

No. _____

IN THE
SUPREME COURT OF THE UNITED STATES

CAED BRAWNER,
Petitioner,

v.

STATE OF FLORIDA,
Respondent.

**On Petition for Writ of Certiorari
to the Florida First District Court of Appeal**

**APPENDIX TO
PETITION FOR WRIT OF CERTIORARI**

MICHAEL UFFERMAN
Michael Ufferman Law Firm, P.A.
2022-1 Raymond Diehl Road
Tallahassee, Florida 32308
(850) 386-2345
FL Bar No. 114227
Email: ufferman@uffermanlaw.com

COUNSEL FOR THE PETITIONER

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FIRST DISTRICT COURT OF APPEAL
STATE OF FLORIDA

No. 1D2024-0316

CAED BRAWNER,

Appellant,

v.

STATE OF FLORIDA,

Appellee.

On appeal from the Circuit Court for Leon County.
Joshua Hawkes, Judge.

November 5, 2024

PER CURIAM.

AFFIRMED.

KELSEY, NORDBY, and LONG, JJ., concur.

***Not final until disposition of any timely and
authorized motion under Fla. R. App. P. 9.330 or
9.331.***

Michael Ufferman of the Michael Ufferman Law Firm, P.A.,
Tallahassee, for Appellant.

Ashley Moody, Attorney General, and Virginia Chester Harris,
Senior Assistant Attorney General, Tallahassee, for Appellee.

**IN THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT,
IN AND FOR LEON COUNTY, FLORIDA**

STATE OF FLORIDA

Case No.: 2000 CF 1215

SPN 129297

vs.

Division: B

CAED BRAWNER,
Defendant.

DC# 125673

ORDER ON MOTION TO CORRECT ILLEGAL SENTENCE

THIS MATTER comes before the Court upon Defendant's Motion to Correct Illegal Sentence, filed December 15, 2023. This Court having considered the motion, having reviewed the record, and being otherwise fully advised hereby finds as follows:

1. The Defendant, 19 at the time of the offense in this case, was sentenced to life. The Defendant argues this violates the Eighth Amendment's prohibition against cruel and unusual punishment and the similar provision in Article 1, Section 17 of the Florida Constitution.

Legal Standard

The U.S. Constitution mandates that "Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted." U.S. Const. amend. VIII. The Florida Constitution requires the same thing, and is required to be read in conformity to the U.S. Constitution:

Excessive fines, cruel and unusual punishment, attainder, forfeiture of estate, indefinite imprisonment, and unreasonable detention of witnesses are forbidden. The death penalty is an authorized punishment for capital crimes designated by the legislature. The prohibition against cruel or unusual punishment, and the prohibition against cruel and unusual punishment, shall be construed in conformity with decisions of the United States Supreme Court which interpret the prohibition against cruel and unusual punishment provided in the Eighth Amendment to the United States Constitution.

Art. I, § 17, Fla. Const.

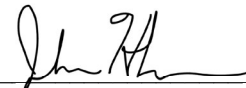
Analysis

Nowhere in the text of the Eighth Amendment does it categorically prohibit certain punishments for certain groups of people. Further, the Supreme Court's categorical punishment jurisprudence, which began in death penalty cases and expanded to age-based punishments in *Graham*, is wrongly decided and due for a correction soon. This Court will certainly not

countenance an expansion of that jurisprudence beyond the limited holdings of the applicable Supreme Court precedent. The Defendant's facts, as alleged in his motion, fall outside those holdings. Moreover, the Defendant's argument is contrary to the law of this state as set forth by our Legislature.

WHEREFORE IT IS hereby ORDERED and ADJUDGED that Defendant's motion is hereby DENIED. The Defendant has 30 days to appeal this order.

DONE AND ORDERED this 3rd day of January, 2024, in Leon County, Florida.



JOSHUA HAWKES

Circuit Judge

Copies to:

State Attorney's Office

Michael Ufferman, Counsel for the Defendant

Defendant,

Caed Brawner, DC# 125673

Jefferson Correctional Institution (Male)

1050 Big Joe Road

Monticello, Florida 32344-0430

DECLARATION OF LAURENCE STEINBERG

I, Laurence Steinberg, declare as follows:

1. My name is Laurence Steinberg. My address is 1924 Pine Street, Philadelphia, Pennsylvania, 19103, USA.

2. I hold the degrees of A.B. in Psychology from Vassar College (Poughkeepsie, New York) and Ph.D. in Human Development and Family Studies from Cornell University (Ithaca, New York).

3. I am a developmental psychologist specializing in adolescence, broadly defined as the second decade of life. Throughout this document, “adolescence” refers to the period of development from age 10 to age 20. Adolescence can be further divided into three phases: “early adolescence” (10 through 13), “middle adolescence” (14 through 17) and, “late adolescence” (18 through 20).

4. I am on the faculty at Temple University, in Philadelphia, Pennsylvania, USA, where I am a Distinguished University Professor and the Laura H. Carnell Professor of Psychology. I am a Fellow of the American Psychological Association, the Association for Psychological Science, and the American Academy of Arts and Sciences. I was a member of the National Academies’ Board on Children, Youth, and Families and chaired the National Academies’ Committee on the Science of Adolescence. I was President of the Division of Developmental Psychology of the American Psychological Association and President of the Society for Research on Adolescence.

5. I received my Ph.D. in 1977 and have been continuously engaged in research on adolescent development since that time. I am the author or co-author of approximately 450 scientific articles and 17 books on young people. Prior to my appointment at Temple University, where I have been since 1988, I was on the faculty at the University of Wisconsin—Madison (1983-1988) and the University of California, Irvine (1977-1983). From 1997-2007, I directed the

John D. and Catherine T. MacArthur Foundation Research Network on Adolescent Development and Juvenile Justice, a national multidisciplinary initiative on the implications of research on adolescent development for policy and practice concerning the treatment of juveniles in the legal system. I also was a member of the MacArthur Foundation Research Network on Law and Neuroscience, a national initiative examining the ways in which neuroscientific research may inform and improve legal policy and practice.

6. Since 1997, I have been studying the implications of research on adolescent development for legal decisions about the behavior of young people. More specifically, my colleagues and I have been examining whether, to what extent, and in what respects adolescents and adults differ in ways that may inform decisions about the treatment of adolescents under the law.

7. I have been qualified as an expert witness in state courts in Alabama, Alaska, Arizona, Arkansas, California, Colorado, Delaware, the District of Columbia, Florida, Indiana, Kentucky, Massachusetts, Missouri, Nevada, Ohio, Oregon, Pennsylvania, South Dakota, and Wisconsin, as well as the United States District Courts for the Southern District of New York, the Eastern District of New York, the District of Connecticut, and the District of New Mexico. I have also been deposed as an expert in cases in California, Colorado, Florida, Michigan, North Carolina, Pennsylvania, Rhode Island, and Wisconsin; in U.S. District Courts in the Eastern District of Michigan, the Western District of Washington, and the District of Colorado; and in the Military Court of Commission Review in Guantanamo Bay, Cuba. In addition, I was the lead scientific consultant for the American Psychological Association (APA) when the Association filed Amicus Curiae briefs in *Miller v. Alabama*, 567 U.S. 460 (2012); *Graham v. Florida*, 560 U.S. 48 (2011); and *Roper v. Simmons*, 543 U.S. 551 (2005). One of my articles, “Less Guilty by Reason of Adolescence,” (co-authored with Elizabeth Scott),¹ was cited in the Court’s majority opinion in *Roper* and in *Miller*, as was the APA amicus brief that I helped draft.

¹ Steinberg, L., & Scott, E. (2003). Less guilty by reason of adolescence: Developmental immaturity, diminished responsibility, and the juvenile death penalty. *American Psychologist*, 58, 1009-1018.

REFERRAL QUESTION

8. Mr. Michael Ufferman, who is representing Caed Brawner, requested that I outline the current understanding of neurobiological and psychological development during adolescence, the ways in which neurobiological immaturity impacts behavior and psychosocial development during this period, and the basis for and evolution of the understanding of ongoing behavioral development during these years. I have been specifically asked to summarize the state of the scientific literature on brain and psychological development during late adolescence. The scientific question I have been asked to address is whether individuals who are 19 years old also share the attributes of adolescents under 18 that trigger the constitutional protections the Supreme Court has already recognized for juveniles. Mr. Brawner was 19 years old at the time of the capital crime to which he pled guilty in 2000. He received a sentence of life without the possibility of parole.

MATERIALS RECEIVED

9. I reviewed the following materials, all of which were provided to me by Mr. Brawner's counsel: transcripts of the trial of Mr. Brawner's co-defendant, Timothy Thomas, and related hearings (approximately 900 pages in total); transcripts of an interview with Mr. Brawner (75 pages); about 20 depositions of law enforcement officials and various witnesses taken in connection with the prosecution of Mr. Brawner and his co-defendants; and copies of several documents gathered in connection with the prosecution of this matter.

OVERVIEW OF EXPERT OPINION

10. Over the past two decades, considerable scientific evidence has accumulated demonstrating that, compared to adults, adolescents are more impulsive, prone to engage in risky and reckless behavior, motivated more by reward than punishment, and less oriented to the future and more to the present. These characteristics of adolescents are now viewed as normative, driven by processes of brain maturation that are not under the young person's control, and typically persist throughout adolescence in normally developing individuals ages 10 through 20 years.

11. In several landmark cases decided between 2005 and 2016, the U.S. Supreme Court held that these aspects of juvenile immaturity mitigate criminal responsibility in ways that must be taken into account in sentencing decisions.² The Court has also recognized that juvenile immaturity affects the ways in which adolescents perceive and make decisions in legal contexts.³

12. In the past ten years, additional scientific evidence has accrued indicating that many aspects of psychological and neurobiological immaturity characteristic of early adolescents and middle adolescents are also characteristic of late adolescents.

