

Dear South Carolina House

We are the National Organization of Victims of Juvenile Murderers (NOVJM) (<http://www.teenkillers.org/>). NOVJM is dedicated to helping those whose family members were murdered by juveniles under 18. We represent hundreds of victims' families around the country who have lost loved ones to juvenile murderers. NOVJM does not take positions on how specific offenders should be sentenced. We support the victims' families' voices. But we do believe that justice is best served by giving courts the most sentencing options possible to deal with the wide range of offenders and crimes that they face, up to and including life sentences. A wider range of sentencing options prioritizes public safety against offenders who may always remain dangerous, as psychologically we do see sometimes.

And the availability of longer sentences, where appropriate, allows victims' families to experience some sense of justice and a sense of legal finality, especially when the sentencing options keep frequent re-traumatizing parole hearings to an absolute minimum. Victims' families suffer staggering life and health problems when having to re-engage with those who murdered their loved ones.

NOVJM opposes HB 3919 because it would unnecessarily re-traumatize victims. Victims would be forced to endure agonizing parole hearings. Furthermore, because of the bill's retroactivity, many victims were never planning on or building these parole hearings into their lives, increasing the traumatic impact. Victims often walk away from long term and life sentences given to their loved ones' murderers believing that their ordeals with the criminal justice system are largely over. They do not make the preparations necessary for parole hearings. They often don't even register for victim notification, and

then become lost to the record-keeping of the court. We believe that retroactively reducing criminal sentences raises serious legal issues with regards to Victims' Rights. Additionally, there is the issue of fairness. There are some crimes committed by juveniles that may warrant long term or life sentences due to the extreme depravity and cruelty involved. For example:

- In South Carolina, a juvenile male kidnapped, raped, asphyxiated, and murdered eight-year-old Dhymia Woody. <http://www.teenkillers.org/index.php/memorials/south-carolina-victims/dhymia-woody/>
- In the neighboring state of Georgia, a 17-year-old male and his 15-year-old accomplice attempted to rob a woman as she strolled her one-year-old son Antonio Santiago. When the mother did not comply with the robbers' demands to give them her purse, the 17-year-old shot and injured her. He then intentionally shot baby Antonio in the face and killed him. <http://www.teenkillers.org/index.php/memorials/georgia-victims/antonio-santiago/>
- In the neighboring state of North Carolina, two men, one of whom was 17, kidnapped 22-year-old UNC-Chapel Hill student body president Eve Carson at gunpoint. They held her captive at gunpoint for several hours, driving her to ATMs where they made her withdraw money and robbed her. During the ordeal Eve tried to reason with her captors and begged for her life. But they showed no mercy and murdered her to eliminate her as a witness. When Eve realized that the kidnappers were about to kill her she made one last plea for her life, asking them to "pray with me." But neither captor was moved by the terrified young

woman's pleas. They executed Eve with a .25 caliber handgun and a sawed-off shotgun and left her body in the street.

<http://www.teenkillers.org/index.php/memorials/north-carolina-victims/eve-carson/>

- In Arkansas a young man, age 17 and nine months, and his 18-year-old partner robbed a grocery store and attempted to murder everyone inside. The 17-year-old shot and stabbed 12-year-old Robin Richardson to death while his partner shot Robin's mother Hazel in the neck and attempted to murder her.

<http://www.teenkillers.org/index.php/memorials/arkansas-victims/robin-richardson/>

- In Chicago, Illinois, a 17-year-old male lured five-year-old Shavanna McCann to a vacant 14th-floor apartment in a housing project. There, he raped the child and then tried to kill her by throwing her out the window. Savannah was brave and managed to hold on to the edge of the window. Terrified, Shavanna dangled 14 stories above the ground and screamed for her mother. But the assailant showed no mercy for the frightened child. He shoved her again. This time Shavanna could not hold on to anything and plunged 14 stories to her death.

<http://www.teenkillers.org/index.php/memorials/illinois-victims/shavanna-mccann/>

Many more examples of shockingly hideous crimes committed by juveniles are listed on our website.

We are not advocating for specific sentences for these criminals. Rather, we are illustrating the depraved nature of many crimes committed by juveniles. These are not youthful indiscretions. These are not childhood mistakes. These are cold-blooded highly aggravated murders committed by offenders who understood what they were doing.

And finally, there is the issue of safety. Unfortunately, there are some people who, for whatever reason, will always pose a risk to society. Some are diagnosed psychopaths or sociopaths. Psychopathy and sociopathy are incurable conditions characterized by a lack of remorse or empathy. Some of these offenders have been sentenced for crimes they committed when they were under 18. One might say parole boards can just avoid releasing dangerous criminals. But it is not that simple. Parole boards and judges often make mistakes and release extremely dangerous criminals into society. In fact, studies show that psychopaths are 2.5 times more likely to be granted conditional release than non-psychopaths due to their skills at manipulating.

<https://onlinelibrary.wiley.com/doi/abs/10.1348/135532508X284310> As of now, on our *[Dangerous Early Release](#)* page, NOVJM has documented over 70 examples of offenders, including many juvenile offenders, being given “second chances”, so to speak - being paroled early from prison, being given light sentences in juvenile court, etc. - and going on to commit more violent crimes in society.

<http://www.teenkillers.org/index.php/myths-about-the-juvenile-life-sentence/dangerous-early-release/>

One example is that of Kenneth McDuff (example 7 in the Other Dangerous Releases category). He was 20 when he committed an especially frightening and horrific triple murder. One summer night in 1966 he kidnapped three teenagers, two boys, and one girl. He shot both boys to death. He raped the female victim and strangled her to death with a broomstick. McDuff was paroled 23 years later and went on to kidnap, rape, and murder up to seven women.

We should also address the idea that it is safe to release criminals who have “aged-out” of crime. Yes, most offenders commit less crime with age. But there are some who

continue with their criminal conduct at advanced ages. For example, Albert Flick was in his 70s when he stabbed a woman to death in front of her children after having been released from prison because he was deemed “too old” to be a threat. He had previously committed another similar murder, stabbing his wife to death in front of her daughter. Thank you for considering NOVJM’s opposition to HB 3919. We respectfully ask that it not be made law. We have never ceased to be horrified by the amount of money and the huge advocacy effort that is being put into changing juvenile murderers’ sentences with absolutely no effort to talk about or plan for how murder victims’ families, who have already had to endure the worst experience of anyone’s lifetime, will cope. We are shocked by the fact that advocates of juvenile murderers leave us out in regards to legislation that will profoundly affect our well-being and lives for decades to come. We stand ready to offer victim family testimony, research from the scientific community, and strategies that have worked well to balance the concerns of criminal justice reform with those of public safety and victim re-traumatization. We deeply appreciate your consideration of the needs of the victims’ families in at least EQUAL force that you consider the requirements of justice for those who killed our loved ones.

Sincerely,

NOVJM