

NEWS ADVISORY

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FOR IMMEDIATE RELEASE

March 27, 2015

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ALABAMA SUPREME COURT HOLDS THAT *MILLER* CASE, REGARDING LIFE WITHOUT PAROLE FOR JUVENILES, IS NOT RETROACTIVE

(MONTGOMERY)- - Attorney General Luther Strange announced that the Alabama Supreme Court upheld the life without parole sentence of Jimmy Williams Jr. The Court thus held that a U.S. Supreme Court ruling that prohibits mandatory life without parole sentences for juveniles in capital cases is not retroactive.

Williams was convicted of murder made capital because it was committed during a robbery. Williams was a juvenile when he committed this crime, and Alabama law at the time imposed a mandatory sentence of life without parole.

In 2012, after Williams was sentenced, the U.S. Supreme Court held in *Miller v. Alabama* that life without parole sentences cannot be mandatory for juvenile offenders. Williams asked the Alabama Supreme Court to consider whether this decision entitled him to a new sentencing hearing. Today, the Alabama Supreme Court held that *Miller* "does not apply retroactively to cases that became final before its pronouncement." The U.S. Supreme Court's *Miller* decision relates only to the procedure used to sentence juvenile offenders. It did not prohibit states from imposing life without parole sentences on juveniles convicted of capital murder.

For these reasons, the Alabama Supreme Court denied Williams' request for a new sentencing hearing, concluding that his sentence is constitutional. As a result of today's decision, any juveniles who were convicted of capital murder and sentenced to life without parole before the U.S. Supreme Court decided *Miller v. Alabama* are not entitled to new sentencing hearings based on that decision.

The Attorney General's Capital Litigation Division handled the case during the appeals process, and Solicitor General Andrew Brasher orally argued the case before the Alabama Supreme Court. Attorney General Strange commended Solicitor General Brasher and Assistant Attorney General Lauren Simpson for their successful work in this case.

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