13. Although late adolescents are in some ways similar to individuals in their mid-20s, in other ways, and under certain circumstances, they are more like individuals in early and middle adolescence in their behavior, psychological functioning, and brain development. Developmental science does not support the bright-line boundary observed in criminal law under which 18-year-olds are categorically deemed adults.⁴

14. The recognition that the same sort of psychological and neurobiological immaturity characteristic of juveniles also describes individuals who are between 18 and 21 years old suggests that the logic reflected in the U.S. Supreme Court decisions in *Roper*, *Graham*, *Miller*, and in *Montgomery v. Louisiana*, applies with equal force to late adolescents, like the defendant in this case, who was 19 years old at the time of the offense.

² Steinberg, L. (2013). The influence of neuroscience on U.S. Supreme Court decisions involving adolescents' criminal culpability. *Nature Reviews Neuroscience*, 14, 513-518.

³ *JDB v. North Carolina*, 564 U.S. 261.

⁴ Center for Law, Brain & Behavior at Massachusetts General Hospital (2022). *White Paper on the Science of Late Adolescence: A Guide for Judges, Attorneys and Policy Makers*. <https://clbb.mgh.harvard.edu/white-paper-on-the-science-of-late-adolescence>; Scott, E., Bonnie, R. & Steinberg, L. (2016). Young adulthood as a transitional legal category, *Fordham Law Review*, 85, 641-666.

BRAIN DEVELOPMENT CONTINUES BEYOND THE TEEN YEARS

15. For most of the 20th century, scientists believed that brain maturation ended sometime during late childhood, a conclusion based on the observation that the brain reached its adult size and volume by age 10. Research examining the brain's internal anatomy and brain activity patterns – instead of focusing solely on the brain's appearance – started challenging this widely held belief in the late 1990s.⁵

16. The advent of functional Magnetic Resonance Imaging (fMRI) permitted scientists and researchers to actually observe living individuals' brains and examine their responses to various stimuli and activities.

17. The results of these examinations demonstrated that key brain systems and structures – especially those involved in self-regulation and higher-order cognition – continue to mature throughout adolescence, until at least the age of 21, and likely beyond in some areas of function.⁶ This information was not available in 2000, at the time of Mr. Brawner's sentencing.

18. In response to these revelations about ongoing brain maturation, researchers began to focus on the ways that adolescent behavior is more accurately characterized as reflecting psychological and neurobiological immaturity.⁷ The results of many of these studies and descriptions of adolescent behavior were used by the U. S. Supreme Court, first in *Roper v. Simmons*, and later in *Graham v. Florida*, *Miller v. Alabama*, and *Montgomery v. Louisiana*, as the

⁵ Gogtay, N., et al. (2004). Dynamic mapping of human cortical development during childhood through early adulthood. *Proceedings of the National Academies of Sciences*, 101, 8174–8179; Giedd, J., Blumenthal, J., Jeffries, N., Castellanos, F., Liu, H., Zijdenbos, A., . . . Rapoport, J. (1999). Brain development during childhood and adolescence: a longitudinal MRI study. *Nature Neuroscience*, 2, 861–863; Sowell, E., Thompson, P., Leonard, C., Welcome, S., Kan, E., & Toga, A. (2004). Longitudinal mapping of cortical thickness and brain growth in normal children. *Journal of Neuroscience*, 24, 8223–8231.

⁶ Casey, B. J., Tottenham, N., Liston, C., & Durston, S. (2005). Imaging the developing brain: What have we learned about cognitive development? *Trends in Cognitive Science*, 9, 104–110.

⁷ Steinberg, L., & Scott, E. (2003). Less guilty by reason of adolescence: Developmental immaturity, diminished responsibility, and the juvenile death penalty. *American Psychologist*, 58, 1009–1018.

foundation for the high court’s conclusions that adolescents younger than 18 should not be treated as adults by the criminal justice system. The Court, consistent with the prevailing science and the consensus among researchers in this field, reasoned that because the adolescent brain is still developing, adolescents’ often impulsive and ill-considered behavior is not fully mature, and their culpability cannot be compared to and should not be equated with that of presumptively mature adults.⁸ In addition, the Court noted that because psychological and neurobiological development are still ongoing in adolescence, individuals are still amenable to change and able to profit from rehabilitation.

19. Further study of brain maturation conducted during the past decade has revealed that several aspects of brain development affecting judgment and decision-making are not only ongoing during early and middle adolescence, but continue at least until age 21. As more research confirming this conclusion accumulated, by 2015 the notion that brain maturation continues into late adolescence became widely accepted among neuroscientists,⁹ and additional evidence

⁸ The American Psychological Association filed briefs as amicus curiae in *Roper*, *Graham*, and *Miller*, outlining the state of neuropsychological and behavioral research on adolescent brain development and behavior for the Court. See Brief for the American Psychological Association, American Psychiatric Association, and National Association of Social Workers as Amici Curiae in Support of Petitioners, *Miller v. Alabama*, 567 U.S. 460 (2012) (No. 10-9646); Brief for the American Psychological Association, American Psychiatric Association, National Association of Social Workers, and Mental Health America as Amici Curiae Supporting Petitioners, *Graham v. Florida*, 560 U.S. 48 (2010) (No. 08-7412), *Sullivan v. Florida*, 560 U.S. 181 (2010) (No. 08-7621); Brief for the American Psychological Association, and the Missouri Psychological Association as Amici Curiae Supporting Respondent, *Roper v. Simmons*, 543 U.S. 551 (2005) (No. 03-633).

⁹ Dosenbach, N., et al. (2011). Prediction of individual brain maturity using fMRI. *Science*, 329, 1358–1361; Fair, D., et al. (2009). Functional brain networks develop from a “local to distributed” organization. *PLoS Computational Biology*, 5, 1–14; Hedman A., van Haren N., Schnack H., Kahn R., & Hulshoff Pol, H. (2012). Human brain changes across the life span: A review of 56 longitudinal magnetic resonance imaging studies. *Human Brain Mapping*, 33, 1987-2002; Pfefferbaum, A., Rohlfing, T., Rosenbloom, M., Chu, W., & Colrain, I. (2013). Variation in longitudinal trajectories of regional brain volumes of healthy men and women (ages 10 to 85 years) measured with atlas-based parcellation of MRI. *NeuroImage*, 65, 176-193; Simmonds, D., Hallquist, M., Asato, M., & Luna, B. (2014). Developmental stages and sex differences of white matter and behavioral development through adolescence: A longitudinal diffusion tensor imaging (DTI) study. *NeuroImage*, 92, 356-368. Somerville, L., Jones, R., & Casey, B.J. (2010). A time

consistent with this view has continued to be published in scientific journals.¹⁰ This contemporary view of brain development as ongoing at least until age 21 stands in marked contrast to the view held by scientists as recently as 15 years ago. This information was not available in 2000, at the time of Mr. Brawner’s sentencing.

20. We now know that, in many respects, **individuals between 18 and 21 are more neurobiologically similar to younger teenagers than had previously been thought, their character has not yet been fully formed (as those brain regions most determinant of character are the last to mature), they remain amenable to change, and they are able to profit from rehabilitation. Accordingly, predictions about adolescents’ future character and behavior based on assessments made prior to maturation amount to little more than speculation.** The APA’s observation in its brief in *Roper* therefore applies to individuals who are younger than 21: “The absence of proof that assessments of adolescent behavior will remain stable into adulthood invites unreliable capital sentencing based on faulty appraisals of character and future conduct.”¹¹

of change: behavioral and neural correlates of adolescent sensitivity to appetitive and aversive environmental cues. *Brain & Cognition*, 72, 124-133.

¹⁰ Center for Law, Brain & Behavior at Massachusetts General Hospital (2022). *White Paper on the Science of Late Adolescence: A Guide for Judges, Attorneys and Policy Makers*, <https://clbb.mgh.harvard.edu/white-paper-on-the-science-of-late-adolescence>; Moissala, M., Salmela, V., Carlson, S., Salmela-Aro, K., Lonka, K., Hakkarainen, K., & Alho, K. (2018). Neural activity patterns between different executive tasks are more similar in adulthood than in adolescence. *Brain and Behavior*, 8, e01063; Ravindranath, O., Ordaz, S. J., Padmanabhan, A., Foran, W., Jalbrzikowski, M., Calabro, F. J., & Luna, B. (2020). Influences of affective context on amygdala functional connectivity during cognitive control from adolescence through adulthood. *Developmental cognitive neuroscience*, 45, 100836; Tamnes, C., Herting, M., Goddings, A., Meuwese, R., Blakemore, S., Dahl, R., . . . Mills, K. (2017). Development of the cerebral cortex across adolescence: A multisample study of inter-related longitudinal changes in cortical volume, surface area, and thickness. *Journal of Neuroscience*, 37, 3402-3412; Whitaker, K., Vértés, P., Romero-Garcia, R., Váša, F., Moutoussis, M., Prabhu, G., . . . Bullmore E. (2016). Adolescence is associated with genomically patterned consolidation of the hubs of the human brain connectome. *PNAS*, 113, 9105-9110.

