

Annotated Bibliography

Primary Sources

Ricotta, Dominic J. "JSTOR." *Eighth Amendment: The Death Penalty for Juveniles: A State's Right or a Child's Injustice?*,

www.jstor.org/stable/pdf/resrep04754.15.pdf?refreqid=excelsior:ed1338f7033e981f963169d42018c8cd&ab_segments=0/basic_search_gsv2/control&origin=&p=&initiator=&acceptTC=1. Accessed 14 Jan. 2025.

The following text signifies the role of the Eighth Amendment, prohibiting cruel punishments, especially for minors, and the two contrasting views rooted in the idea of 'cruel punishments', discussing the ethics behind juvenile death sentences.

"Estados Unidos 9647." *Oas.org*, 2025, cidh.oas.org/annualrep/86.87eng/EUU9647.htm. Accessed 7 Jan. 2025.

This source is a resolution on human rights. In our research, we used this source to understand the case of James Terry Roach and his sins. Also, as the U.S. claimed to prohibit execution, the perspectives of international courts and the U.S. have changed.

JUSTIA U.S. Law. *James Terry Roach, Appellant, v. Warden Joseph Martin, Central Correctional Institutioncolumbia, South Carolina,Andt. Travis Medlock, Attorney General for South Carolina, Appellees*, 757 F.2d 1463 (4th Cir. 1985). 20 Mar. 1985, law.justia.com/cases/federal/appellate-courts/F2/757/1463/426196/. Accessed 28 Dec. 2024.

This case judgment of James Terry Roach discusses whether Roach should have pleaded guilty or not for his cruel murders as a juvenile. The case was argued on Jan.7, 1985, and was decided on March 20, 1985. Brought from the US Court of Appeals for the Fourth

Circuit court, this source is reliable in examining the rights and wrongs of death penalties for victims of a brutal murder.

“Research Guides: Persistent Links for Library Resources: JSTOR.” *JSTOR - Persistent Links for Library Resources - Research Guides at University of Oregon Libraries*,
researchguides.uoregon.edu/persistentlinks/jstor. Accessed 15 Jan. 2025.

This source suggests that the death penalty for juveniles does not violate any of their legal treaties or international law, supporting that the U.S. government does not have an obligation to ban juvenile executions.

“Roper v. Simmons.” *American Psychological Association*,
www.apa.org/about/offices/ogc/amicus/roper. Accessed 15 Jan. 2025.

This source effectively provides a stance of the American Psychological Association (APA) in terms of juvenile rights and death penalties, specifically looking into the case of Roper V. Simmons. It explains why death penalties for juveniles may not be ethical with supporting research on adolescent brains.

JUSTIA U.S. Supreme Court. *Roper v. Simmons*, 543 U.S. 551 (2005). 1 Mar. 2005,
supreme.justia.com/cases/federal/us/543/551/. Accessed 28 Dec. 2024.

This source is the decision and oral argument in the Roper v. Simmons case. It is a crucial cornerstone of our project, covering the reasons for the change in the juvenile justice system in the US. This case helped formulate our main idea.

“U.S. Reports: Roper v. Simmons, 543 U.S. 551 (2005).” US Reports, Oct. 2004.

The U.S. Report about the case Roper v. Simmons mentions how the Supreme Court argued that the death penalty for individuals under 18 violated the Eighth and Fourteenth Amendments. The court debates about how the death penalty should be used in the United States.

Supreme Court of the United States - American Psychological ...,

www.apa.org/about/offices/ogc/amicus/roper.pdf. Accessed 14 Jan. 2025.

The following source illustrates both Simmons's (respondent) and Ropers' (petitioner) arguments. This allows for a clearer comparison between the two opposing sides, and the contrasting rights and responsibilities of each.

JUSTIA U.S. Supreme Court. *Stanford v. Kentucky*, 492 U.S. 361 (1989). 26 June 1989,

supreme.justia.com/cases/federal/us/492/361/. Accessed 28 Dec. 2024.

The verdict in *Stanford v. Kentucky* contradicts the reconsideration in *Roper v. Simmons*. Instead, *Stanford v. Kentucky* has upheld the execution of juveniles aged 16 years and older. This case study supported our claim that *Roper v. Simmons* was significant because it was the moment of change to a more rehabilitative punishment for juveniles.

United Nations. "What Is the Rule of Law?" *United Nations and the Rule of Law*, 2015,

www.un.org/ruleoflaw/what-is-the-rule-of-law/.

This source examines the 'Rule of Law', which we used to explain how the legal framework is fundamental to humanitarian principles and human rights regarding juvenile justice.

Secondary Sources

South Carolina Department of Corrections. *A Courageous Fool*.

This image is from a news clip of James Terry Roach's trial.

Emens, Elizabeth F. “Aggravating Youth: Roper v Simmons and Age Discrimination.” *The Supreme Court Review*, vol. 2005, no. 1, 2005, pp. 51–102. *JSTOR*,

<https://doi.org/10.1086/655191>. Accessed 7 Jan. 2025.

