Name:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Dr. Attis

Block: \_\_\_\_\_\_\_\_

Date: \_\_\_\_\_\_\_\_\_\_

**Text based argument response #3**

**Step 1:** Close read and annotate for: **Ethos (E), logos (L), and pathos (P)**, **author’s claim (C), 5 evidences that support claim (EV-y), 5 evidences that do not support claim (EV-n).**

**Step 2: Compose a Rhetorical Précis**

**Step 3: Compose an your own argument response (using template with the boxes)**

**Occasion**: The Supreme Court is expected to rule this month on when, if ever, it is appropriate to sentence juvenile offenders to life without parole. [The arguments this spring](http://www.nytimes.com/2012/03/21/us/supreme-court-revisits-issue-of-sentences-for-juveniles.html) showed the complexity of drawing the lines between child and adult, and between justice and cruelty.

**Article #3:** *Should Young Murder Suspects Be Tried As Adults?*

**Author:** [Asma Khalid](http://www.wbur.org/about/people/asma-khalid)

1. When Philip Chism, the 14-year-old Danvers High School student [accused of murdering his math teacher](http://www.wbur.org/2013/10/23/danvers-schools-closed), returns to court later this month, he’ll be treated as an adult.

“Kids could only be transferred from juvenile to adult court if a judge found them to be both dangerous and not cooperative to rehabilitation,” said Joshua Dohan. Dohan, who has represented juveniles since the late 1980s, feels it’s possible to rehabilitate most kids, even those who commit murder. “There are several people that I represented back in the early ’90s that are out, you know, and doing pretty well,” Dohan explained.

2. In the 1990s, the mood across the country shifted.

“Nationwide, youth crime had been going up very quickly. People were suddenly very fearful and they thought this trend was going to continue,” said Naoka Carey, who heads an advocacy group called Citizens for Juvenile Justice.

“There was this term coined called the ‘Super Predator,’ ” she explained. “There was this idea that kids were somehow different and they were going to commit more crimes and we needed to respond differently.”

3. Then, in 1995, a 15-year-old former altar boy from Somerville was accused of murdering a friend’s mother by stabbing her dozens of times. “[The Eddie O’Brien case](http://www.nytimes.com/1995/07/30/us/teen-ager-charged-in-slaying-of-his-best-friend-s-mother.html), I think a lot of people feel that that was the moment when we decided we were going to require that these cases for 14 years of age and up would be in adult court,” Carey said.

The following year a new law was created in Massachusetts. It spelled out that anyone 14 and older accused of murder would be tried as an adult. No **discretion** from prosecutors or the judge. The **mantra** was “adult time for adult crime.”

That meant kids who couldn’t drive, drink or vote could still face an adult punishment. For murder, it’s life without parole. Carey says that’s extreme.“We designed a system where for all practical purposes you are pretending that there is no child in front of you,” Carey said. “And you are really not observing the reality in front of you, which is that here is a young person. It is different to be a 15- or 16-year-old than a 30-year-old.”

4. Research in the years since the law went into effect shows that teenagers’ brains are not as developed as those of adults.

“Kids are different. They’re more impulsive. There’s more risk taking. They don’t delay like adults, they don’t stop and think, literally,” said Thomas Grisso, a professor of psychiatry at UMass Medical School and a leading researcher on adolescent development. Grisso says there are two unique things happening in the brain at the same time that make teens more susceptible to recklessness. First, there’s a surge of activity in the emotional area of the brain. “At the same time, the frontal lobe, the one that’s going to delay you and stop and think hasn’t quite developed to an adult capacity,” Grisso explained. “And it creates a danger zone, a high-risk area.”

5. Then last summer, the U.S. Supreme Court [ruled that](http://www.wbur.org/npr/155707194/life-sentences-without-parole-for-juveniles-is-unconstitutional-high-court-rules) mandatory sentences of life without parole for teens was unconstitutional. It’s unclear what Massachusetts is going to do in order to comply with federal law. Whatever the state decides, Michael O’Keefe, president of the Massachusetts District Attorneys Association and district attorney for the Cape and Islands, doesn’t want to lose the ability to charge kids as adults for murder. “We have to have a system where juveniles, even young juveniles, who commit very sophisticated murders are not beyond the reach of the law,” O’Keefe said. He wants to have the flexibility to try kids even younger than 14 for murder as adults.

6. “For example, I’ve had two 13-year-olds commit a very sophisticated murder that they set up, planned and executed,” O’Keefe explained. “There are some people who despite their tender age commit very gruesome, serious crimes, and they should be held accountable for that.” Whether they should all be held accountable using the same formula is controversial. Should a 14-year-old accused of murdering his teacher be tried as an adult, without question? For now, that’s the law in Massachusetts.

**Constructed Response Rubric**

**Your claim : \_\_\_\_\_**

**Evidence #1 : \_\_\_\_\_**

**In-text Citation: \_\_\_\_\_**

**Commentary #1: \_\_\_\_\_\_\_**

**Evidence #2 : \_\_\_\_\_**

**In-text Citation : \_\_\_\_\_**

**Commentary: \_\_\_\_\_**

**Evidence #3 : \_\_\_\_\_**

**In-text Citation : \_\_\_\_\_**

**Commentary: \_\_\_\_\_**

**Closing : \_\_\_\_\_**

**Text Based Argument Annotation**

**Ethos\_\_\_\_\_**

**Logos\_\_\_\_\_**

**Pathos\_\_\_\_\_**

**Claim\_\_\_\_\_**

**Factual Evidence\_\_\_\_\_**

**Anecdotal Evidence\_\_\_\_\_\_\_\_**

**Commentary\_\_\_\_\_**

**Rhetorical Précis Rubric**

**Author:\_\_\_\_**

**Title: \_\_\_\_**

**Claim: \_\_\_\_**

**Evidence #1: \_\_\_\_**

**Evidence #2: \_\_\_\_**

**Evidence#3: \_\_\_\_**

**Purpose: \_\_\_\_**

**Audience: \_\_\_\_**

**Significance: \_\_\_\_**