¹¹ Brief for the American Psychological Association, and the Missouri Psychological Association as *Amici Curiae* Supporting Respondent, *Roper v. Simmons*, 543 U.S. 551 (2005) (No. 03-633), p. 24. The APA Amicus brief in *Roper*, for which I was the lead scientific consultant, and which I

21. Although mental health professionals are able to characterize the functional and behavioral features of an individual adolescent, their ability to reliably predict future character formation, dangerousness, or amenability to rehabilitation is inherently limited. This is true even for adolescents with histories of delinquent behavior, because misconduct diminishes at a high rate between adolescence and adulthood.¹² Thus, mental health professionals' ability to reliably distinguish between the relatively few adolescents who will continue as career criminals and the vast majority of adolescents who will, as adults, "repudiate their reckless experimentation is limited. As a general matter, litigating maturity on a case-by-case basis is likely to be an error-prone undertaking, with the outcomes determined by factors other than psychological immaturity—such as physical appearance or demeanor . . . immaturity is often ignored when the facts of a particular case engender a punitive response; indeed, immaturity is likely to count as mitigating only when the offender otherwise presents a sympathetic case."¹³

PSYCHOLOGICAL IMMATURITY IN ADOLESCENCE

22. Research conducted during the past 15 years also has led scientists to revise longstanding views of psychological development during adolescence. Conclusions drawn from this psychological research parallel those drawn from recent studies of brain development and indicate that **individuals in their late teens and early 20s are less mature than their older counterparts in several important and legally-relevant ways.**¹⁴ The results of these

helped draft, did not address the death penalty for persons aged 18-20 because this issue was not before the court.

¹² Sweeten, G., Piquero, A., & Steinberg, L. (2013). Age and the explanation of crime, revisited. *Journal of Youth and Adolescence*, 42, 921-938.

¹³ Scott, E., & Steinberg, L. (2008). *Rethinking juvenile justice*. Cambridge, MA: Harvard University Press, pp. 140-141.

¹⁴ Center for Law, Brain & Behavior at Massachusetts General Hospital (2022). *White Paper on the Science of Late Adolescence: A Guide for Judges, Attorneys and Policy Makers*. <https://clbb.mgh.harvard.edu/white-paper-on-the-science-of-late-adolescence>; Scott, E., Bonnie, R. & Steinberg, L. (2016). Young adulthood as a transitional legal category, *Fordham Law Review*,

psychological studies, including many that have been conducted by my research group, have been found not only in the United States, but around the world.¹⁵ This information was not available in 2000, at the time of Mr. Brawner's sentencing.

23. First, adolescents are more likely than adults to underestimate the number, seriousness, and likelihood of risks involved in a given situation. When asked to make a decision about a course of action, compared to adults, adolescents have more difficulty identifying the possible costs and benefits of each alternative, underestimate the chances of various negative consequences occurring, and underestimate the degree to which they could be harmed if the negative consequences occurred.¹⁶

24. Second, adolescents and people in their early 20s are more likely than older individuals to engage in what psychologists call "sensation-seeking," the pursuit of arousing, rewarding, exciting, or novel experiences.¹⁷ As a consequence of this, young people are more apt to focus on the potential rewards of a given decision, including social rewards such as the admiration of peers, than on the potential costs. Other studies have indicated that heightened risk taking among adolescents is due to the greater attention they pay to the potential rewards of a risky

85, 641-666 and Steinberg, L. (2014). *Age of opportunity: Lessons from the new science of adolescence*. New York: Houghton Mifflin, Harcourt.

¹⁵ Duell, N., Steinberg, L., Chein, J., Al-Hassan, S., Bacchini, D., Chang, L., . . . Alampay, L. (2016). Interaction of reward seeking and self-regulation in the prediction of risk taking: A cross-national test of the dual systems model. *Developmental Psychology*, 52, 1593-1605; Duell, N., Steinberg, L., Icenogle, G., Chein, J., Chaudary, N., Di Giunta, L., . . . Chang, L. (2018). Age patterns in risk taking around the world. *Journal of Youth and Adolescence*, 47, 1052-1072; Steinberg, L., & Icenogle, G. (2019). Using developmental science to distinguish adolescents and adults under the law. *Annual Review of Developmental Psychology*, 1, 21-40. Steinberg, L., Icenogle, G., Shulman, E., Breiner, K., Chein, J., Bacchini, D., . . . Takash, H. (2018). Around the world, adolescence is a time of heightened sensation seeking and immature self-regulation. *Developmental Science*, 21, 1-13.

¹⁶ Grisso, T., Steinberg, L., Woolard, J., Cauffman, E., Scott, E., Graham, S., Lexcen, F., Reppucci, N., & Schwartz, R. (2003). Juveniles' competence to stand trial: A comparison of adolescents' and adults' capacities as trial defendants. *Law and Human Behavior*, 27, 333-363.

¹⁷ Steinberg, L., Albert, D., Cauffman, E., Banich, M., Graham, S., & Woolard, J. (2008). Age differences in sensation seeking and impulsivity as indexed by behavior and self-report: Evidence for a dual systems model. *Developmental Psychology*, 44, 1764-1778.

choice relative to the potential costs. This tendency is especially pronounced among individuals between the ages of 18 and 21.¹⁸

25. Third, adolescents and individuals in their early 20s are less able than older individuals to control their impulses and consider the future consequences of their actions and decisions. In general, adolescents are more short-sighted and less likely to plan ahead than adults. Adolescents have more difficulty than adults in foreseeing the possible outcomes of their actions and regulating their behavior accordingly. Importantly, significant gains in impulse control continue to occur well into the early 20s.¹⁹

26. Fourth, the development of basic cognitive abilities, including memory and logical reasoning, matures before the development of emotional maturity. Emotional maturity includes the ability to exercise self-control, rein in sensation seeking, properly consider the risks and rewards of alternative courses of action, and resist coercive pressure from others. A young person who appears to be intellectually mature may be socially and emotionally immature.²⁰ Thus, it is possible

¹⁸ Cauffman, E., Shulman, E., Steinberg, L., Claus, E., Banich, M., Graham, S., & Woolard, J. (2010). Age differences in affective decision making as indexed by performance on the Iowa Gambling Task. *Developmental Psychology*, 46, 193-207; Steinberg, L., Icenogle, G., Shulman, E., Breiner, K., Chein, J., Bacchini, D., . . . Takash, H. (2018). Around the world, adolescence is a time of heightened sensation seeking and immature self-regulation. *Developmental Science*, 21, 1-13.

¹⁹ Steinberg, L., Graham, S., O'Brien, L., Woolard, J., Cauffman, E., & Banich, M. (2009). Age differences in future orientation and delay discounting. *Child Development*, 80, 28-44; Steinberg, L., Albert, D., Cauffman, E., Banich, M., Graham, S., & Woolard, J. (2008) Age differences in sensation seeking and impulsivity as indexed by behavior and self-report: Evidence for a dual systems model. *Developmental Psychology*, 44, 1764-1778; Steinberg, L., Icenogle, G., Shulman, E., Breiner, K., Chein, J., Bacchini, D., . . . Takash, H. (2018). Around the world, adolescence is a time of heightened sensation seeking and immature self-regulation. *Developmental Science*, 21, 1-13.

²⁰ Icenogle, G., Steinberg, L., Duell, N., Chein, J., Chang, L., Chaudary, N., . . . Bacchini, D. (2019). Adolescents' cognitive capacity reaches adult levels prior to their psychosocial maturity: Evidence for a "maturity gap" in a multinational sample. *Law and Human Behavior*, 43, 69-85; Steinberg, L., Cauffman, E., Woolard, J., Graham, S., & Banich, M. (2009). Are adolescents less mature than adults? Minors' access to abortion, the juvenile death penalty, and the alleged APA "flip-flop". *American Psychologist*, 64, 583-594.

that a young person in his late teens or early 20s may fully understand the difference between right and wrong but have difficulty comporting himself in a manner consistent with this understanding.

27. A consequence of this gap between intellectual and emotional maturity is that the tendencies of adolescents and people in their early 20s, relative to individuals in their mid- or late 20s, are more focused on rewards, more impulsive, and more myopic.

28. These tendencies are exacerbated when adolescents are making decisions in situations that are emotionally arousing, including those that generate or are characterized by strong negative emotions, such as fear, threat, anger, or anxiety.²¹ Psychologists distinguish between “cold cognition” – which refers to the thinking abilities used under calm circumstances – and “hot cognition” – which refers to the thinking abilities used under emotionally arousing ones. Adolescents’ deficiencies in judgment and self-control, relative to adults, are greater under “hot” circumstances in which emotions are aroused than they are under calmer, “cold” circumstances.²²

29. Fifth, adolescents’ deficiencies in judgment are exacerbated by the presence of peers, a factor that often arouses adolescents’ emotions. It is well established that a disproportionate amount of adolescent and young adult risk taking occurs in the presence of peers.²³ Scientists believe that this is because, when they are with their peers, young people pay relatively more attention to the potential rewards of a risky decision than they do when they are

²¹ Dreyfuss, M., Caudle, K., Drysdale, A. T., Johnston, N. E., Cohen, A. O., Somerville, L. H., Galvan, A., Tottenham, N., Hare, T. A., & Casey, B. J. (2014). Teens impulsively react rather than retreat from threat. *Developmental Neuroscience*, 36, 220-227.

²² Cohen, A., Breiner, K., Steinberg, L., Bonnie, R., Scott, E., Taylor-Thompson, K., . . . Casey, B.J. (2016). When is an adolescent an adult? Assessing cognitive control in emotional and non-emotional contexts. *Psychological Science*, 4, 549-562; Steinberg, L. (2014). *Age of opportunity: Lessons From the New Science of Adolescence*. New York: Houghton Mifflin Harcourt; Steinberg, L., Cauffman, E., Woolard, J., Graham, S., & Banich, M. (2009). Are adolescents less mature than adults? Minors’ access to abortion, the juvenile death penalty, and the alleged APA “flip-flop”. *American Psychologist*, 64, 583-594; Steinberg, L., & Icenogle, G. (2019). Using developmental science to distinguish adolescents and adults under the law. *Annual Review of Developmental Psychology*, 1, 21-40.

