

April 22, 2023

The stories I will start posting before long begin with my entry into the prison system as a young person. These will feel like the darker stories of prison because they are and there are many. The reason why I am going to write about those experiences is because I want people to see how the inside culture in prisons can negatively influence people and suppress rehabilitation. This is especially true when it involves young offenders who adopt the prison culture and either fall deeper into the cycle of criminal thinking or commit more violent crimes in prison. The point of the stories, in part, will be to show that you cannot define people solely by a bad act or acts.

Using myself as an example, if you looked at my prison history on its face value I would look like a hardened criminal with little empathy. However, when you take the time to learn my story as a whole you begin to see I represent a very real human experience and that is how we as creatures can be influenced by our environment and yet at my core, the very foundation of who I am, is a good human being.

These stories over time will give you a window into my own evolution as a man and why there needs to be genuine reforms in the Corrections system in our Country that take into account change, mercy, second chances, third chances, and the reality that our system in its current form does not protect society or reform prisoners in a meaningful way. This is why countries like Norway have moved away from the US model and as a result have reduced recidivism and why our so called "tough-on-crime" policies hurt society more than help. It is possible to be tough on crime and also have laws that recognize mercy. That's called being Smart-On-Crime.

I want you to hear my past, recognize it for what it is and connect with the person I am today. I came out of my darkness and became a better man. I would be back in society right now where I could do more good if I hadn't had the struggles I did in my early incarceration. Unfortunately, I'm not, and I'm still working to make that happen.

Part 1. October 10, 2022

The Beginning of My Struggles.....

We all have a story that begins the thread that defines who we are today. I never know where to begin mine. From time to time I will tell you stories of my life and what brought me to prison, what shaped me as a youth, and the way life began to change for me. I hope when you read them you find things you can identify with and possibly learn something from. If nothing else I hope it keeps you from making mistakes I have or can help you help someone else who might be struggling.

My story didn't start with the beginning of my drug use but the beginning of my use certainly played a major roll in my path to prison. We all have differing views about how to deal with drug addiction. This isn't a story about how to deal with it. It is just a small look at what brought me to this point and how I found redemption even after walking so far into the darkness.

From the earliest age I can remember living in a household where drug use was common place for the men in my family. While my mother wasn't a user she was willfully blind to its use. I think alot of that had to do with the fact she had me at age 16 and was very naive to the world around her.

Growing up it wasn't unusual to see family members in my home smoking pot and openly selling drugs to their friends. My step father Steve, hid Methamphetamine in his tool box in the garage and from time to time I'd find a pot pipe under the couch.

When I was 13 years old I discovered the world of Meth because of my step father Steve. It was completely by accident. One day, my mother, Steve and I were driving to the mall and I randomly had my hand in the crack of the seat when I found a plastic bag with powder in it. I thought it was cocaine

because of things I'd seen on TV. I stuck my finger in the bag and tasted it. The high I got was indescribable and euphoric. Every concern and fear I had in life evaporated. My world changed that day. Within a year I was addicted. That is how quickly addiction can take a child.

By age 14 I was placed in my first drug and alcohol treatment facility. It was a 30 day program. What I remember most about that program is Steve pulling me aside during a family counseling session and telling me it was okay to use drugs as long as I was responsible and held a job. Shortly after I was out of that program Steve was arrested for selling drugs on his lunch break from work. His vehicle was confiscated and turned into an animal control truck for the city. I remember being so embarrassed every time we saw it driving around town.

A few months after that, Steve's best friend "Jay" was shot and killed by police responding to a call about a man using a stolen credit card in Salem, Oregon. I remember Steve being so angry with the police and telling me how they were all corrupt and dirty. Jay was shot walking out of a Mall. He was unarmed and the officer who shot him had previously been involved in shooting unarmed citizens.

When I was 15 years old I was placed in my second inpatient drug and alcohol treatment facility. At that time the treatment program was a new facility and I was one of its first 50 clients. It was there, I met my friend Leonard, a Native American who lived on the Warm Springs Reservation. We became friends fast and after he left treatment we remained in contact. A few months after Leonard was released from the facility he was shot and killed at a party on the reservation. A few months after that I was kicked out of the program for using while in treatment. What they didn't know was one of the Counselors in the program who was tasked with watching over me and keeping me sober was giving me meth and other drugs.

After being kicked out of treatment, I tried to straighten my life up on my own. I got a job working at a movie theater where an uncle was the manager. I was still using but believed Steve's advice, that as long as I was working I could use.

A few months later my friend Channon shot and killed himself in the back of a car. Another friend and I had seen him at a store the night he died and tried to talk him into leaving with us but he was hanging with some other people. He died a few hours later.

It was also at that time I met two girls that would forever change my life and who I would not fully appreciate until after I had come to prison. The first was Erica and the other was Nikki. I met both while I was working at the theater. When I met Erica I was barely 15. When I met Nikki I was over 16. But it was Erica that would play the largest roll in my life. She walked through the fires with me and no matter what has been thrown at us in life we always seemed to find our way back to each other. She would also become a victim of my addiction along with everyone around me.

From the moment I met Erica, my heart felt captured by her. There was just something about her and we were immediately connected. When I think back on it today I think of the song Never Tear Us Apart by INXS. Our lives were like two worlds colliding. We were young and truly in love. That rare love you can't shake no matter how much you try. It haunts you like a ghost and calls you back if you drift too far, a soulmate. My addiction would ruin all that.

And as my life spiraled out of control Erica would find a different path. Driven by the traumas of her youth, she would become known as a leader in the behavioral health and addiction treatment field. Our lives would get farther and farther apart over the years until we knew each other as only echo's from the past.

My addiction however, would take me down a darker path. One that no one thought I would recover from. But as you will find out as you read more of the stories I post: I am a living example that change is not only possible it is transformational in ways we can never accurately predict or expect.

More to come.....

Part 2. November 7, 2022

Entering the juvenile system and trying to find a better path...

I was arrested three times between the ages of 16 and 17 for theft and burglary and yet my experience with the juvenile system was minimal and for the most part I fell through the cracks.

I was first arrested in March 1991 for stealing stereos, CD's/tapes, and other stuff from cars "jockey boxing" that we would trade to a friend's older brother for Methamphetamine. I went to court and went home. I was basically given a slap on the wrist and forgotten. I never saw a probation officer and never did community service. In November 1991 I was arrested a second time for criminal mischief and theft 2. It was for "jockey boxing" again. And once more I fell through the cracks.

