

# URGENT ACTION

## CRUCIAL DECISION DUE IN LOUISIANA INMATE'S CASE

**On 23 and 24 January the Louisiana Board of Pardons will decide whether or not to hear the clemency application of Christi Cheramie, a state inmate serving a sentence of life imprisonment without the possibility of parole for a crime committed when she was 16.**

In June 1994, when she was 16 years old, **Christi Cheramie** was sentenced to life in prison without the possibility of release after pleading guilty to second-degree murder in the killing of her fiance's great aunt, Mildred Turnage, in February 1994. Life imprisonment without the possibility of parole against defendants who were under 18 years old at the time of the crime violates international law.

Three days after her arrest, Christi Cheramie's case had been transferred to adult court for trial before any hearing considering factors such as her history of mental health issues and her potential of rehabilitation. A psychiatrist who saw Christi Cheramie prior to her trial said that she was a "depressed, dependent, and insecure" 16-year old who "seems to have been fearful of crossing" her 18-year-old fiancé. Christi Cheramie suffered a traumatic childhood marked by sexual abuse and was hospitalized in a psychiatric clinic after attempting suicide at the age of 13.

Christi Cheramie is now aged 33 and believes she has changed in many ways. She has obtained a high school equivalency diploma and a degree in agricultural studies. A prison warden stated that "Christi is a model inmate...who is worthy of a second chance in society." On 30 November 2011, Christi Cheramie submitted an application for executive clemency with the Louisiana Board of Pardons. The Board will decide on 23 or 24 January to deny or grant her a clemency hearing. Denial would mean she would have to wait another seven years before being able to submit a new application. If the Board decide to grant a hearing, it would then hear her case and make a non-binding recommendation for or against clemency to the Governor.

### **Please write immediately in English or your own language:**

- Urge the Pardons Board to grant Christi Cheramie a clemency hearing;
- Call on Governor Jindal to do all in his power and influence to bring about consideration and granting of clemency in this case;
- Explain that you are not suggesting that children be excused of their crimes, but that the question of accountability should be addressed in a manner that reflects their immaturity and capacity for development, and that aims at maximising their potential for successful reintegration into society;
- Emphasise that a sentence of life without the possibility of parole for anyone who was under 18 years old at the time of the crime violates international human rights law.

### **PLEASE SEND APPEALS BEFORE 23 JANUARY 2012 TO:**

#### Governor of Louisiana

Governor Bobby Jindal  
Post Office Box 94004, Baton Rouge  
LA 70804-9004, USA  
Fax: +1 225 342 7099  
Email via contact form at:  
[http://www.gov.louisiana.gov/index.cfm?md=](http://www.gov.louisiana.gov/index.cfm?md=form&tmp=email_governor)  
[form&tmp=email\\_governor](http://www.gov.louisiana.gov/index.cfm?md=form&tmp=email_governor)  
**Salutation: Dear Governor**

#### Chairman of the Louisiana Pardons Board

Mr Larry Clark  
Pardon Board  
504 Mayflower St.  
Building 6  
Baton Rouge, LA 70802  
Fax: +1 225 342 2289  
**Salutation: Dear Chairman**

#### **And copies to Christi Cheramie's lawyers:**

Mr. Ethan C. Ashley  
Staff Attorney  
1600 Oretha C Haley Boulevard  
New Orleans, LA 70113  
Fax: +1 504 522-5430  
Email: [EAshley@jjpl.org](mailto:EAshley@jjpl.org)  
**Salutation: Dear Mr. Ashley**

**Also send copies to diplomatic representatives accredited to your country. Please insert local diplomatic addresses below:**

Please check with your section office if sending appeals after the above date.

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### ADDITIONAL INFORMATION

Christi Cheramie pleaded guilty just before her trial started out of fear that she might be sentenced to death if the trial proceeded. Her plea prevents her from directly appealing against her conviction or sentence. In 2001, Christi Cheramie sought to have her guilty plea withdrawn and testified that she had not understood her rights, what second degree murder really meant or the trial proceedings when she entered her plea. Her application was denied.

The USA is believed to stand alone in sentencing children to life without parole. Although several countries technically permit the practice, Amnesty International knows of no cases outside the USA where such a sentence has been imposed in recent years. There are at least 2,500 people in the USA serving life imprisonment without the possibility of parole for crimes committed when they were under 18 years old. Christi Cheramie's case is therefore starkly illustrative of a wider problem, and the organization is taking this action as part of its efforts to persuade authorities in the USA to bring their country into line with international standards on the treatment of child offenders (see *USA: The rest of their lives: Life without Parole for Child Offenders in the United States*, <http://www.amnesty.org/en/library/info/AMR51/162/2005/en> and USA: 'This is where I'm going to be when I die': Children facing life imprisonment without the possibility of release in the USA, <http://www.amnesty.org/en/library/info/AMR51/081/2011/en> ). In such cases, Amnesty International does not specify in detail what sentence is appropriate, only that it should conform to international standards.

A sentence of life without parole, when imposed on a defendant who was under 18 at the time of the crime, violates international law and standards which are almost universally accepted around the world. These standards recognize that, however serious the crime, children, who are still developing physically, mentally and emotionally, do not have the same level of culpability as adults, and require special treatment in the criminal justice system appropriate to their youth and immaturity. The standards emphasize that when children come into conflict with the law, the primary objectives should be the child's best interests and the potential for his or her successful reintegration into society. Life imprisonment without parole is clearly inconsistent with this international obligation.

The International Covenant on Civil and Political Rights (ICCPR), which the USA ratified in 1992, specifically acknowledges the need for special treatment of children in the criminal justice system and emphasizes the importance of their rehabilitation. Article 14(4) of the ICCPR states: "In the case of juvenile persons, the procedure shall be such as will take account of their age and the desirability of promoting their rehabilitation". In 2006, the UN Human Rights Committee, the expert body established by the ICCPR to oversee implementation of the treaty, reminded the USA that sentencing children to life imprisonment without parole is incompatible with the ICCPR. It called on the USA to ensure that no children were subjected to this sentence.

The 193 countries which have ratified the UN Convention on the Rights of the Child (CRC) have further agreed to be bound by the principle, enshrined in Article 37(a), that no person under the age of 18 at the time of the offence should be sentenced to "life imprisonment without the possibility of release". The USA is the only country apart from Somalia not to have ratified the CRC. However, the USA has signed the Convention and as a signatory, the USA is bound under international law to do nothing which would defeat the object and purpose of the treaty pending its decision to ratify.

Name: Christi Cheramie  
Gender: Female

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