²³ Albert, D., & Steinberg, L. (2011). Peer influences on adolescent risk behavior. In M. Bardo, D. Fishbein, & R. Milich (Eds.), *Inhibitory control and drug abuse prevention: From research to translation*. (Part 3, pp. 211-226). New York: Springer.

alone. When they are with their peers, adolescents are especially drawn to immediate rewards, including both material rewards (e.g., money, drugs) as well as social rewards (e.g., praise, the admiration of others).²⁴ In our research lab, we have shown that the mere presence of peers activates the brain's "reward center" among adolescents and people in their early 20s, but has no such effect on adults.²⁵

30. My colleagues and I have found that these peer effects on risk taking and attentiveness to rewards occur regardless of the number of peers present, their degree of familiarity with one another, and whether the peers are real or illusory. Brain imaging studies show that adolescents are especially sensitive to social rejection, which may make conforming to one's peers especially important.²⁶ That a much greater proportion of juvenile crimes, compared to adult crimes, occur when individuals are in groups is consistent with this data.²⁷

31. The combination of heightened attentiveness to rewards and still-maturing impulse control makes middle and late adolescence a time of greater risk-taking than any other stage of development. This has been demonstrated both in studies of risk-taking in psychological

²⁴ O'Brien, L., Albert, D., Chein, J., & Steinberg, L. (2011). Adolescents prefer more immediate rewards when in the presence of their peers. *Journal of Research on Adolescence*, 21, 747-753; Silva, K., Patrianakos, J., Chein, J., & Steinberg, L. (2017). Joint effects of peer pressure and fatigue on risk and reward processing in adolescence. *Journal of Youth and Adolescence*, 46, 1878-1890; Weigard, A., Chein, J., Albert, D., Smith, A., & Steinberg, L. (2014). Effects of anonymous peer observation on adolescents' preference for immediate rewards. *Developmental Science*, 17, 71-78.

²⁵ Chein, J., Albert, D., O'Brien, L., Uckert, K., & Steinberg, L. (2011). Peers increase adolescent risk taking by enhancing activity in the brain's reward circuitry. *Developmental Science*, 14, F1-F10; Smith, A., Steinberg, L., Strang, N., & Chein, J. (2015). Age differences in the impact of peers on adolescents' and adults' neural response to reward. *Developmental Cognitive Neuroscience*, 11, 75-82.

²⁶ Blakemore, S-J. (2008). The social brain in adolescence. *Nature Reviews Neuroscience*, 9, 267-277; Somerville, L. (2013). The teenage brain: Sensitivity to social evaluation. *Current Directions in Psychological Science*, 22, 121-127.

²⁷ Zimring, F., & Laquear, H. (2015). Kids, groups, and crime: In defense of conventional wisdom. *Journal of Research in Crime and Delinquency*, 52, 403-415.

experiments (when other factors, such as outside influences, can be controlled) and in the analysis of data on risky behavior in the real world.²⁸

32. In recent experimental studies of risk-taking, the peak age for risky decision-making has been determined to be in the late teens and early 20s.²⁹ This age trend is consistent with epidemiological data on age trends in risky behavior, which show peaks in the adverse outcomes of risk-taking in the late teens and early 20s in a wide range of behaviors, including driver deaths, unintended pregnancy, arrests for violent and non-violent crime, and binge drinking.³⁰

33. The immaturity of adolescents, relative to adults, that affects their propensity to engage in criminal behavior also affects their legal decision making more generally. Thus, when faced with decisions about how to best defend themselves during legal hearings, adolescents are more likely than adults to make impulsive and short-sighted decisions that fail to fully appreciate and judge the riskiness of different courses of actions.³¹

²⁸ Duell, N., Steinberg, L., Icenogle, G., Chein, J., Chaudary, N., Di Giunta, L., . . . Chang, L. (2018). Age patterns in risk taking around the world. *Journal of Youth and Adolescence*, 47, 1052-1072.

²⁹ Braams, B., van Duijvenvoorde, A., Peper, J., & Crone, E. (2015). Longitudinal changes in adolescent risk-taking: A comprehensive study of neural responses to rewards, pubertal development and risk taking behavior. *Journal of Neuroscience*, 35, 7226-7238; Shulman, E., & Cauffman, E. (2014). Deciding in the dark: Age differences in intuitive risk judgment. *Developmental Psychology*, 50, 167-177.

³⁰ Willoughby, T., Good, M., Adachi, P., Hamza, C., & Tavernier, R. (2013). Examining the link between adolescent brain development and risk taking from a social-developmental perspective. *Brain and Cognition*, 83, 315-323.

³¹ Grisso, T., Steinberg, L., Woolard, J., Cauffman, E., Scott, E., Graham, S., Lexcen, F., Reppucci, N., & Schwartz, R. (2003). Juveniles' competence to stand trial: A comparison of adolescents' and adults' capacities as trial defendants. *Law and Human Behavior*, 27, 333-363.

NEUROBIOLOGICAL ACCOUNTS OF ADOLESCENT IMMATURITY

34. Many scientists, including myself, believe that the main underlying cause of psychological immaturity during adolescence and the early 20s is the different timetables along which two important brain systems change during this period, sometimes referred to as a “maturational imbalance.”³²

35. The system that is responsible for the increase in sensation-seeking and reward-seeking that takes place in adolescence, which is localized mainly in the brain’s limbic system, undergoes dramatic changes very early in adolescence, around the time of puberty. Attentiveness to rewards remains high through the late teen years and into the early 20s. But the system that is responsible for self-control, regulating impulses, thinking ahead, evaluating the rewards and costs of a risky act, and resisting peer pressure, which is localized mainly in the prefrontal cortex, is still undergoing significant maturation well into the mid-20s.³³

36. Thus, during middle and late adolescence there is an imbalance between the reward system and the self-control system that inclines adolescents toward sensation-seeking and impulsivity. As this “maturational imbalance” diminishes, during the mid-20s, there are improvements in such capacities as impulse control, resistance to peer pressure, planning, and thinking ahead.³⁴

³² Casey, B. J., et al. (2010). The storm and stress of adolescence: Insights from human imaging and mouse genetics. *Developmental Psychobiology*, 52, 225-235; Shulman, E., Smith, A., Silva, K., Icenogle, G., Duell, N., Chein, J., & Steinberg, L. (2016). The dual systems model: Review, reappraisal, and reaffirmation. *Developmental Cognitive Neuroscience*, 17, 103-117.

³³ Shulman, E., Harden, K., Chein, J., & Steinberg, L. (2015). Sex differences in the developmental trajectories of impulse control and sensation-seeking from early adolescence to early adulthood. *Journal of Youth and Adolescence*, 44, 1-17; Steinberg, L. (2008). A social neuroscience perspective on adolescent risk-taking. *Developmental Review*, 28, 78-106; Van Leijenhorst, L., Moor, B. G., Op de Macks, Z. A., Rombouts, S. A. R. B., Westenberg, P. M., & Crone, E. A. (2010). Adolescent risky decisionmaking: Neurocognitive development of reward and control regions. *NeuroImage*, 51, 345–355.

³⁴ Albert, D., & Steinberg, L. (2011). Judgment and decision making in adolescence. *Journal of Research on Adolescence*, 21, 211-224; Blakemore, S-J., & T. Robbins, T. (2012). Decision-making in the adolescent brain. *Nature Neuroscience*, 15, 1184-1191.

37. Studies of structural and functional development of the brain are consistent with this view. Specifically, **research on neurobiological development shows continued maturation into the early or even mid-20s of brain regions and systems that govern various aspects of self-regulation** and higher-order cognitive function. These developments involve structural (i.e., in the brain's anatomy) and functional (i.e., in the brain's activity) changes in the prefrontal and parietal cortices, as well as improved structural and functional connectivity between the limbic system and the prefrontal cortex. This information was not available in 2000, at the time of Mr. Brawner's sentencing.

38. The structural changes are primarily the result of two processes: synaptic pruning (the elimination of unnecessary connections between neurons, which allows the brain to transmit information more efficiently), and myelination (the growth of sheaths of myelin around neuronal connections, which functions as a form of insulation that allows the brain to transmit information more quickly).

39. Although the process of synaptic pruning is largely finished by age 16, myelination continues into the late teens and throughout the 20s.³⁵ Thus, although the development of the prefrontal cortex is largely complete by the end of middle adolescence, the maturation of connections between this region and regions that govern self-regulation and the brain's emotional centers, facilitated by the continued myelination of these connections, continues into late adolescence (at least through age 20) and may not be complete until the mid-20s.³⁶ As a consequence, late adolescents often have difficulty controlling their impulses, especially in emotionally arousing situations.

³⁵ For reviews of changes in brain structure and function during adolescence and young adulthood, see Blakemore, S-J. (2012). Imaging brain development: The adolescent brain. *Neuroimage*, 61, 397-406; Engle, R. (2013). The teen brain. *Current Directions in Psychological Science*, 22 (2) (whole issue); and Luciana, M. (Ed.) (2010). Adolescent brain development: Current themes and future directions. *Brain and Cognition*, 72 (2), whole issue; and Spear, L., & Silveri, M. (2016). Special issue on the adolescent brain. *Neuroscience and Biobehavioral Reviews*, 70 (whole issue).

³⁶ Khundrakpam, B, Lewis, J., Zhao, L., Chouinard-Decorte, F., & Evans, A. (2016). Brain connectivity in normally developing children and adolescents. *NeuroImage*, 134, 192-203.

40. Recent studies that my colleagues and I conducted of middle adolescents, late adolescents, and individuals in their mid-20s, illustrate this point. We assessed individuals' impulse control and brain activity while experimentally manipulating their emotional state. Under conditions during which individuals were not emotionally aroused, individuals between 18 and 21 exhibited impulse control and patterns of brain activity comparable to those in their mid-20s. But under emotionally arousing conditions, 18- to 21-year-olds demonstrated levels of impulsive behavior and patterns of brain activity that were comparable to those in their mid-teens.³⁷ In other words, under some circumstances, the brain of a 18- to 21-year-old functions in ways that are similar to that of a 16- or 17-year old.