Shortly thereafter I began working at a movie theater. This is where I met who would become my teenage sweetheart Erica. We dated for a short period of time but she lived in a small town an hour away so it was a challenge to see each other. She was not a drug user.

I ended up drifting into a relationship with a girl named Nikki, who was a few years older than me.

Nikki would become pregnant with my first daughter when I was barely 17 years old. Our relationship was based largely on our shared drug use and both of our unresolved trauma's in life.

After Nikki became pregnant she stopped using drugs and our relationship took a different turn. We no longer had things in common and I felt alone in the relationship. I sank further into my addiction and began to neglect my responsibilities. I lost my job at the movie theater and began drifting to odd jobs working irrigation pipe installation or not working at all.

In August 1992 at the age of 17, I was arrested for a third time and charged with Burglary 2 and Theft after breaking into a local restaurant to steal alcohol and stereo equipment. I was given probation and sent home. Nikki had introduced me to a guy who recruited us to break into the restaurant. He fed us a line about being an ex-con and how tough he was and all the ways he survived prison. I immediately looked up to this guy who seemed so tough and smart. Every word he said seemed genuine. Looking back on it today I realize he was grooming us to commit crimes he benefited from.

A short time later, my mom called the police after I refused to come home one night. I was placed in juvenile detention for the first time for four days as a probation violation. I knew I had to get my life in order but had no idea what that looked like or how to begin the steps to do it.

I knew my biological father and an uncle had been in the Army and I looked up to that. So, I enlisted in the Oregon Army National Guard after a recruiter told me I would be eligible for a home loan. I signed all the recruiters paperwork and even though I wasn't 18 yet, they accepted it. Nikki gave birth to our daughter in March 1993 and I was off to basic training at Ft Jackson South Carolina the next day. I was 17 years old and looked younger than the other guys there. I was so young I could hardly grow a hair on my face and didn't need to shave even once while I was there.

Basic training was the first time I had been that far away from my home and on my own. I was not prepared for that and still had not overcome my addiction.

I think there is a false belief that the military will break bad habits down and replace them with honorable values. I don't believe that is true and I don't think that everyone in the military has the same experience. While I can say I had some of the best times of my life in the military, I was certainly not mature enough for the experience. Thus, the lessons I learned were much different than what I believe we intend to pass on to the young men and women who join our military at the youngest ages.

During basic training I broke my hand and had to have two plates and eight screws placed in it. Within days after surgery I continued to train as usual. The few days I spent in the Hospital recovering, I made use of by going to the local PX and smuggling tobacco back to the barracks for fellow troops.

On gradation night I was "on watch". While everyone else was on leave for the event, I stayed back. I was given an order to clean a laundry room and when I walked in, the Drill Sargent's had put a keg of beer and a cup in there for me. I drank a cup with my drill Sargent and was then left alone to drink myself silly.

Through my training - whether it was basic or AIT - I learned there were always grey areas that bent or broke the written rules. It made me think of the counselor who gave me drugs as a youth in treatment and my step dad saying it was okay to use just as long as I kept a job. In AIT the drill Sargent redefined that idea for me. During training he said, "If you need a tire for a truck you can take it off another company's vehicle. If you get caught it is theft, if you don't it is called Reappropriation of Military Assets".

Those things imprinted on my young mind. I saw the Drill Sargent as the only male role model in my life.

While I was in AIT I received a letter from Erica and our relationship began to spark again. I began to have hope about my future and life. When I returned home to Oregon my life would get better but then quickly spirled out of control leading me to prison and a life sentence.

More to come.

Part 3. November 12, 2022

Addiction and the ripple effect....

It's not just the person who is using that suffers from the addiction. Everyone surrounding the addicted person becomes affected in some way. The persons family, friends, neighbors, teachers, coaches, mentors, the community they live in, and even innocent bystanders can become victims to the symptoms and behavior of the addicted person. Unfortunately, people in the midst of their addiction rarely are able to see the harm they are doing or the path it is taking them on. I think many people lack a basic understanding of addiction and struggle with understanding why people do what they do when they are under the influence of drugs or alcohol. They often don't understand why the addicted person can't recognize the destruction it is causing in their life and they think they should just be able to stop, but are choosing not to. The reality is, people in general prefer to do well, over not doing well and people will do well... if they can. If they are not doing well, it suggests they are unable (as opposed to unwilling) and likely in need of help.

On my first day home from basic training in the National Guard a picture was taken of me sitting on the couch holding my oldest daughter. I looked so healthy and full of life. Shortly thereafter, I moved in with my friend Mike. I knew he was a user but I thought I could say "no" this time and be fine. It wasn't long before I was using again full time with Mike.

My relationship with Erica took off immediately after coming home. We were young and madly in love. We began planning to have a baby as the way to be together. The reality was, I had no fatherly role models myself. I had no understanding of what it meant to be a father to my first daughter, let alone to begin being a father for a new child. Erica became pregnant and we moved into an apartment together. I worked as a roofer but every day at work I was using. Erica wasn't a user and didn't approve of that lifestyle and so I hid it from her. I eventually stopped going to work. I couldn't pay the rent and we were forced to move in with my mom and step dad.

I knew and felt, at some level that I was slipping away quickly into the abyss but I didn't know how to pull myself out. As my addiction got worse I slipped through one crack after another in life. I stopped attending National Guard duty as it complicated my drug use. When they asked me why I wasn't attending I told them I was using and needed to get help. The Guard gave me a General Discharge under

honorable conditions. I don't think he knew what to do with that information. Today, a soldier who disclosed addiction would get treatment.

I was on my own with no ties of responsibility. I fell completely into my addiction. Erica was forced to move in with her mom as our daughter was closer to being born. With Erica at her moms I had no reason to hide my addiction from those around me anymore and I lived only for Meth. For the most part I slept at one friend's house or anothers looking to hustle meth.

A few days before I left from Bend to Klamath Falls Oregon I took a picture with Erica. In a striking contrast, you can see my physical decline. This would be the last photo taken of us and of me before my arrest. Compared to the healthy boy sitting on the couch kissing his baby daughter I now looked emaciated and weighed about 145 pounds at 6 feet tall. My face was angled and sharp from being so thin and unhealthy. Erica looked like she was hugging a skeleton. I look at that picture today and feel sad at how that was the last Erica saw me and remember how disconnected I was from everything and everyone.

Within a short period of time , both our lives would be forever changed and I would leave a wake of chaos in my path that devastated lives, families and the communities of two towns in Oregon.

