

BRIDGET BADE ON CRIME

Highlights:

- Bridget Bade denied review of a case where a minor was given a functional life sentence without parole, despite such sentences being ruled a violation of the Eighth Amendment.

Bade Refused To Provide Relief In A Case Where A Juvenile Was Handed A Life Sentence Without Parole

BADE DENIED REVIEW OF A CASE WHERE A MINOR WAS GIVEN A FUNCTIONAL LIFE SENTENCE WITHOUT PAROLE, DESPITE SUCH SENTENCES BEING RULED A VIOLATION OF THE EIGHTH AMENDMENT

The Supreme Court Ruled In *Miller v. Alabama* That Juvenile Life Without Parole Sentences Violated The Eighth Amendment's Provisions Against Cruel And Unusual Punishment. According to Oyez, "Writing for a 5-4 majority, Justice Elena Kagan reversed the Arkansas and Alabama Supreme Courts' decisions and remanded. The Court held that the Eighth Amendment's prohibition against cruel and unusual punishment forbids the mandatory sentencing of life in prison without the possibility of parole for juvenile homicide offenders. Children are constitutionally different from adults for sentencing purposes. While a mandatory life sentence for adults does not violate the Eighth Amendment, such a sentence would be an unconstitutionally disproportionate punishment for children." [Oyez, Accessed [6/26/24](#)]

In The Case *Laird v. Ryan*, Bade Recommended Denying Review Of A Case Where A Juvenile Was Given A 154-Year Sentence Because The Sentence Was Not Technically A Life Sentence. According to Bade's Questions For The Record (QFRs) for her nomination to the Ninth Circuit Court of Appeals, "In 2018, you recommended the denial of a habeas petition of an individual who committed murder as a juvenile. The petitioner argued that his 154-year life sentence for first degree murder and other crimes was essentially a life sentence without parole and violated the Eighth Amendment pursuant to *Graham v. Florida* and *Miller v. Alabama*. In your recommendation, you wrote that '[b]ecause there is no clearly established Supreme Court precedent holding that an aggregate sentence that is functionally equivalent to life imprisonment without the possibility of parole violates the Eighth Amendment,' the petitioner was not entitled to habeas corpus relief. The district court adopted your recommendation." [Bade QFRs – nomination to the ninth court of appeals, [10/31/18](#)]