DESISTANCE FROM CRIME AFTER YOUNG ADULthood

41. Research in developmental psychology has produced a growing understanding of the ways in which normative psychological maturation contributes to desistance from crime. My colleagues and I have shown that normal and expected improvements in self-control, resistance to peer pressure, and future orientation, which occur in most individuals, are related to desistance from crime during the late adolescent and young adult years.³⁸

³⁷ Cohen, et al. (2016). When is an adolescent an adult? Assessing cognitive control in emotional and non-emotional contexts. *Psychological Science*, 4, 549-562; Rudolph, M., Miranda-Dominguez, O., Cohen, A., Breiner, K., Steinberg, L., . . . Fair, D. (2017). At risk of being risky: The relationship between "brain age" under emotional states and risk preference. *Developmental Cognitive Neuroscience*, 24, 93-106.

³⁸ Monahan, K., Steinberg, L., & Cauffman, E. (2009). Affiliation with antisocial peers, susceptibility to peer influence, and desistance from antisocial behavior during the transition to adulthood. *Developmental Psychology*, 45, 1520-1530; and Monahan, K., Steinberg, L., Cauffman, E., & Mulvey, E. (2009). Trajectories of antisocial behavior and psychosocial maturity from adolescence to young adulthood. *Developmental Psychology*, 45, 1654-1668). This observation is consistent with findings from developmental neuroscience, noted earlier (for example, Liston, C., Watts, R., Tottenham, N., Davidson, M., Niogi, S., Ulug, A., & Casey, B.J. (2006). Frontostriatal microstructure predicts individual differences in cognitive control. *Cerebral Cortex*, 16, 553-560).

42. Scientists have also shown that the human brain is malleable, or “plastic.” Neuroplasticity refers to the potential for the brain to be modified by experience. Certain periods in development appear to be times of greater neuroplasticity than others. There is growing consensus that there is considerable neuroplasticity in adolescence, which suggests that during those time periods, there are greater opportunities for individuals to change.³⁹ In *Graham*, the United States Supreme Court recognized that adolescents’ brains are not fully developed, and their lack of maturity and capacity for growth led the Court to hold that youth who commit serious crimes must have an opportunity for release based on demonstrated maturity and rehabilitation.

43. Very few individuals who have committed crimes as juveniles continue offending beyond their mid-20s. My colleagues and I have found, as have other researchers, that approximately 90 percent of serious juvenile offenders age out of crime and do not continue criminal behavior into adulthood.⁴⁰

44. Longitudinal studies documenting this pattern of desistance are consistent with epidemiological evidence on the relation between age and crime. In general, sociological studies demonstrate what scientists describe as an “age-crime curve,” which shows that, in the aggregate, crime peaks in the late teen years and declines during the early 20s.⁴¹ For example, according to

³⁹ For a discussion of adolescent neuroplasticity, see Aoki, C., Romeo, R., & Smith, S. (2017). Adolescence as a critical period for developmental plasticity. *Brain Research*, 1654, 85-86; Guyer, A., Pérez-Edgar, K., & Crone, E., (2018). Opportunities for neurodevelopmental plasticity from infancy through early adulthood. *Child Development*, 89, 687-297; Kays, J., Hurley, R., Taber, K. (2012). The dynamic brain: Neuroplasticity and mental health. *Journal of Clinical Neuropsychiatry and Clinical Neuroscience*, 24, 118-124; Steinberg, L. (2014). *Age of Opportunity: Lessons From the New Science of Adolescence*. New York: Houghton Mifflin Harcourt; and Thomas, M., & Johnson, M. (2008). New advances in understanding sensitive periods in brain development. *Current Directions in Psychological Science*, 17, 1-5.

⁴⁰ Monahan, K., Steinberg, L., Cauffman, E., & Mulvey, E. (2013). Psychosocial (im)maturity from adolescence to early adulthood: Distinguishing between adolescence-limited and persistent antisocial behavior. *Development and Psychopathology*, 25, 1093–1105; and Mulvey, E., Steinberg, L., Piquero, A., Besana, M., Fagan, J., Schubert, C., & Cauffman, E. (2010). Trajectories of desistance and continuity in antisocial behavior following court adjudication among serious adolescent offenders. *Development and Psychopathology*, 22, 453-475.

⁴¹ Sweeten, G., Piquero, A., & Steinberg, L. (2013). Age and the explanation of crime, revisited. *Journal of Youth and Adolescence*, 42, 921-938.

recent data from the United States Federal Bureau of Investigation, on arrest rates as a function of age, arrests for property crime and for violent crime increase between 10 and 19 years, peak in the late teens or early 20s, and decline most dramatically after 25.⁴² This is a robust pattern observed not only in the United States, but across the industrialized world and over historical time.⁴³

45. Research in developmental psychology has produced a growing understanding of the ways in which normative psychological maturation contributes to desistance from crime. My colleagues and I have shown that normal and expected improvements in self-control, resistance to peer pressure, and future orientation, are related to desistance from crime during the late adolescent and young adult years.⁴⁴ This observation is consistent with findings from developmental neuroscience, noted earlier.⁴⁵

46. In summary, there is strong scientific evidence that (1) most adolescent offending reflects transient developmental immaturity rather than irreparably bad character; (2) this developmental immaturity has been linked to predictable patterns of structural and functional brain development during adolescence; (3) this process of brain maturation continues through the late teens and into the early 20s; (4) the adolescent brain is especially “plastic,” or susceptible to environmental influence, which makes juveniles more amenable to rehabilitation; and (5) the vast majority of adolescent offenders age out of crime as they mature into their mid-20s.

⁴² U.S. Department of Justice. (2020). *Crime in the United States*, 2019.

⁴³ Farrington, D. (1986). Age and crime. In M. Tonry & N. Morris (Eds.), *Crime and justice: An annual review of research*, vol. 7 (pp. 189-250). Chicago: University of Chicago Press; Hirschi, T., & Gottfredson, M. (1994). Age and the explanation of crime. *American Journal of Sociology*, 89, 552-84; and Piquero, A., Farrington, D., & Blumstein, A. (2007). *Key issues in criminal careers research: New analysis from the Cambridge study in delinquent development*. Cambridge: Cambridge University Press.

⁴⁴ Monahan, K., Steinberg, L., & Cauffman, E. (2009). Affiliation with antisocial peers, susceptibility to peer influence, and desistance from antisocial behavior during the transition to adulthood. *Developmental Psychology*, 45, 1520-1530; Monahan, K., Steinberg, L., Cauffman, E., & Mulvey, E. (2009). Trajectories of antisocial behavior and psychosocial maturity from adolescence to young adulthood. *Developmental Psychology*, 45, 1654-1668.

⁴⁵ For example, see Liston, C., Watts, R., Tottenham, N., Davidson, M., Niogi, S., Ulug, A., & Casey, B.J. (2006). Frontostriatal microstructure predicts individual differences in cognitive control. *Cerebral Cortex*, 16, 553-560.

CONCLUSION

47. Extensive studies demonstrate that important neurobiological development is ongoing throughout the teenage years and continues into the early 20s. As a result of neurobiological immaturity, young people, even those past the age of majority, continue to demonstrate difficulties in exercising self-restraint, controlling impulses, considering future consequences, making decisions independently from their peers, and resisting the coercive influence of others. Heightened susceptibility to emotionally laden and socially charged situations renders adolescents more vulnerable to others' influence, and in such situations young people are even less able to consider and weigh the risks and consequences of a chosen course of action.⁴⁶ **Many of the same immaturities that characterize the brains of individuals younger than 18, and that have been found to mitigate their criminal culpability, are characteristic of the brains of individuals between 18 and 21.** These same deficiencies in judgment may impair the decision making of juveniles when they are asked to make legal decisions that bear on judgments of their criminal responsibility and deliberations about sentencing.

48. **Criminal acts committed by adolescents, even those past the age of 18, are best understood in light of their neurobiological and psychological immaturity. For this reason, it is inappropriate to assign the same degree of culpability to criminal acts committed at this age to that which would be assigned to the behavior of a fully mature and responsible adult.**

49. In his majority opinion in *Roper v. Simmons*, Justice Kennedy noted three characteristics of juveniles that diminish their criminal responsibility: their impetuosity, their susceptibility to peer influence, and their capacity to change. In Justice Kennedy's opinion in *Graham v. Florida*, as well as Justice Kagan's opinion in *Miller v. Alabama*, the Court noted that the characterization of juveniles as inherently less mature than adults, and therefore less responsible for their crimes, was supported by a growing scientific literature affirming adolescents'

⁴⁶ Scott, E., Duell, N., & Steinberg, L. (2018). Brain development, social context, and justice policy. *Washington University Journal of Law and Policy*, 57, 13-74.

neurobiological as well as psychological immaturity.⁴⁷ In the ten years that have elapsed since *Miller*, scientific evidence consistent with these arguments continues to accrue.

50. The crime for which Mr. Brawner was convicted has many of the hallmark characteristics of offenses committed by juveniles. It was an impulsive act committed in the presence of peers under conditions of high emotional arousal. In my view, the offense was more likely the product of transient immaturity than intractably bad character.

51. Recent discoveries in psychological and brain science, as well as societal changes, should urge us to rethink how we view people in late adolescence and young adulthood in terms of their treatment under the law. Individualized assessments of adolescents conducted for the purpose of predicting future offending are unreliable, influenced by factors that have nothing to do with future criminal behavior (such as a defendant's physical appearance), and easily tainted by conscious and unconscious biases.⁴⁸ It is now clear that neurobiological and psychological immaturity of the sort that the Supreme Court referenced in its opinions on juveniles' diminished culpability is also characteristic of individuals in their late teens and early 20s. **For the very same reason that the Supreme Court found capital punishment in cases involving defendants under the age of 18 to be unconstitutional, this penalty should be prohibited in all cases involving defendants who are under the age of 21.**⁴⁹

52. As one expert has written, "the likelihood of error in ascertaining putatively enduring features of an adolescent's behavior is high. The fundamental problem is found in the inability to distinguish in a reliable way between the few adolescent offenders who may not be

⁴⁷ Steinberg, L. (2017). Adolescent brain science and juvenile justice policymaking. *Psychology, Public Policy, and Law*, 23, 410-420.