The path my addiction took me on was unique to my experience but is not unique in general. Addiction, is a progressive disease and left untreated leads to jail, institutions or death. If you look around today and you know someone struggling with addiction, encourage them to never give up and don't give up hope for them. Never think they are lost for good.

There is always hope.

More to come....

Part 4. January 9, 2023

The beginning of a life sentence.

CONTENT GUIDANCE: This post explores aspects of the crime that sent me to prison and contains depictions of drug use, theft, robbery, and violence that may be upsetting.

Please read with care.

For the week leading up to the crime, I had been using Meth heavily with my two new "friends" Dave (age 18) and Nick (age 16). I had only known them for about a month. All three of us were immature and deeply immersed in addiction. My life had been in a downward spiral, revolved around staying high and the three of us were a toxic mix. When we ran out of drugs, we became focused on how we could get more. At the time we had no money, no car, and no jobs.

One afternoon, we were walking through town and talked about stealing a car. We would drive it from Bend to Klamath Falls, where a family friend lived who dealt drugs to me. We thought we could trade the car for meth. As we walked, we came across a car lot. We approached the salesman, and I distracted him with conversation while Dave and Nick looked in car visors for keys. After they found a set of keys, we decided we would come back later that night and drive the car off the lot. Nick had stolen his uncle's gun a few days before. We thought we could also sell it for meth. After dark, we went back to the lot and stole the car. We drove away headed towards Klamath Falls.

There was no deep thought about the consequences of those actions. I did not consider how my choices would impact the car salesman, the business, or how it would impact the businesses around him. Nor did I think about the impact on the lives of Dave, Nick, my own family, and certainly not myself.

After arriving in Klamath Falls, we stopped at my sister's house. She was having a party while her mom was at work. We drank heavily with her and her friends. I met up with my friend and he agreed to trade the car for drugs, but he wanted to test drive it first. We stopped by a convenience store, and he bought some more beer. He got in the driver's seat and took off down the back streets. We had not been driving

for more than a minute when he tried to take a corner too fast, jumped a curb, and wrecked the car into someone's front yard. We began running the few blocks back to my sister's house where we would continue drinking. My sister's mother got home from work early in the morning and kicked everyone out of the house.

The three of us began talking about going home because my friend was not going to trade us dope for a wrecked car. We walked to my friend's house. When we got there, we slept for a few hours. When we woke up, I used Meth again. We started talking about a way to get back home but we had no money, food, or transportation. Dave suggested that we rob a store. We discussed other ways to get home but kept coming back to robbery.

We decided we would rob a small store on the outskirts of town. It was an impulsive plan, and we certainly had no intention of harming anyone. We would go in, rob the store for food, cigarettes, and money and get out. We did not think about whom we might encounter in the store, what could go wrong, or how we would escape. Again, we were on foot on the outskirts of town and had no transportation. We did not give any more thought to it than stealing the car. None of us were thinking in any clear and rational way. Had we been, we would not have been there that day. We gave no thought or consideration about the impact it would have on the person in the store, their family, the surrounding homes, the community, or our own lives. Everything was impulsive, I was high, running on little sleep, caught in the moment, and we fed into each other.

The closer we got to the store the more my adrenaline rose and the entire event felt surreal. Before walking in we briefly talked about what role each of us would play. Dave would carry the gun and hold the store clerk up while Nick and I would search for money. That was the extent of our forethought. I walked in and to the back of the store and began searching for money. Shortly thereafter I heard yelling in the front of the store; Dave and the store clerk were struggling over the gun. I started to panic. I took the gun from Dave. I felt as if I were in a fog. I could not process the thoughts moving through my mind and while some things seemed to be in slow-motion clarity others seemed to be in a haze. At that moment, I felt as if I had no way to exit the situation. Everything happened so quickly. I cannot remember hearing the shot, but I know it happened because I looked down and the person was not moving. My mind felt disconnected from what I was seeing, and it didn't feel as if I were in reality. We walked out of the store and jumped into a truck that had keys in it; which I later learned was the victims. We drove for what felt like only seconds even though it was over twenty miles. We pulled over and walked through the woods to a state park where we changed our clothes thinking it would somehow change our appearance. The three of us sat on a park bench and discussed what to tell the police if we were arrested. We decided to split up. Dave began walking up the highway hitchhiking. A state police trooper pulled into the park, walked directly up to me, and asked me to put my hands behind my back. Nick and I were arrested together, and Dave was arrested moments later up the highway.

I am personally responsible for the murder of the victim. I am painfully aware of how many lives I ruined that day and the ripple effect it continues to have, nearly 30 years later. What I did was unconscionable, and horrendous, and I hurt so many people. When crimes as horrible as mine happen, people want to know why. The victim's family, my family, and the community all want an explanation, to try and make sense of the imperceptible. Those answers are never easy and often are not ever meaningfully answered. The victim's family's introduction to me was the murder of their loved one. My family was left to reconcile how someone they knew as kind and gentle could cause such horrific harm. I have experienced immense shame and confusion in answering the question for myself as to "why" and "how" this happened as well as coming to terms with how I understood myself as someone who did what I did. My actions that day did not fit with who I was at my core, and it would take many years

before I grappled with that question or admitted to myself and others that I was in fact guilty of the crime I was charged with.

When I was arrested in 1994, I was 19 and severely addicted to methamphetamine. As much as I looked and felt like a boy, I was over the age of 18 and considered an adult with adult problems. I had a one-year-old daughter and another who would be born two months later. I say that not as an excuse but as something that matters in the context of what happened and my journey through the justice system. I understand today that my age and addiction played a role in my choices and behaviors.

My life sentence began as a youth still in development, and I would quickly become immersed in the adult prison culture rife with racism, a violent lifestyle, and a subculture that allowed me to foster the worst in myself. I quickly fell into the negative influences of prison gangs and violence to find safety and acceptance. As a result, I engaged in a lot of problematic behavior and spent more than 20 combined years in and out of solitary confinement. More than once I was told I was a lost cause, and I began to feel and believe that I was. Consequently, I would garner six more felonies over the first ten years of my incarceration for crimes committed in prison before I was finally able to crawl from the mire of criminal thinking, reflecting on what had taken me from a boy with so much potential into a man behind bars.

It is not easy to tell the journey of nearly thirty years in prison in a way that meaningfully describes who I was then, and who I am now. As I matured, I began to examine my behavior and the root causes that drove it in my youth. I dedicated myself to rehabilitation, education, and service to others. I have a deep desire to give back to the community and the people I harmed in my life, and I try and live every day true to that value. I believe I have become the person I was meant to be, who I always was in my heart and at my core. I hope in the posts that follow you will learn that people cannot always be singularly defined by their most terrible acts and that profound change and transformation are possible.

