have the ability to judge risk and consequences in the same way as adult

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brains. Kids are more susceptible to peer pressure, demonstrate increased impetuosity, and are uniquely capable of change. Kids also have a harder time navigating the criminal justice system, which is reflected in Syed's experience with his lawyer at trial.

There is growing momentum in the U.S. to consider youthfulness when imposing adult criminal sentences on children. Just last week, the U.S. Supreme Court decided to hear another case dealing with mandatory life without parole sentences for kids. Eleven state legislatures have abolished life without parole for kids, and at least five have limited its imposition. Other states have been slower to act, however, and in many jurisdictions across the U.S., children continue to be sentenced to life imprisonment.

So when *Serial's* investigation into Adnan Syed concludes this week and we all move on with our lives, it is important to remember that Syed and thousands of kids will remain in prison until we as a country join the rest of the world in understanding that all kids—even those charged with serious crimes—are capable of change and deserve a second chance.

Reponse:

What do **YOU** think? Are kids, "even those charged with serious crimes", capable of change? Do you think they deserve a second chance? Please explain with a claim and at least 3 reasons to support your opinion. Feel free to write your answer **here and on the back** or on a separate sheet of paper - OR you can type it if you want! **Due Friday - October 14.**