

Fact Sheet on Jacqueline Montanez

Who is Jacqueline Montanez?

Jacqueline Montanez is a 35-year-old woman who has been in prison for 20 years for a murder she committed in 1992 when she was 15.

Why is her case important?

Her sentence of juvenile life without parole (JLWOP) violates the basic principles of the juvenile justice system that children should be treated differently than adults. Teens are both more impulsive than adults, but also have more of a capacity for change. Jacqueline Montanez today is a mature, caring woman, accepts responsibility for what she did as a 15 year old, but, in her words, is “trapped in a cement casket.”

What are the facts of Juvenile Life Without Parole?

There are more than 2500 people in the US serving sentences of JLWOP. Illinois has 103 juveniles serving JLWOP. Jacqueline Montanez is the only woman. The Supreme Court in 2010 outlawed sentences for juveniles of life without parole for all crimes except homicide. Worldwide, every UN member country has signed the Convention on Juvenile Rights totally banning JLWOP except Somalia.....and the United States.

Women who kill are very rare. What happened in her case?

At age seven, her step-father, a gang drug dealer, began raping and physically abusing her and forcing her to work in his drug business. She ran away repeatedly but social workers returned her to her predatory step-father. At age 12 she ran away for good and joined a rival gang. The two young men she killed were members of her step-father's gang. Her motives were much more complicated than the gang-related killing the media and prosecutor described. No one, including her defense attorney, knew about her rape and abuse at the time of her trial.

Were there problems with her arrest?

Yes. The arresting officers, Ernest Halvorsen and Reynaldo Guevara, have a documented history of coercing confessions and lying under oath. In fact Guevara's tactics of coercion in another case resulted in a \$21 million judgment against the city of Chicago. After Jacqueline was arrested the

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detectives drove her to the turf of the rival gang and threatened to leave her there unless she confessed. The detectives subsequent “efforts” to contact Jacqueline’s mother were called by the appeals court a “mockery.”

Were there other irregularities in how she was treated after arrest?

Plenty. Though she was 15, police allowed local news cameras to film her as she entered the police station. Her mother made repeated attempts to see her but prosecutors refused until they got a signed confession. On appeal, the court called the police tactics a “tragic charade.” Amazingly, the court still allowed her confession to stand based on the sworn testimony of Halverson and Guevera denying her mother had been prohibited from seeing her.

How was she treated at her trials?

She was demonized by the press and prosecutors as “the teen queen of criminals,” a “cold blooded assassin,” and someone who was pure “evil.” Her history of rape and abuse was never brought up as a mitigating factor. Since she was charged with two homicides, she was by law waived to adult court and upon conviction automatically sentenced to life without parole. The judge expressed regret that due to her age he could not sentence her to death. The Appeals court said just because she was tried as an adult doesn’t mean she should not have had juvenile protections while being interrogated.

Is she trying to get out of being punished for her crimes?

She fully accepts responsibility for what she did and the need for punishment. She is no longer the teenage “heartless” girl, but a caring, mature woman who fights for the rights of others in prison. She wants to take the message of the danger of gangs to young girls and boys on the streets of Chicago. She is a prime example of why JLWOP is unjust.

What is Clemency?

We are presenting the facts of her case to the Governor of Illinois, Patrick Quinn, and asking him to reconsider her sentence of life without parole. One of her co-defendants received a sentence of 35 years and is already been paroled. Gov. Quinn will be the first official to make a decision about her sentence with ALL the facts in front of him.

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What can I do?

Watch our online video and sign the online petition. Urge your friends, classmates, colleagues and/or students to sign. It is only by showing Gov. Quinn that the whole world is watching that we have a chance at a measure of justice for Jacqueline Montanez and all sentenced to JLWOP. Join with the Puerto Rican community leaders, the Illinois JLWOP Coalition, and the YMCA in asking the Governor to reconsider this act of injustice.

Sign the Petition

<http://www.ipetitions.com/petition/jacquelinemontanez/>

Watch the draft video at

<http://vimeo.com/29427667>

Posted by UIC Students for Clemency for Jacqueline Montanez and an end to Juvenile Life Without Parole sentences.

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