More to come...

Part 5

Oregon Then. April 23, 2023

When Oregon enacted its Constitution in 1859 it enshrined in its articles the belief that "laws for the punishment of crime shall be founded upon principles of reformation, and not of vindictive justice." In 1963, the Oregon Supreme Court explained what this constitutional provision meant, stating:

Reformation means doing over to bring about a better result, correction, or rectification. Vindictive, on the other hand, is defined by words such as 'revenge,' 'retaliate,' or 'punishment.' The best-known law applying vindictive justice is lex talionis: 'An eye for an eye, and a tooth for a tooth.' Matthew 5:38.2 Rehabilitation, in the prison context, is the practice of improving a criminal offender's outlook on life and personal character in order to function in the community without committing more crimes. That means a system that believes in reformation will have policies and practices that recognize even those that commit the worse crimes are capable of change. Rejecting all offenders as incorrigible and beyond change is dehumanizing and ignores the reality that crime is generally based on more than poor moral character and deviant behavior. Crime is most often a sign and symptom of the condition of society as a whole rather than solely the problem of the offender.

By 1970, seventy-three percent of Americans still held that belief. That began to change, however, in the 1980s when America entered the so-called "tough-on-crime" era of vindictive criminal justice practices. States started to adopt "truth-in-sentencing" laws mandating prisoners serve up to 85% of their sentence regardless of demonstrated rehabilitation.

By the time I entered prison in the 1990s retribution policies had begun to dominate the criminal justice system. In 1994, Congress enacted the "Bill Clinton Crime Bill" which would, in part, award "incentive

grants" to states that built or expanded prisons and required prisoners to serve at least 85% of their sentence. Rehabilitation would now take a back seat for states that could get grants for and monetize tough-on-crime policies. Criminal laws became part of the capitalist system of profit over rehabilitation, which could be easily sold under the guise of "tough-on-crime" packages to the public.

By 1995, months before I was sentenced to life in prison for the crime I committed at 19, only 26% of Americans believed rehabilitation was the purpose of prison. Just two months after the enactment of the Bill Clinton Crime Bill, Oregon decided to cash in on the "incentive grants" and it enacted "Measure 11", permitting first-time offenders as young as 15 to serve mandatory minimums of 70 months to life in prison and not be eligible for "good time" for rehabilitation. For 136 years Oregon had recognized rehabilitation as the purpose of prison and then began its creep toward a State built on vindictive justice in the 1990s.

In 1996, capitalizing on the state of political moral decline, politicians moved Oregon voters to amend Article I, 515, of the Oregon Constitution to eliminate the prohibition against vindictive justice, and to embrace the coming era of retributive justice. The new amended version would now read "laws for the punishment of crime shall be founded upon principles: protection of society, personal responsibility, accountability, for one's actions and reformation." While sounding good on the surface the policies and laws of harsh mandatory minimums and retributive justice would grow for the next 20 years and the prison system's population would explode under the guise of "personal responsibility" and "accountability".

At 19 years old I was walking into a changing face of the justice system. At the same time, Oregon was also embracing the new craze of harsher justice known as long-term solitary confinement.

Part 6. April 24, 2023

Cycle of Criminalization

No punishment has ever possessed enough power of deterrence to prevent the commission of crimes.

Hannah Arendt (1906-1975)

I live every day with the shame of the crime that brought me to prison. Crimes like mine, involving youth, don't happen in a vacuum. There was a process of criminalization that led to my behavior, Meth addiction, and consequently, to us three teenagers walking into that store and a person losing their life. I committed the crime five months after my nineteenth birthday, was a first-time offender, and had never done prison time. My introduction to the system of Corrections would be as a Youth who could not fathom the crime I had committed nor the consequences it would have on a micro or macro scale to the lives of everyone around me, including myself.

In *Punished: Policing the Lives of Black and Latino Boys* Victor Rios described criminalization "as the process by which styles and behaviors are rendered deviant and are treated with shame, exclusion, punishment, and incarceration. He argued that "criminalization occurred beyond the law; it crossed social contexts and followed young people across an array of social institutions, including school, the neighborhood, the community center, the media, and the family." He went on to define hyper-criminalization as "the process by which an individual's everyday behaviors and styles become ubiquitously treated as deviant, risky, threatening, or criminal, across social contexts. This hyper-criminalization, in turn, has a profound impact on young people's perceptions, world views, and life outcomes.

The criminalization process that Rios describes cuts far deeper than the boundaries he defined it by, gracefully transferring its illogic into the criminal justice system. It is traced back to the founding of our nation with roots in the marginalization of communities before, during, and after slavery was limited. It is present in our culture "placing priority on its punitive institutions, such as police, and embedding

crime-control discourses and practices into welfare institutions, such as schools. The prison culture, convict code and the guard's code of silence, govern the invisible insides of Prisons and are a direct reflection of the criminalization and hyper-criminalization processes and the declining moral compass of the American justice system.

The process begins with what Rios describes as "punitive social control", a youth control complex, which regulates the lives of youth into criminalization. Youth who are "harassed, profiled, watched, and disciplined at young ages, before they had committed any crimes" eventually leads them to "fulfill the destiny expected of them" and becomes the "vehicle by which they develop political consciousness and resistant identities." Rios wrote that he eventually came to realize that to understand violence and criminalization, both history and society must be understood together. The prison culture is a continuation of the criminalization process that Rios describes. It is a consequence and reflection of criminalization made manifest in the stone and steel of prison which in turn comes back to haunt society. You can't understand the prison industrial complex without also understanding the history of prisons and the role they play in the criminalization process in society which has contributed to the building of a culture in which we have 5% of the world's population and 25% of its prisoners.

The resistant identity development that Rios described continues into the prison environment where those identities that were formed outside the prison walls are given a system-induced steroid and a Convict identity is instilled. An identity that, like its street-level roots, finds a continued reason for resistance in the face of prison guards. From the time a person enters the prison, we are told we are animals, subhuman, something to be scorned and discarded. Open abuse is seen as an acceptable norm. The consequence of this is the cycle is repeated when those boys grow into men behind prison walls and "return from prison to the neighborhood, attempt to change, and find few alternatives". The prison system I walked into as a teen was one more institution that reinforced a ubiquitous system of criminalization and punishment. The cause of so much resistance was ready to devour me in a plethora of forms within its cocoon. It was part of the Convict code and the guard's code of silence that kept meaningful change from happening.