This is a journal about Christopher Simmons’s murder trial. It shows a contradicting argument of the prosecutor saying to the jury that Simmons should be considered aggravating rather than mitigating. This journal focuses on responsibility rather than rights such as regarding Simmons’s age.

Beyer, Brandon, et al. *Hollywood Teen Sentenced to 41 Years in Prison for Sexual Assault, Committed When He Was 14*,

<https://wsvn.com/news/local/broward/hollywood-teen-sentenced-to-41-years-in-prison-for-sexual-assault-committed-when-he-was-14/>.

This image is from a news clip of Terry Berger-Smith’s trial.

“James Terry ROACH v. James AIKEN, Warden et Al.” *LII / Legal Information Institute*, 2025, www.law.cornell.edu/supremecourt/text/474/1039. Accessed 14 Jan. 2025.

The case Roper v. Simmons, from 2005 debates whether the death penalty for individuals under 18 years old for their crime in the United States is adequate. The Legal Information Institute has the Supreme Court’s decision on this case; allowing a detailed view of the case and the judgment.

“ROACH v. AIKEN, 474 U.S. 1039 (1986) | FindLaw.” *Findlaw*,

caselaw.findlaw.com/court/us-supreme-court/474/1039.html. Accessed 7 Jan. 2025.

Case docket numbered 85-6155, was sentenced by the United States Supreme Court in 1986. A detailed case description supports a thorough understanding of the crimes James Terry Roach has committed. Evaluation of the punishment given to the juvenile crime can be discussed.

“Roper v. Simmons.” *LII / Legal Information Institute*, 2005,

www.law.cornell.edu/supremecourt/text/03-633.

The Legal Information Institute discusses the case *Roach v. Aiken* which involves James Terry Roach who was sentenced to death for his vicious murders. The specific dissenting opinions show various perspectives of how juveniles should be protected but punished for their wrongs.

Roper v. Simmons. 1 Mar. 2005, www.law.cornell.edu/supremecourt/text/03-633. Accessed 7 Jan. 2025.

This case decision has aided us in providing details for the significance of *Roper v. Simmons* on the treatment of juveniles. It has also given us information about the actual case and allowed looking at the case at a more in-depth level.

Death Penalty Information Center. “Roper v. Simmons Resource Page.” *Death Penalty Information Center*, 2019,

deathpenaltyinfo.org/facts-and-research/united-states-supreme-court/significant-supremecourt-opinions/roper-v-simmons-resource-page.

This document is a summary of the main points discussed in *Roper v. Simmons*. This has helped us better understand the content of the case *Roper v. Simmons*, as it breaks down the long document into a few easy key points, allowing a wide view of the decision and providing context before analyzing the actual document.

Juvenile Law Center. “Roper v. Simmons Ten Years Later: Recollections and Reflections on the Abolition of the Juvenile Death Penalty | Juvenile Law Center.” *Juvenile Law Center*, 2 Mar. 2015,

jlc.org/news/roper-v-simmons-ten-years-later-recollections-and-reflections-abolition-juvenile-death-penalty.

This article discusses the ethics behind juvenile death row. In particular, they advocate the cruelty of juvenile death row in that they are violating rights. It also mentions the responsibility of an adult to protect their rights.

“Supreme Court Clips: Roper v. Simmons - Death Penalty for Juveniles.” *www.youtube.com*,
www.youtube.com/watch?v=IHpEQqnJIe8.

This clip discusses the unusuality of juvenile death sentences, as most countries have banned them since much earlier. It posits that decisions should not be made based on what other countries are doing—instead, they must follow their laws.

Rojas, Amanda. “Terry Berger-Smith Affidavit.” *Scribd*, 2025,
www.scribd.com/document/586720928/Terry-Berger-Smith-Affidavit. Accessed 28 Dec.
2024.

The judgment of Terry Berger Smith is used to compare how the sentencing changed after the death penalty was prohibited. This is crucial for showing the significance of the case, Roper v. Simmons and to discuss the rights and responsibility of the juvenile defendant.

“The History of the 1974 Juvenile Justice and Delinquency Prevention Act | Office of Justice Programs.” *Office of Justice Programs*, 2024,
www.ojp.gov/safe-communities/from-the-vault/1974-juvenile-justice-delinquency-prevention-act-history#protecting-justice-involved-children. Accessed 7 Jan. 2025.

This website has helped us understand the overall history of the JJDPA and served as a reference point for what to research next for the compilation of sources of events and further aided in chronologically organizing the information on the website.

Bettmann. *The Hollowing of the Eighth Amendment*, 2016,
www.nybooks.com/online/2024/06/18/the-hollowing-of-the-eighth-amendment/.

The image shows demonstrators protesting before the Supreme Court to abolish the death penalty. Considering the fact that this image was taken in 1977, it shows how death row has constantly been an issue.

Missouri Department of Corrections. *The 1993 Castlewood State Park Thrill Killing That Echoes into Today*, 2004.

This image is from a news clip, FOX2now of Christopher Simmons's trial.

Laughingcatworkshop. 2019.

The design is a print of the Eight and the Fourteenth Amendments. The use of this image allows emphasis on the emphasis on Amendment.