⁴⁸ Tonry, M. (2019). Predictions of dangerousness in sentencing: Déjà vu all over again. *Crime and Justice: A Review of Research*, 48, 439-482.

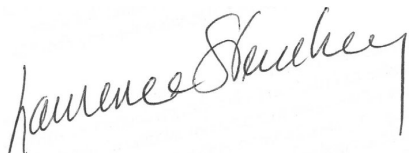
⁴⁹ This view is consistent with that recently adopted by the American Bar Association ("The American Bar Association, without taking a position supporting or opposing the death penalty, urges each jurisdiction that imposes capital punishment to prohibit the imposition of a death sentence on or execution of any individual who was 21 years old or younger at the time of the offense," Resolution, Death Penalty Due Process Review Project, Section of Civil Rights and Social Justice, American Bar Association, February, 2018).

amenable to rehabilitation and the many who will spontaneously desist or who will respond to sanction or intervention. The absence of proof that assessments of adolescent behavior will remain stable into adulthood invites unreliable capital sentencing based on faulty appraisals of character and future conduct.”⁵⁰

53. Attempts to predict at capital sentencing an adolescent offender’s character formation and dangerousness in adulthood are inherently prone to error and create an obvious risk of wrongful execution. **The same evidence which could be used to argue that a death sentence is warranted in a case of an adult defendant may, in an adolescent, may very well reflect transitory behavior that would not support such an argument, the circumstance here.** A strong presumption that mitigation applies categorically to individuals under 21 avoids both innocent errors and more pernicious influences that may distort individualized determinations.

54. In my view, evidence from contemporary research on adolescent brain and psychological development, which has continued to develop since the time of Mr. Brawner’s plea hearing and sentencing, should be strongly considered with respect to his appeal. It is also possible that Mr. Brawner’s decision to plead guilty to avoid the death penalty was influenced by his immaturity of judgment. The same impulsivity and susceptibility to the influence of others that often leads young people to commit crimes also affects their ability to make good decisions in legal situations.⁵¹

55. I believe that the facts I have stated in this report are true and that the opinions I have expressed are within a reasonable degree of scientific certainty.

A handwritten signature in cursive script, appearing to read "Laurence Stuebel", written in dark ink.

⁵⁰ Brief for the American Psychological Association, and the Missouri Psychological Association as *Amici Curiae* Supporting Respondent, *Roper v. Simmons*, 543 U.S. 551 (2005) (No. 03-633).

⁵¹ Grisso, T., Steinberg, L., Woolard, J., Cauffman, E., Scott, E., Graham, S., Lexcen, F., Reppucci, N., & Schwartz, R. (2003). Juveniles’ competence to stand trial: A comparison of adolescents’ and adults’ capacities as trial defendants. *Law and Human Behavior*, 27, 333-363.

Laurence Steinberg, Ph.D.

Philadelphia, PA

June 20, 2023

James Garbarino, Ph.D.
Consulting in Child and Adolescent Development
PO Box 7074
Ithaca NY 14851

February 21, 2022

TO: Michael Ufferman
RE: Caed Brawner

I am writing in support of changes in sentencing policies, laws, and practices as they affect Caed Brawner and other individuals who committed crimes as juveniles and have been sentenced to life without parole sentences (perhaps better labelled “death in prison sentences”). I write as an academic psychologist specializing in adolescence, most notably the traumatic and developmentally disruptive impact of family adversity and socially toxic environments (note: a short professional bio is enclosed with this letter). In addition to my academic activity (currently as Professor Emeritus of Psychology at both Cornell University and Loyola University Chicago), for the past 30 years I have served as a scientific expert witness in murder cases. In recent years this has included some 150 cases in which the issue is the re-sentencing of adults who committed murders as juveniles and were sentenced to both natural life and de facto life sentences.

My focus in these cases is understanding the developmental pathway that led to homicide and towards rehabilitation and positive transformation in the years and decades that followed. This is the focus of my 2018 book *Miller's Children: Why Giving Teenage Killers a Second Chance Matters for All of Us* (University of California Press).

Based upon my understanding of the neuroscience of brain development (which tells us human brains cannot be presumed to be mature until age 25) and other social and

psychological influences on behavior, I advocate for legislative and judicial reform to incorporate these scientific insights. Principal among these insights is the finding that youth are particularly at risk in the areas of good decision-making (“executive function”) and emotional intelligence (“affective regulation”). This was recognized by the US Supreme Court in *Simmons v. Roper* (prohibiting the execution of minors), *Graham v. Florida* (which prohibited life without parole sentences for juveniles committing crimes other than homicide), and *Miller v. Alabama* (which prohibited mandatory life without parole sentences for juveniles who committed homicide). As the Supreme Court has recognized, only the “rarest of cases” involve youth who are incorrigible and incapable of rehabilitation.

Based upon my experience and my understanding of human development in adolescence and adulthood, I have concluded that in the vast majority of youth homicide cases a sentence of 20 years is “developmentally appropriate.” This allows time for the youth to reach the point at which brain maturity can be presumed, and then a period of years during which the individual can use that mature brain for the purpose of positive transformation. Education, therapeutic intervention, reflection, reading, and spiritual development are the processes that accomplish this transformation. What is more, despite it being counter intuitive, I have come to the conclusion that there is no evidence to support the common belief that the severity of a juvenile’s crime is highly predictive of his/her prognosis for rehabilitation. Indeed, I have come to conclude that such a link is the exception rather than the rule. Therefore, focusing on the “facts of the crime” is not scientifically justifiable as a basis for sentencing decisions regarding prospects for rehabilitation and positive transformation. If I can be of assistance in further illuminating the points made in this letter please contact me.

James Garbarino

James Garbarino, PhD

Daniel Evans
144 Flamingo Court
Monticello, FL 32344
March 30, 2022

To Michael Ufferman, Esq.:

It is with great honor and pleasure that I write to you on behalf of Caed Brawner, DC#125673. I have known Caed for almost twenty years, having been incarcerated with him the first five of these years (2003-2008).

Caed has always displayed a high degree of uprightness, responsibility, and ambition. He is a leader rather than a follower. He is doing what he can to make the best of an unfortunate situation. When I was incarcerated with him, he was helping others learn the law all the while he was studying it himself to make himself better.

Caed does whatever he is assigned to with professionalism and integrity and excels at anything he puts his hand to do. This character and integrity, I'm positive, flows over into every aspect of his life. Caed has displayed good judgment and has a mature outlook on his situation which ensures a logical and practical approach to his endeavors. He has encountered some situations in his life that has left him emotionally and physically down, but not out. He has maintained his composure and has not let the pressure cause him to lose what is important to him and that is his family and being an example as a productive citizen of society.

I am writing this letter to ask for your consideration and grace concerning his current status and to grant him some relief, even release from prison. I am respectfully requesting that the laws which determine the age of a juvenile, the extensive sentencing which includes sentencing juveniles to life in prison without parole be examined more intensively and reviewed for change so that Caed, and others in his same situation, can have an opportunity to be a successful citizen of society. I thank you for your time and consideration concerning this matter.

Sincerely,

Daniel Evans
Director, Harvest of Life
Jeremiah 32:27

July 23, 2022

Jean Proctor McNeil, DVM
(a.k.a. Tean Jean Sayre)
1802 Wood Valley Road
Macon, GA 31211-1617

Dear Mr. Ufferman,

This letter is in regards to **Mr. Caed Brawner #125673**. This is my voice in favor of releasing Caed from his exorbitant sentence as soon as possible. He is currently 41 years old, and he has served for over half his life, with no possibility of parole, based on the initial sentencing. I believe this a travesty of justice, as he was tried as an adult, yet he was still considered to be a teenager.

There has been extensive research in recent years concerning the continued mental development of the mind of a teen becoming an adult. The life sentencing is exceptionally harsh, especially considering the addition of "without parole." This is a travesty in that it allows no opportunity, nor hope of reformation of a very young person into a responsible adult. Even so, Caed has exhibited both responsibility and hope in the continued, tireless service he has done while incarcerated.

I have been corresponding with Caed by letter and email for the last several years, and I was also privileged to visit him prior to the covid outbreak. Every interaction with this young man reinforces my belief that he should be released back into society where he can continue to contribute and advocate for the many who have suffered as he has.

My knowledge of Caed is through his mother, Ms. Carol Lee. We attended college together, so I have known her for many years. She connected me with her son, and I have received much encouragement and love from having him in my life. He is considered a cherished nephew, even though there is no blood relation. One can recognize one of integrity and merit by the manner in which they carry and express themselves. He exemplifies both of these characteristics, among many others of high quality. The highlight of my week is often a snail mail letter written by the practiced hand of a true storyteller, Mr. Brawner.

Caed has multiple talents and gifts that he can share with society. He has published written works during his time behind bars, and he is also a talented artist. He toils ceaselessly to assist other inmates to do appeals to diminish their sentences, giving tirelessly of his time as he works in the prison system law library. Imagine what help he could provide with greater resources!

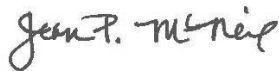
I have never heard this young man complain about his life. Instead, he is a source of encouragement wrapped in humility, as he crafted letter after letter to me, a grieving widow.

There were innumerable days when I sought to lend support to him, but was pleased and surprised to receive more than I gave. He is truly a remarkable young man.

The current laws are antiquated, showing no regard nor opportunity for young people to turn their lives around as they serve prolonged sentences. Mr. Brawner has proven himself time and again that he is more than worthy of being free. He has served more than enough time for his crime. And it is past time for his to re-join society as a valuable resource.

Set him free to be more of what he already exemplifies! His character is a shining light in his current location; his light can shine even more so when he is given the opportunity to contribute to a larger audience on the outside. Thank you for doing everything in your ability to set Caed free. You will have no regrets for doing this.