When I entered prison as a youth, I suffered from the same false belief that many people hold. The lie is that only the most delinquent find themselves within the grasp of the justice system. I know it is a lie because it wasn't the system that eventually turned my life and thinking around, it wasn't programs developed by the prison system or some criminal justice think tank. It was the men I lived with daily who found the fortitude to reach down into themselves and shake off the system's definitions and labels to form a community that reject the false code of this micro-society and create something beautiful. They saved my life while the system which was ostensibly supposed to make an effort to rehabilitate me ate me alive and shit me out.

Part 7. April 25, 2023

Understanding the Roots of Dysfunction

I turn and turn in my cell like a fly that doesn't know where to die.

Antonio Gramsci (1891-1937) Italian political theorist.

I never know where to start telling my story. It's not easy to tell a story from the start when the beginning involves generations of dysfunction caused by a system that refuses to acknowledge its dysfunction. It's complicated even more by the fact I was 19 years old when I came to prison and have now existed within the confines of prison longer than I was a free person on the street. Prison is literally all I know, and I have little to compare my life inside the prison to outside the prison walls. The little I do remember of the free world has either faded or has little relevance to surviving inside.

In the book, *Are Prisons Obsolete?* Angela Davis wrote, "It is ironic that the prison itself was a product of concerted efforts by reformers to create a better system of punishment." The drive to "create a better system of punishment" that Davis discusses in her book is a twisted, complicated history that has contributed to the development of prison culture and convict code that I found myself immersed in as a teen. A unique and complex environment with pressures that force me and in some cases command me to accept, adapt, and react in particular ways that I would not have done under "normal" circumstances outside the confines of the prison walls.

Whatever a person's crimes may be or the emotions it evokes, what happens inside of prisons should matter to everyone in society. Like all things we experience in life, what we learn from our environment follows us throughout our lives and is passed onto everyone we encounter, to one degree or another. Subject to this "better system of punishment" we carry those experiences with us throughout our prison journey and in most cases back out into society. For prisoners like myself, who may never leave the prison walls or who spend decades in suspended animation behind the walls, the lessons learned from the experiences in the belly of the beast are passed onto other prisoners who will continue the cycle of insanity that is the hallmark of prison culture or find a way to break from the roots of dysfunction and build something better. The latter is no easy task to accomplish in a system that is built on generational dysfunction.

As I walked through the prison gates not only was the Oregon penal system's philosophy devolving but the justice system was about to experience a hemorrhage from an exploding prison population that would fuel the growth of a new generation of dysfunction in the system.

I wasn't prepared for the world I was entering but for two decades it has been the fire that broke me and eventually helped me find my identity.

Part 8. April 26 2023

Finding Identity

An identity would seem to be arrived at by the way in which the person faces and uses his experience.

James Baldwin (1924-1987)

As I watch youth coming into prison today, I realize many of them were not even born yet at the time my sentence began. Like me, they were thrown into a shark tank that has been carefully constructed for generations by a system that has been built around hate, anger, and fear in a million complex ways. They are blamed as the sole cause of their bad acts when, in reality, they are denizens of a microcosm of society at large.

Like a slide on a microscope prison represents a closer look at the state of society's health. French poet and dramatist Victor Hugo wrote:

Such is the remorseless progression of human society, shedding lives and souls as it goes on its way. It is an ocean into which men sink who have been cast out by the law and cosigned, with help most cruelly withheld, to moral death. The sea is pitiless social darkness into which the penal system casts those it has condemned, an unfathomable waste of misery. The human soul, lost in those depths, may become a corpse. Who shall revive it?

Here, in this inside community, we are introduced to a new set of rules. A culture that is both a product of a larger society and a consequence of larger societies' own misdeeds. In these confines, an illusionary code has been built on defensive reaction to both injustices against us and the injustices we have committed against society. It is in this world I was baptized in the so-called "convict code". A code I was told embodied honor, respect, loyalty, and strength but, in reality, sucks those very qualities from your conscience. A convict code operates as a micro penal code. An unwritten statutory law every

convict must know in order to survive but most don't really believe in it at his or her core. Within the walls of the prison, long before I enter their choking confines, the convict code was an established authority. There is an irony in the fact that we broke the laws and norms of society only to come to prison and establish a different norm of thinking that we believe gives us some structure and dignity. I suppose that in and of itself is proof that the system is failing in its job of rehabilitation when it can't even offer a rational alternative to the negative culture that has formed and rather does everything it can to promote a resistant population.

In *Wisdom Within the Pen*, Lee Knoch, an Oregon prisoner serving Life, described well the thinking that comes with a lot of youth offenders entering the system when he wrote:

Many of us have spent our lives fleeing the mainstream social norms.....But the truth is we never really escape pursuing social norms, we only exchange the mainstream social proofs for counter-culture versions."

As a young teen coming into the system I found myself forced to exist in a stew of discontent and contradiction. I couldn't find any hope in ever rejoining society. Any possible light at the end of the tunnel looked like a black void in my young eyes. Seeing no hope I chose to adapt to this new inside counterculture and rejected society's order. In this new world, I built a prison identity in order to find safety and a sense of power within its bounds. Immersing myself in that narrative would cost me 22.5 years in solitary and rob me of any hope for release from prison. Like the older cons who had come to prison decades before me and been baptized as youths into this world, I too would be baptized in its muddy waters. I would never question the contradiction of it all (until much later in life) even as my inner voice screamed that it was all wrong, because it was all I had come to know.

Part 9. April 27, 2023

Youth and Criminal Behavior

In 1994 I walked into prison as a teen and spent the next several decades being raised by the correctional system. The men I shared my space with and the guards that watched over me would become the systems version of foster parents. While my immaturity was written on my face and in my behavior; in the system's eyes, I was an "adult" because I met the definition based on my age.

At the time of my arrest, the science of adolescent brain development for youth 16-21 years old was in its infancy. It would take another 20 years before science began to question our understanding of why youth offender crimes like mine occurred. Prior to my sentencing, nearly 30 years ago, Dr. Joel Alexander, a psychologist for Western Oregon State College, who specialized in psychology and neuropsychology was hired to examine me. At the time of the exam, he was doing research on what he called "extreme group designs". He described his research as looking at "any group that you can identify in the population that is extreme in nature. He said these extreme groups "help, shall we say, delineate the normal population." The two groups that Dr. Alexander identified as being of the most interest to him were "homosexuals" and "people charged with murder". Because I fell into the latter category he was hired to examine me and render an opinion on if my neurological activity fell into the "normal population". Dr. Alexander gave me a battery of tests with the intent (in his words) to "pinpoint any possible intellectual deficiencies, any possible locations of mental impairment, brain injury and so forth." He was basing his work from that of Dr. Adrain Raines of the University of Southern California who had published a book on "psychopathy, criminal behavior, looking at the psychophysiological aspects" of criminal behavior.

