

MURDER VICTIM'S FAMILY MEMBERS CONCERNED ABOUT SUPREME COURT CASE

The nation's highest court will hear oral argument in the case *Jones v. Mississippi* on November 3, 2020. This case is the latest in a series of Supreme Court cases addressing the issues surrounding the sentencing of teen killers beginning with *Roper v. Simmons* in 2005, followed by *Graham v. Florida*, *Jackson v. Hobbs*, *Miller v. Alabama*, and *Montgomery v. Louisiana*. NOVJM took part in an *amicus* brief submitted to the United States Supreme Court by the Criminal Justice Legal Foundation in this case.

NOVJM President and Co-Founder Jennifer Bishop-Jenkins issued the following statement:

“The facts are clear. The trial Judge allowed the convicted murderer to put on two days of witnesses to convince the Judge that the accused was not ‘permanently incorrigible.’ After listening to those witnesses, and taking into consideration the arguments of counsel for the convicted murderer, the Judge applied the sentencing factors announced in *Miller v. Alabama*, rejected Jones’s argument, and sentenced him again to life without the possibility of parole. Brett Jones’ attorneys are asking the Court to put form over substance. They insist that, since the trial Judge did not use the magical words “permanently incorrigible,” the trial Judge erred and the case must be sent back to the judge for such a specific finding. This is absurd, as the trial Judge specifically noted in his sentencing order that he applied the factors announced in *Miller v. Alabama* and still decided to sentence Jones to life without parole. Brett Jones and those advocating for teen killers want unlimited sentencing opportunities for the few teens found guilty of murder and sentenced to life without parole. This flies in the face of the need of victims’

families for legal finality in homicide cases. Countless on-going legal proceedings literally torture the victims' families. It is not required by the law, and permanent incorrigibility is not a finding of fact reserved for the jury to find beyond a reasonable doubt. The trial judge in this case did his job, followed the law, and the Court should reject Jones' argument."

Below is a summary report from Mike Jones, son of the murder victim, Bertis Jones, and uncle of the convicted killer, Brett Jones, who reports that his family had no idea that the Supreme Court would be hearing this case. In fact, Mike Jones was told two years ago that the case was "completely done." The Mississippi Supreme Court found that there was no need for further review of the killer's sentence and dismissed the killer's *certiorari* in 2018. Mike and his family were told by the District Attorney that the life without parole sentence was final. After the United States Supreme Court took up this case, Mike and his family were not notified even though they signed up for victim notification. They learned that the Court was hearing this case in September through their local newspaper. By then, it was too late to file an *amicus* brief so that their voices could be heard by the Court when considering this case.

NOVJM believes that Mississippi needs much stronger legal protections for crime victims' rights.

Mike Jones reports that the facts of the crime contradict the killer's on-going lies that he killed his grandfather in self-defense. NOVJM believes this repeated lie by Brett Jones further underscores the need to protect public safety with his continued incarceration. This information is laid out in his statement on our website.

<http://www.teenkillers.org/index.php/courts-2/jones-v-mississippi/statement-from-victims-son/>

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NOVJM is a national victims' rights organization made up of hundreds of murder victims' family members from all over the United States whose loved ones were killed by offenders under the age of 18. We support protecting the rights of victims' families to fully participate in these cases of juvenile murderers where unique legal protections for younger offenders often complicate legal proceedings for victims' families. We also support truth-telling about the facts of these murders and are troubled by some Juvenile Justice Reform advocates who misrepresent the facts of these crimes to minimize the culpability of the offenders. See examples on our website at www.teenkillers.org under several sections of the "Offenders" tab.

NOVJM does not take a position on what prison sentences should be for individual teen killers. We urge sentencing policymakers to recognize the small percentage of extremely violent and mentally ill offenders – young or old – who will never be safe to release into society. We support public safety protections against psychopaths who cannot ever live safely among us. NOVJM supports giving judges and juries sentencing options, emphasizing that murder victims' families are retraumatized when we must perpetually re-engage legally with the murderer of our loved ones without any finality. Frequent parole hearings and re-sentencing procedures for years and decades after the trial are paralyzing our lives. Victims' families deserve dignity and legal finality.