Sincerely,

A handwritten signature in cursive script that reads "Jean P. McNeil".

Jean P. McNeil, DVM



March 8, 2022

Michael Ufferman, Esq.
2022-1 Raymond Diehl Road
Tallahassee, Florida 32308

Subject: Mr. Caed Brawner

Unfortunately, the offering of “a second chance” has been so commonly applied and over-used that it could have lost its true meaning for those who truly need, deserve, have earned a second chance. We humans give those seconds to each other every day, husbands and wives, parents and children (both ways) workers and bosses, and those whose misdeeds of act or place took them out of the running. That seems to be the state of order in the courts of Florida, as is the sad but enlightening case of Caed Brawner who still serves a life sentence entering that system in the year 2000. This is one of the prime examples of poor judgments that can be handed a young man who got trapped in a moment of error in the life he was living, making a poor decision and not able to identify his personhood and his natural born lack of judging skills at his young age.

Records show 1,465 people serving JLWOP sentences at the start of 2020. This is definitely questionable treatment of our underdeveloped youth, a population from which might have come a person to discover the cure for cancer, if only opportunities had been different in our country in our time. When the U.S. SUPREME COURT banned capital punishment for crimes that were committed when a defendant was under the age of 18, it ruled that “standards of decency” had evolved to recognize that a young person’s lack of maturity and ill-defined sense of responsibility distinguished his crimes from those of an adult.

The 2005 ruling, in Roper v. Simmons, was based partly on common sense but mostly on extensive research showing that the young brain is still developing during adolescence and way into the early and mid-twenties, making the young especially vulnerable to impulsive behavior. Consideration of the eighth amendment’s prohibition on cruel and unusual punishment that limits sentencing a child to die in prison also played an important role.

Many legal and humanitarian issues have been presented and discussed many time as advocates continue their important work to change the state laws regarding JLWOP victims.

still learning, inc.

I will instead will talk research and experiences on young brain development, continuing the commonsense and scientific understanding that youth are different from adults in ways critical to identifying age-appropriate criminal sentences. As a Nationally Certified Parenting and Family Life Educator (CFLE) with over 30 years working with all types of family situations I have witnessed these research studies come to life. And death. I would hope that more of us will agree with this understanding as Supreme Court Justice Anthony Kennedy called it "what any parent knows." That comment was central to the Supreme Court decisions.

There are many factors that can determine the maturity and common judgment that impact our teens. One is of course the biology, which contains his/her birthright gifts or potential burdens. How the environment impacts the biology is a primary factor determined by the physical, emotional, and stability of the surroundings and those in charge of raising our children.

Each of us grows in our own unique way. Growth is complex. All of its aspects are closely interrelated. We have to try and understand them all, the physical, the mental, the emotional, the social. The child whose earliest environment surrounds him with an atmosphere of affection and tender protection has an advantage from the beginning. If he is guided by wise, understanding caregivers in these early years, a sound foundation will have been laid for later life.

But, children are on a journey toward adulthood and successful independence, with positive contributions to society as adult. It's their ultimate goal and they go through a variety of trials and errors. Our job as caring adults is to help them get there through many influences pulling and pushing at a young person's developing life. If pulled or jerked or cajoled to take an unwise path, it could be most difficult to find his way back, to have a second chance, a chance to try again.

I strongly recommend that the courts and the Florida system give this man with unlimited possibilities for good works to our society a chance to try again. Caed Brawner's life in prison shows us a young man who has learned how to be the man he knew he could be as he matured and grew. His efforts and leadership skills are positive proof that he deserves a second chance. In fact he may have never had his first.

Sincerely, with hope for Caed's future.



Jim R. Rogers, M.Ed., CFLE
Parenting and Family Life Educator
Member National Council on Family Relations
Member National Parenting Education Network

still learning, inc.

p.o. box 14028, surfside beach, sc 29587, www.stilllearning.org
843-238-9291, sallyzhare@sc.rr.com, jimrogers@sc.rr.com

Dr. Anaïs Llorens

PhD, Postdoctoral Fellow
Department of Psychology, University of Oslo,
Norway & Department of
Neurosurgery, Oslo University
Hospital Rikshospitalet, Norway

Dr. Adina M. Thompson

PhD, Intake Coordinator
Innocence Project of Florida

I am writing you on behalf of Caed Brawner's case. As a neuroscientist, I am specialized in the human cognition with special interests in memory, language, and predictive mechanisms, i.e. the ability to make predictions about future events and plan corresponding actions. My research focuses on several parts of the brain such as the temporal and the frontal lobes known to be involved in these fundamental cognitive processes. If I have decided to write you is because, from a neuroscientific perspective, the conviction for life sentence without parole for a young adult, as M. Brawner at the time of the facts, seems inappropriate.

Indeed, new highlights in science in general, and in neuroscience more precisely, shed light on brain maturation differences between juveniles, young, and older adults, and potential consequences on behavior such as decision making.

It has been shown by many human imaging studies that a part of the brain, namely the prefrontal cortex, undergoes a later development compared to other brain areas (Casey et al., 2008, 2005; Giedd et al., 1999; R. Sowell et al., 1999). The prefrontal cortex is known to play a crucial role in several high cognitive functions such as long-term planning, memory, regulation of emotion, execution of action, impulse control, evaluation of risk and reward, and inhibitory control (Fuster, 2002; Spear, 2000; see Ridderinkhof et al., 2004 for a review). Moreover, the lateral prefrontal cortex is dedicated to the integration of information for the achievement of prospective behavioral goals (Fuster, 2001).

According to several brain-imaging and behavioral studies, it has been demonstrated that the late maturation of the prefrontal cortex continues well after the age of 18 (see the recent papers by Cohen et al., 2016; Giedd, 2010). Up until the age of 21, the part of the prefrontal cortex that regulates emotions showed reduced activity, while areas linked to emotional processing are fully developed. This transitional phase with different degrees of maturation in different brain areas can explain why some control issues (not fully developed) over emotions (fully operational) can occur (Baird et al., 1999).

Moreover, this late maturation can also directly impact the decision making process by making juveniles and the young adults more vulnerable than adults to the influence of coercive behaviors such as provocation, duress, or threat (Cauffman and Steinberg, 2000; Scott et al., 1995; Steinberg, 2003; Steinberg and Cauffman, 1996). Also, research shows that juveniles and young adults tend to differ from adults in their assessment of and attitude toward risk (Furby and Beyth-Marom, 1992; Halpern-Felsher and Cauffman, 2001).

Another important aspect is that bad decision making and risky behaviors can often be considered as isolated events, which happen during the maturation process but do not last long after full maturation. As first argued by Moffitt (1993), a distinction between bad act and bad character has to be made. Indeed, the amount of risk taken decreases along with maturity as individual identity settles. Based on studies of criminal careers, Farrington (1986) described that the vast majority of adolescents who are involved in criminal or delinquent

behavior cease their illegal activities as they mature into adulthood. These observations are in accordance with the recent descriptions of brain maturation trajectory.

Altogether these studies highlight the fact that juveniles and young adults must be considered separately from adults. Their behavior cannot be directly compared to a fully developed adult (Scott and Steinberg, 2002). Indeed, science has shown that the maturation of the brain, and especially the frontal lobe, does not suddenly stop at the age of 18 but lasts at least after the beginning of the 20s. This late maturation could lead to a wide range of poorer decision-making and riskier behavior than adults. However, it seems that this overall bad decision making does not last after this period and cannot be used a marker of bad character.

This valuable scientific evidence should be taken into account in the way the justice system is judging the juveniles (Steinberg and Scott, 2003). A few cases have already benefited from these scientific advances in front of the Supreme Court of Justice (*Roper v. Simmons*, *Graham v. Florida*, *Miller v. Alabama* and *Montgomery v. Louisiana*, and most recently for *People v. House*). But other cases need to be reconsidered in the light of this new body of knowledge.

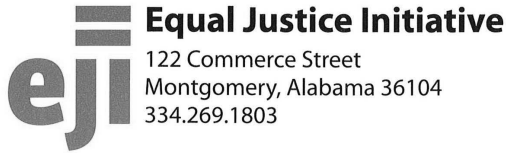
Caed Brawner was just turning 19 years old when he committed a crime. According to his statement about that night, he felt threatened and put under pressure by the presence of others. He took a wrong decision and acknowledges it. However, 17 years later, it is possible to state, with regards to his behavior as an inmate, that the act he committed was driven by a wrong decision but does not necessarily characterize his own personality as an adult with bad intention or as a threat for the society.

Hence, based on all these scientific facts, a reconsideration of the sentence for life without parole for Caed Brawner's case is a righteous request.

Dr. Anaïs Llorens

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April 9, 2015

The Office of Executive Clemency
Florida Commission on Offender Review
4070 Esplanade Way
Tallahassee, FL 32399-2450

Re: Caed Lee Brawner, DC # 125673

Dear Members of the Florida Board of Executive Clemency,

We are writing in support of an application for a commutation of sentence made by Mr. Caed Brawner (DC # 125673). Mr. Brawner was 19 years old at the time of the crime; he is now 34 years old. He seeks commutation in order to be reunited eventually with his family, and we believe that his young age at the time of his arrest makes this a case deserving of special review.

The Equal Justice Initiative has represented hundreds of young people who, like Mr. Brawner, were arrested as teenagers and thereafter sentenced to lengthy sentences in adult prison. In the course of litigating these cases – in over 20 states, the federal courts, and before the United States Supreme Court – EJI has collected significant evidence of important biological, psychological, and behavioral differences between adolescents and adults. Consideration of these differences counsels that principles of sentencing apply differently to adolescents than they do to adults, and that sentences that might be appropriately imposed in the adult context can be excessive when imposed on a young person.