Dr. Alexander described his work and that of Dr. Raines like "the old field of phrenology, back in the 1800's" except that his study involved looking at "the bumps in brain activity". He had studied a whole

12 people and developed a theory on extreme group characteristics. In the criminal extreme group he identified "three major categories": (1) "individuals who have severe brain damage, who are almost retarded in their mental abilities", (2) "16 to 25 year old group, who are heavy drug users, hyperactive and getting in a lot of trouble at this young age"; and (3) a "psychopathy group" or "serial killer type of person".

After giving me a battery of tests and a modern version of phrenology Dr. Alexander testified that I had "a distinct absence of activity in the central to frontal regions of [my] brain" and that:

"Well, for the group that he's seemingly fitting into, he's non-normal. He's fitting easily into the group, one of the three groups I identified, namely the young drug user group who use high amounts of LSD, methamphetamine, especially methamphetamine."

I thought I was a normal teenager who had a drug addiction, but his findings made me question that. It made me wonder what was wrong with me. I couldn't help but begin to see myself as something different and I'm sure those who saw/see me as evil and worth throwing away would feel justified in their feelings at the declaration I wasn't normal. Anyone, who belonged to the same "extreme group" including "homosexuals", who didn't have "normal" brain activity, was seen as something other than "normal".

When asked about how a youth like me could commit a murder Dr. Alexander testified:

"In looking at his history and circumstances of the brain activity and everything, it's definitely an avalanche out of control. This....a crime like this is bound to happen sometime sooner or later."

In other words, it was predictable that a drug-addicted teenager was likely to get out of control and commit a crime.

My attorney followed up with the question:

"Okay. The point I'd like to get to, though, is if he's — Well, when he's incarcerated for a very long time what would be your prognosis for him, say in 30 years, under the circumstances of being in a structured environment."

Dr. Alexander answered:

"Over time the evidence suggests that when people become more adultlike and their brain becomes more adultlike, they learn compensation techniques. In the mid-'30s, mid 40's they usually are able to learn how to compensate for some of the deficiencies. So long as their environment is conducive to that structure."

In other words, once my brain became more adult-like I would mature, as long as I was in an environment that promoted that type of maturity and rehabilitation. It is also telling, they understood that I didn't have the brain development of an adult but were still willing to try me as an adult. This fits into the argument that the environment is everything when you are talking about rehabilitation. But prison isn't an environment that promotes maturity and rehabilitation. In fact, in an exchange between the prosecutor and Dr. Alexander, the prosecutor essentially admitted the environment was primed to be anything but rehabilitative:

PROSECUTOR: Do you think Jacob Barrett's life in prison is gonna be less stressful than it is on the outside or more stressful than it is on the outside?

ALEXANDER:

Given that I haven't been in prison, that would be a hard guess.

PROSECUTOR:

Okay. Are you aware of some of the things that go on in the prison?

ALEXANDER:

Through dramatizations on TV and so forth.

PROSECUTOR:

People trying to have — forced sex on the other male people?

ALEXANDER:

Um-hum.

PROSECUTOR:

Drug use that goes on in prison? The everyday hassle over who gets more?

ALEXANDER:

Um-hum. Yes.

PROSECUTOR:

He could get worse. The stress

ALEXANDER:

He could.

PROSECUTOR:

He could be worse in prison, after 30 years.

The prosecutor, the representative of the Justice system who was supposed to uphold the principles of Justice, was essentially admitting that the prison system was not designed to turn me back out into society better than when I went in. It is time to question the design of the system altogether and why its not functioning when even the officers of the justice system know that it is not designed to rehabilitate. Dr. Alexander's studies reflected the understanding of the human mind at that time. For example, his belief that “homosexuals represent an extreme group outside the normal mind of the general population”, has long been debunked. The mind of someone with a sexual preference other than heterosexual is not any less normal nor different than the mind of anyone else. A lot of current and historical understanding of human nature and the mind stems from studies presented in criminal cases. While Dr. Alexander's study and theories were in their infancy, there was some truth in them that wouldn't be further developed for nearly a decade. Had they known at the time of my case what they know today about the development of the adolescent mind, I may have had a very different prison experience.

May 21, 2023

Part 10

Adolescent Brain Science

This post is long; unusually long for Facebook. It includes references to a lot of science and other sources. Footnotes are indicated by /xx/ due to the limitations of Facebook formatting options.

My age at the time of the crime may seem irrelevant to some people. However, to fully understand why I behaved the way I did and made the choices I made, including my early disruptive behaviors in prison over several decades it is necessary to explore the science behind adolescent brain development. To accomplish that, we first jump forward a decade.

In 2012, the U.S. Supreme Court case *Miller V. Alabama* held that a mandatory life without parole (LWOP) sentence imposed on a defendant convicted of aggravated murder who was under 18 at the time of the offense would be a violation of the defendant's Eighth Amendment right to be free from cruel and unusual punishment. /15/

In 2016 the US Supreme Court held *Miller* to be retroactive in *Montgomery v. Louisiana, US, 136 S. Ct. 718; 193 L. Ed. 2d 599 (2016)*.

The *Miller* Court found, "Youth is more than a chronological fact. It is a time of immaturity, irresponsibility, impetuosity, and recklessness. It is a moment and condition of life when a person may be most susceptible to influence and psychological damage. And its signature qualities are all

transient."/16/ Based upon this recognition that juveniles are both categorically less culpable and more amenable to rehabilitation, the court held they must be treated differently by the justice system/17/. At the time of my case, in the early 90's this wasn't the viewpoint of the system.

