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**COVID-19 ended his fight to
save youth from his death row
experience**

POLICING THE USA Lael E.H.
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Opinion

Double tragedy:

Falsely imprisoned, then died of COVID while preaching justice reform

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Even amidst the bedlam of a pandemic, who could not be moved by such a devastating headline featured recently in The Washington Post: "He lost one-third of his life to a wrongful conviction. Then he died of covid-19."

Damon Thibodeaux died Aug. 31, but his life was essentially cut short years ago. He was just 22 years old in 1996 when he was interrogated for nine hours by police about the rape and murder of his cousin. Like many young people, he was unable to handle the stress and trauma of the interrogation and provided a false confession. His later recantation had no impact, and Thibodeaux spent 15 years on death row at the Angola Prison in Louisiana before DNA and other evidence unveiled the truth and he was finally exonerated.

Thibodeaux is not alone. False confessions are disproportionately common when the accused is under the age of 25. The National Registry of Exonerations, a database containing information on all known exonerations in the United States since 1989, shows that 35% of exonerations involved an emerging adult (ages 18 to 24). Yet adults ages 18 to 24 make up less than 10% of the U.S. population.

Why are young people overrepresented in these tragic miscarriages of justice? One reason might be a simple fluke. Since they are convicted at such a young age, they have more years than older adults to fight for their exonerations. But data from the exonerations registry reveals that young people are also victims of wrongful convictions because of their immaturity and youthfulness. They are vulnerable to manipulation and pressure, which is why they are apt to give false confessions.

Research in multiple fields – including neurobiology, developmental psychology and sociology – demonstrates that young adults are in a critically important and distinct developmental stage, and that the transition to adulthood takes years to complete. Yet our justice system automatically treats these young people as adults. They are arrested, interrogated, prosecuted and sentenced in pretty much the same way middle-age adults are.

To reduce the rate of false confessions by arrested youth, Illinois recently passed a law that put an end to the use of deception in police dealings with individuals under 18. This is a laudable step, but it does not go far enough. Like his younger peers, 22-year-old Thibodeaux was also susceptible to pressure exerted during a police interrogation. This susceptibility provides no justifiable reason to exclude young adults over 18 from such protections.

The best way to avoid wrongfully imprisoning someone 25 or younger is to keep them out of the adult justice system in the first place. The adult justice system was simply not designed for individuals who are still transitioning to adulthood.

Across the country, some states are beginning to recognize that the 18th birthday does not magically confer maturity on an individual, and are thus raising the age at which a young person is automatically prosecuted as an adult. Such legislation has been proposed in California, Colorado, Connecticut, Massachusetts and Nebraska. Vermont has already passed a “raise the age” law, gradually expanding the juvenile system to the 20th birthday in most cases.

When Thibodeaux was released from prison, he earned his high school diploma and spoke about his experiences in an effort to end wrongful convictions before prematurely dying from COVID-19.

Failing to enact effective justice reforms for young people will result in yet another devastating headline that we should never have to see.

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This article originally appeared on USA TODAY: Double tragedy: Falsely imprisoned, then died of COVID while preaching justice reform

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