

NEWS RELEASE

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FEDERAL COURT AFFIRMS SENTENCE OF LIFE IMPRISONMENT WITHOUT PAROLE IN MAJOR RULING

(MONTGOMERY)—Attorney General Luther Strange said he is pleased by a federal court ruling yesterday that makes it clear that the Constitution does not prohibit Alabama courts from convicting defendants of capital murder and sentencing them to life imprisonment without parole even though they were 17 years old at the time of the murder. The 11th Circuit Court of Appeals rejected arguments by Kenneth Loggins that a Supreme Court ruling prohibiting the death penalty for 17-year-olds also meant he could not receive the lesser alternative sentence of life without parole for capital murder. The Court affirmed that even though Loggins may not be executed for the 1994 murder and kidnapping of Vickie Deblieux in Jefferson County, the only alternative sentence for his capital murder conviction--life without parole--was properly imposed.

“This case is a horrifying example of a 17-year-old committing a crime that is so horrific and vile that justice calls for the severest penalty under law,” said Attorney General Strange. “In its order, the Court provides a thorough examination of this case, the defendant’s claims, and how the law and court rulings stand to maintain a sentence of life imprisonment without parole. Although execution is prohibited, it is necessary and appropriate that life without parole remain an option in certain cases.”

In its ruling, the Court recounts the tragic circumstances of the young woman’s murder after a friend dropped her off near Chattanooga and she was hitchhiking to reach her mother’s home in West Monroe, La. Deblieux “had telephoned her mother to let her know that she was coming. Deblieux made it as far south as Jefferson County, Alabama. Unfortunately for her, Kenneth Loggins and three of his friends were also out that night, drinking beer and using drugs. They spotted Deblieux at an interstate exit in Jefferson County. Promising to take her to Louisiana, Loggins and the other men lured Deblieux into their car and then drove her to a remote wooded area on the pretense of picking up another vehicle. When she protested being taken there, Loggins assured her everything was okay. Of course it wasn’t.”

The Court’s opinion tells of the vicious attack that followed, in which Deblieux was beaten to death and her body was subsequently abused. After leaving the scene, Loggins and others returned to further defile and mutilate the young woman’s body. “The autopsy revealed that Deblieux’s face was covered with lacerations, every bone in her face was fractured at least once,

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almost every bone in her skull was fractured, a tooth was missing, her left eye was collapsed, her right eye had hemorrhaged, there were two large incisions in her chest, her left lung had been removed, she had 180 post-mortem stab wounds, and all of her fingers and both thumbs had been cut off.”

Loggins was convicted for the capital offense of murder committed during the course of a kidnapping, and he originally was sentenced to death. However, the U.S. Supreme Court issued a ruling in 2005 in the case of Roper v. Simmons that the Constitution prohibits States from imposing a death sentence on any murderer who was under age 18 at the time of the murder. Alabama state courts subsequently acted to void Loggins’ death sentence. He instead was sentenced to the only alternative sentence under Alabama law for capital murder, which is life imprisonment without parole. Loggins responded with extensive appeals in which he sought to escape not only the death penalty, but to be freed from the sentence of life without parole and not face any charge of capital murder.

The State of Alabama argued that what the Roper case means is that “a juvenile can still be charged with capital murder” and that “the only difference here is death is no longer an available punishment; however, life without parole is.” In fact, the 11th Circuit Court of Appeals took note of the fact that the defendant in Roper, though found not to be eligible for the death sentence because he was 17 at the time of the crime, was nevertheless resented to life imprisonment without parole, and the Supreme Court did not say that the new sentence was unconstitutional.

In other arguments, Loggins attempted to use international treaties to win a more lenient sentence. In its ruling yesterday, the Court responded that, “A murder, especially one as vicious as the one in this case, is an exceptional circumstance justifying treatment of the juvenile as an adult” and emphatically noted that “there is no Supreme Court decision holding that juvenile murderers cannot be sentenced to life without parole because of any treaty or for any other reason.”

In reaching its conclusion to affirm Loggins’ sentence, the Court explained: “So, while a juvenile who commits a murder cannot be executed, and can no longer be sentenced to death, it is not accurate to assert, as Loggins does, that he cannot be charged with a ‘capital offense.’ He can be charged with a capital offense, as Loggins was, and the penalty that Alabama law provides for juveniles who commit a capital offense is life without parole, and that is the sentence Loggins received after Roper, and it is the sentence he is now serving.”

Attorney General Strange commended those who represented the State’s efforts to uphold Loggins’ sentence, noting in particular Assistant Attorney General John Davis of his Criminal Appeals Division and Solicitor General John Neiman.