Montgomery recognized that Miller did not merely forbid mandatory life-without-parole sentences for those younger than 18 at the time of the offense. Rather, it established a categorical bar to life-without-parole sentences for "a child whose crime reflects unfortunate yet transient immaturity," regardless of whether the sentence was mandatory or discretionary./18/ As Miller reasoned, subjecting a child to mandatory life without parole "precludes consideration of his chronological age and its hallmark features - among them, immaturity, impetuosity, and failure to appreciate risk and consequences."/19/

Today, unlike in 1994 when I first came into prison, there is a direction of change toward recognizing that "late adolescence requires extra protections from the criminal law" and more generally that society "treats eighteen- to twenty-year-olds as less than fully mature adults." The most persuasive evidence of a directional trend would be changes in state legislation prohibiting mandatory life imprisonment without parole for 18-year-olds./20/

A 2017 report by the United States Sentencing Commission on offenders ages 25 or younger who were sentenced in the federal system between 2010 and 2015 /21/ reported that 86,309 youthful offenders (aged 25 and under) were sentenced in the federal system during that five-year period. /22/ Of those, 2,226 (2.6%) were 18 years old, 5 800 (6.7%) were 19 years old, and 8,809 (10.2%) were 20 years old./23/ Of the 86,309 youthful offenders, only 96 received life sentences. Of these, 85 were 21 years or older at the time of sentencing, 6 were 20 years old, four were 19 years old, and only one was 18 years old./24/

The legal drinking age was set at 21 across the country by the National Minimum Drinking Age Act./25/ Additionally, "between 2016 and 2018, 5 states and 285 localities raised the age to buy cigarettes from 18 to 21". /26/ Similarly, individuals typically must be 20 or 21 to rent a car and are usually assessed higher rental fees if they are under the age of 25. /27/ The federal government designates individuals under the age of 23 as legal dependents of their parents for purposes of the Free Application for Federal Student Aid (FAFSA) and those under the age of 24 are dependents for tax purposes. /28/ Under the Affordable Care Act, individuals are able to remain on their parent's health insurance if they are 25 or younger as part of the government's recognition of continued dependence. /29/ In child welfare and education systems nationwide, individuals are entitled to services until they reach the age of 21. Twenty-five states have extended the eligibility for foster-care services to youth 18-21, and the Individuals with Disabilities Education Act (IDEA) permits individuals to continue to receive services through age 21 if they have a disability and have not earned a traditional high school diploma. /30/

In another case, the District Court of Connecticut /32/ addressed whether Miller protected an 18-year-old. Luis Cruz was 15 years old when he joined a gang. On May 14, 1994, when he was 18 years and 20 weeks old, he and another member of the gang carried out a gang-ordered murder. In the process, Cruz killed Tyler White, another gang member. He was ultimately convicted of the murders and sentenced to four concurrent LWOP terms. He filed a petition for a writ of habeas Corpus in federal court appealing his conviction and arguing "that Miller 's prohibition of mandatory life imprisonment for adolescents should also be applied to those who were 18 at the time of their crimes because scientific research and national consensus indicate that 18-year-olds exhibit the same hallmark features of youth that justified the decision in Miller./33/

The District Court of Connecticut held an evidentiary hearing at which expert witness, Dr. Laurence Steinberg testified about the status of scientific research on adolescent brain development. Dr. Steinberg testified that he had previously testified as an expert "in state court in Kentucky/34/, in state court in

Delaware, in federal court on Southern District of New York, in state court in Pennsylvania, and before a Parole Board in Arkansas/35/. Importantly, Dr. Steinberg testified he was involved in crafting the amicus briefs in the United States Supreme Court in *Roper v. Simmons*, *Graham v. Florida*, and *Miller v. Alabama*, as the lead scientist for the American Psychological Association "to make sure that the science of adolescent development was represented in the briefs./36/

Dr. Steinberg testified that the working definition of adolescence is "the period spanning ages 10 to up until 21. /37/ He explained there are different phases of development within adolescence, testifying that scientists who study adolescence divide it into three phases: early adolescence, from 10 to 13, middle adolescence, approximately 14 to 17, and late adolescence, 18 to 21. /38/

Dr. Steinberg testified that research into late adolescent brain development did not occur until recently and from 2000 into the middle or later part of the decade, most research on adolescent brain development focused on people younger than 18; and that it wasn't until around 2010 research began to accumulate into brain development beyond 18. /39/ Dr. Steinberg was asked about two articles he co-authored, *Young Adulthood as a Transitional Legal Category: Science, Social Change and Justice Policy* and *When does a juvenile become an Adult? Implications of law and policy*. He testified that both articles represent reliable scientific knowledge as to late adolescence and there is "no question or debate in the scientific community about the findings [in either of] these articles". /40/ Dr. Steinberg testified about the numerous ways in which the brain behavior of 18 to 20-year-olds is more similar to younger adolescents than they were to adults. /41/

When questioned by the Cruz Court/42/ Dr. Steinberg reiterated that he defines late adolescence as 18, 19, 20, and young adult as over 20. /43/ When asked, what the confidence level he had with where the line should be drawn in a psychological sense, Dr Steinberg testified:

"These labels. These are short hands that we use for the purpose of communication. A lot of development, in fact, most of development is gradual and where we choose to draw lines for purposes of creating these labels or for purposes of law, it is not arbitrary but reasonable people might disagree as to whether it should be 21 or 22. If I may, to the extent that a different way to answer the question is, am I confident is still going on? Yes, Absolutely confident."

Dr. Steinberg testified that there was no statistical difference between a 17 and 18-year-old. /45/ The Court interjected a critically important question:

Q. Just based on something that you said a moment ago or it was embedded in a very long answer of something you said a moment ago, I want to have the record be clear. Is it your opinion to a reasonable degree of psychological science certainty that the findings which underpinned your conclusions as to the petitioner's in, for example, *Graham*, under 18, actually they were 14 but the opinion says under 18, you have the same opinion as to 18?

A. Yes. And had that been the question that was asked in *Graham*, I would have said the same things. I would have changed the age in the brief.

Q. The number would have changed?

A. Exactly.

Q. If someone said could you change it to 21, would you have been able to do that based upon your expertise as a psychologist?

A. I don't think I would be confident enough. I think I would be confident enough about scientific certainty; I am more certain about 20 than I am about 21.

Q. As to 18?

A. Absolutely certain.

Q. I was asking and if you didn't understand me when I was using 18, 20, 22, I was referring to a person who nominally has that age. In other words, not under, but is at the moment a 20-year-old, i.e., a person who could be 20 years and a day or 20 years, 11 months, and 29 days.

A. That's how I understood your question. /46/

Through adolescence and into early adulthood, the brain undergoes a thinking process or "pruning". Redundant and cumbersome neural connections within the brain's grey matter begin to close down, channeling electrical brain activity into fewer and stronger neural pathways. /52/ This pruning process occurs first in areas associated with the limbic system and only in the pre-frontal cortex, one of the last regions to develop. /53/

A second process aids the development of these stronger, more efficient pathways. Fatty matter called myelin begins to surround these developing pathways insulating them and allowing electrical impulses to accelerate and flow more smoothly between regions of the brain. /54/ As these processes of pruning and myelination continue through adolescence and into adulthood, the prefrontal cortex exercises more control over the earliest developing, lower-level regions of the brain.

The dynamic nature of this development accounts for a great deal of the behavioral changes youth exhibit as they age. /55/ Until fully reaching mature adulthood, young people's behavior and decision-making are more heavily influenced by the amygdala and other more primitive neurological regions. /56/ A youth's reliance on these earlier developing regions results in an imbalance of the neurotransmitters that regulate pleasure and the desire for rewards, dopamine, and serotonin. /57/

Psychological studies and controlled observations of young people's behavior demonstrate that the same impulses to explore and experiment that allow youth to learn also compel them towards risky, sensation-seeking behaviors. Adolescents score significantly lower than adults on assessments measuring "impulse control" and "suppression of aggression". /64/ Even youth who have developed cognitive abilities similar to adults do not have the same ability to self-regulate their behaviors, modulate their emotions, or weigh the consequences of their actions. /65/

The adolescent brain science clearly demonstrates that the age of a young person reduces culpability and is therefore relevant to the sentence imposed upon a young individual defendant. "The relevance of youth as a mitigating factor derives from the fact that the signature qualities of youth are transient: as individuals mature, the impetuousness and recklessness that may dominate in younger years can subside." /66/

Eighteen does not represent a neurological milestone of any consequence. The pruning and myelination process continues well into a young person's mid-twenties. /70/ The United States Supreme Court has now recognized, a young person at age 19, as I was, is no more neurologically developed than a young person 10 days short of his 18th birthday. "The qualities that distinguish juveniles from adults do not disappear when an individual turns 18. By the same token, some under 18 have already attained a level of maturity some adults never reach". /71/ Long-standing legal and societal views of early adulthood track these biological facts.

The MIT Young Adult Development Project recently found:

"According to recent findings, the human brain does not reach full maturity until at least the mid-20s...The rental car company has it right. The brain is not fully mature at 16, when we are allowed to drive, or at 18, when we are allowed to vote, nor at 21 when we are allowed to drink, but closer to 25, when we are allowed to rent a car."

Until a person reaches his mid-twenties, neurological immaturity limits a young person's ability to control his emotions, consider consequences and make reasoned decisions. Though brain development plays out in different ways with different people, the biological facts support that a youth who is 19 is

similar in terms of brain development to a youth who is 17. Yet, youth ages 18-21 are regularly treated as adults for punishment purposes.

References

15 Miller v. Alabama, 567 US 460, 489, 132 S.Ct. 2455, 183 Led2d 407 (2012)

16 Miller, 132 S.Ct. at 2467(internal quotations, citations and brackets omitted).

17 See Id. (barring sentences of life without the possibility of parole for homicide for juveniles); J.D.B. v North Carolina, _U.S. 13 1 S.Ct. 2394, 2406, 180 L.Ed.2d 310 (2011) (age must be considered in determining whether the child in custody for purposes of Miranda warnings); Graham v Florida, 560 U.S. 48, 130 S.Ct. 201 1, 176 L.Ed.2d 825 (2010)(barring sentences of life without the possibility of parole for juveniles convicted of nonhomicide offenses); Roper v Simmons, 543 U.S. 551, 125 S.Ct. 1 183, 161 L.Ed2d I (2005) (death penalty unconstitutional as applied to juveniles).

18 Montgomery, 136 S.Ct at 734 (internal citations and quotations omitted).

19 Miller, 567 U.s. at 477.

20 Graham, 560 U.S at 62 (internal quotation marks and citations omitted)

21 United States Sentencing Commission, Youthful Offenders in the Federal System, Fiscal Years 2010 to 2015.

22 Id.,at 2

23 See id. at 15

24 See id.

25 see 23 U.S.C.A. 158 (2012).

26 See Campaign for Tobacco-Free Kids, States and Localities That Have Raised the Minimum Legal Sale Age for Tobacco Products to 21. [https://www.tobaccofreekids.org/.../sal.../state_localities_MLSA_21 .pdf](https://www.tobaccofreekids.org/.../sal.../state_localities_MLSA_21.pdf) ; See also Jennie Bergal, Oregon raises cigarette buying age to 21, Washington Post, (Aug 18, 2017), https://www.washingtonpost.com/.../83336667a_811e_11e7_902a_2a9f2d808496_story.html?utm_term=.132d118c0dl0.

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31 Bredhold v. Kentucky, Case No. 14-CR-OOI 61, Fayette Circuit Court.

32 Cruz: v. U.s., case No. 1 1-cv-787 (JCH).

33 Cruz, Id

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35 (Cruz: US., case No. I I-cv-787 (JCH). Testimony of Laurence Steinberg, September 13, 2017, Docket No. I I I, at Transcript- 5:10-16).

36 Steinberg Tr- 36: I-I I.

37 Steinberg Tr- 6:12-16, 7:4-6.

38 Steinberg Tr- 1 1:5-1 1; 13:9-14.

39 Steinberg Tr- 13:15 to 14:25.

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67 Graham, 560 U.S. at 76.

68 Cf. Mill, 132 S.Ct. 2467 (requiring courts to consider "the character and record of the individual offender or the circumstances of the offense," and "the possibility of compassionate or mitigating factors," including a defendant's age, before sentencing a youth to life without parole).

69 B.J. Casey & Kristina Caudle, The Teenage Brain: Self Control, 22(2) Current Direct. In Psych. Sci. 8287,83 (2013)(noting that though as a group adolescents show poor self-control, there exist "striking differences" between individual adolescents in emotional regulation and decision-making).

70 Jay N. Giedd, Structural Magnetic Resonance Imaging of the Adolescent Brain, 1021 Ann. N.Y. Acad. Sci. 77 (2004); Nitin Gogtay et al., Dynamic Mapping of the Human Cortical Development

During Childhood Through Early Adulthood, 101 Proc. Nat'l Acad. Sci. 8174, 8177 (2004); see generally, Brain Changes, MIT Young Adult Development Project,

<http://mit.edu/worklife/youngadult/brain.html> (2008);

National Public Radio, Brain Maturity Extends Well Beyond Teen Years (2001) found at

<http://www.npr.o/templates/stori\y/story.php?storyld=141164708> (last visited January 26, 2015);

Lucy Wallis, Is 25 the New cut-Off Point for adulthood, BBC News Magazine (September 23, 2013)

found at <http://www.bbc.com/news!magazine-24173194> (last visited January 26, 2015).

71 Roper, 543 U.S. at 547.