As a measure of preventing such excessive sentences, criminal law holds that adolescents accused of crime cannot be treated simply as “mini adults,” even when prosecuted formally as adults. Rather, any evaluation of their moral culpability must account for the distinctive characteristics of adolescence. Developmentally, adolescents are more impulsive, heedless, and sensation-seeking, and lack mature behavioral controls. Adolescents are also more vulnerable to, and less able to control, their environments. Crucially, their youthful characters are transitory and demonstrate a greater capacity for reform and rehabilitation. In many cases, these characteristics combine to create a lessened moral culpability, and indicate a greater potential for productive reentry into society.

Re: Caed Lee Brawner (DC # 125673)

Mr. Brawner was just months past his 19th birthday at the time of the crime for which he is now incarcerated. As a teenager, he exhibited many of the signature characteristics of adolescence – impulsivity, poor judgment, and a capacity for growth and change. In the years since his arrest, Mr. Brawner has accepted responsibility for his crime and demonstrated the increased capacity for rehabilitation and maturation so often observed in adolescents. His remarkable commitment to self-improvement has lead him to pursue an education, work as a facilitator and mentor in prison programming, and be selected to serve on the committee tasked to develop reentry programming for his fellow inmates. Mr. Brawner, now in his mid-thirties, has grown and matured in immeasurable ways.

As it stands, Mr. Brawner's life sentence is effectively a "death in prison" sentence, failing to account for his potential for rehabilitation. It denies him and his family any hope of being reunited, and wholly rejects – despite all indications to the contrary – the possibility that Mr. Brawner is capable of growing into someone worthy of release. When imposed on adolescents, such harsh sentences are subject to increasing concern by courts nation-wide; just last month, in *Falcon v. State*, the Florida Supreme Court found it constitutionally necessary to reconsider the appropriateness of death in prison sentences imposed on a juveniles. Applying similar principles to this case, Mr. Brawner's death in prison sentence is overly harsh and contrary to what is known about adolescents in general and Mr. Brawner in particular.

In conclusion, Mr. Brawner's current sentence fails to take account for his young age at the time of his crime. Arrested as a teenager, Mr. Brawner had a greater capacity for growth and rehabilitation than an adult charged with a similar crime, and his achievements in the interim have shown that he has faithfully cultivated that capacity. Accordingly, we respectfully request that you commute his sentence to a term of years that would provide some hope of release before his death. Thank you kindly for your consideration.

Sincerely,

A handwritten signature in dark ink, appearing to read "B+St", with a stylized, cursive-like script.

Bryan Stevenson
Charlotte Morrison
Attorneys at Law

**Carol Lee
305 Maple Lane
East Stroudsburg, PA 18302
570-588-6802**

May 26, 2015

The Office of Executive Clemency of the State of Florida
Florida Commission of Offender Review
Tallahassee, Florida

Re: Caed Brawner DC# 125673

Dear Members of the Florida Board of Executive Clemency:

This letter is on behalf of my Favorite Son, Caed Brawner, who is respectfully petitioning for a commutation of his sentence. As I researched the arduous process of requesting a commutation of sentence, I discovered that favorable decisions are extremely rare. Certainly it is a tremendous responsibility for the members of this board. I would like to offer my deepest appreciation for considering Caed for an early release.

As a Medical Director and Medical Office Manager I also have made decisions that affected the livelihood of others. On occasion it would have been advantageous to have had more information and witness the character and personal ethics of an individual before putting pen to paper. Parents make decisions for their children every day in hopes of benefiting their future. Often with the input of grandparents, family and friends or an occasional book or even therapy, will result in better outcomes. So along with other testimonies of the character of Caed and commitment of support; I offer the information needed to indeed make one of the most important decisions of my sons' life.

My first born child easily made lifelong friends through his various experiences like chess teams; singing and dancing in several school programs; father son ski trips in Vermont and Colorado. He was a member of The New York Gauchos basketball team; played baseball with The Harlem Little League; and the 1st freshman on his high school varsity basketball and track team. His writing skills were discovered early with his love of poetry. Together with his cousin he writes screen plays with topics to encourage youth. He won a 1st place art award sponsored by the

Brooklyn Academy of Music (BAM) and went on to study Fine Arts at LaGuardia High School of Music & Art and the Performing Arts.

He is admired and supported by teachers, coaches, neighbors, employers, friends, family and others. This kind, gentle, spiritual, artistic, musical, creative, disciplined, strong, committed, constant, sincere, honest, loving, friendly, peaceful man is admired by me. I continually receive letters and holiday greetings from released prisoners and their parents who share accolades and respect for the friend they have in Caed. With sheer determination, Caed takes advantage of every opportunity to self-educate and then unselfishly share that knowledge with others. I personally witnessed an outpouring of esteem from correction officers and administration at the 1st graduation of the Re-Entry Program at Liberty Correctional Institution where he was a mentor. This moved me to also become a mentor to released prisoners at the Coming Home Program at the Riverside Church of NYC.

I respect him for being a constant in his sister's life. I'm in awe of how he puts his Grandma Sonia at ease with his letters of assurance. I am his proud mother and friend who shared his joys and heartaches for 14 years. In the 1950's, Pete Seegar wrote the song "Turn, Turn, Turn" made famous in 1965 by The Byrds. There is a line in the lyrics taken from the Book of Ecclesiastes 3:1 which is "For everything there is a season, and a time to every purpose under heaven". The time is now. He is prepared and equipped with many skills and gifts necessary to fulfill his destiny. There is no lack of shelter, food, employment, love and support.

Although the commutation of sentence is a rare occurrence; Caed is a unique and rare individual worthy of a favorable decision to reduce his sentence. Please do not write him off. This will be a paramount offering to our family, community, and society. It will never be regretted. Thank you for your time in listening to us all.

Respectfully,

Carol Lee

The Office of Executive Clemency of the State of Florida
Florida Commission of Offender Review
Tallahassee, Florida

Re: Caed Brawner DC# 125673

Dear Members of the Florida Board of Executive Clemency:

Caed is my big brother, my best friend, and my biggest fan. I'm going to try my best to express as hard as I can, how much he means to me being that this is one of those "words cannot explain" situations. Caed and I are fourteen years apart and a thousand miles away from each other. However, he is the closest thing to my heart.

I am a twenty-year-old college student in Philadelphia. I am a pre-professional dancer and my own brother has never seen me dance. Every day that I dance I dance for him. He is the reason why I push so hard to succeed. I'm living out here for the both of us.

Caed wasn't able to see me graduate Elementary School, Middle School or High School. My goal in my senior year of high school was to buy my own prom dress and not ask Mom and Dad for money. Caed sent me all the money he had at the time to go towards my dress. I am truly blessed to have him as a brother.

Sometimes I just wonder what it would be like to have more than a fifteen minute phone call. I think about seeing him more than an annual visit to Florida. I need my brother home.

I am blessed to have an older sibling but I grew up as an only child. I've been through many situations in life that I know for a fact I would've gotten through them smoother if he was presently guiding me.

I hold on to a few flashback memories that I have of him. I clearly remember us taking the A or D train in New York City together back when the trains were rusty and red. We were on the train, I believe, with a few of his friends. He was standing on my left as I was sitting and there was a butterfly on the train. I remember living in Brooklyn chilling with Caed in our Moms room watching batman or something of that sort. I remember him picking me up from The Red Balloon, which was my day care. I remember sitting in a yellow chair when he came in. I remember him opening his bedroom door down the hall of our house and seeing the silhouette of his Afro as our Mom would ask for his slipper and threaten to give me a spanking for some adolescent nonsense. I remember him pouring orange juice in his cereal. I don't remember anything negative.

I used to fantasize about him surprising me by picking me up from school or when I came home from school and walked in the door and seeing him standing there in our house. I told Mom never to tell me when he was coming home so I can be crazy surprised and I can just cry and run to him shocked and all. God bless the person that invented Kodak because I have plenty of happy pictures with Caed. But it is not enough though.

I had no clue that one day he would be gone. I wish I had longer and clearer memories of him. I need him back. Please, I love him. He loves me and Mom and Dad unconditionally. He contributes nothing but positivity into my life. He is there for me more than anything and anyone. I feel like I can even pray to him sometimes if I really wanted to. And he is always in my prayers.

I can be a very socially awkward person at times. A lot of people don't understand me. Other than God, the only one who truly gets me is Caed and sometimes our parents. I would love to be able to connect and vibe and create new memories with my brother especially now since I am young adult.

Bring me my big Brother. He is someone's brother and someone's son. He is a part of a family and a beautiful being filled with wisdom. Caed has the most beautiful soul. He is needed in this world.

Sincerely,

Kessie Addylee Brawner

To The Office of Executive Clemency of the State of Florida,

I would like to first express how grateful and thankful I am that your organization has offered the opportunity for not only Caed but countless men and women to prove that successful reform is possible.

Caed Brawner and I have been friends for 18 years. We had an instant connection that eventually became young love. As the years went by Caed proved himself to be a kind and caring young man. In times of need we would turn to one another offering words of encouragement, support and simply an ear to listen. At the young age of 19 life dealt Caed and I a hand that was scary and difficult yet, we persevered. I can absolutely empathise with his story as I too had to grow up quickly on my own without my parents or family. Despite the odds against us (according to statistics) we were never broken, we only grew from our experiences. Like carbon pressure deep in the earth's bowels we emerged from the heat as diamonds.

Caed has affected and influenced so many people positively from where he is that there is no question of the positive influence he would have when he re-enters society. As his girlfriend and long term friend, we have matured and so has our love for each other. We are ready for the next chapter in our lives together to unfold. I look forward to Caeds help with growing my current business and partnering on other business ventures.

All of Caeds friends and family are ready for his homecoming. Unlike many unfortunate men and women released into society with nothing and no one, Caed has the endless love and support of family and friends awaiting his safe return home (where he belongs).

I hope that Caed is shown favor as he is an amazing man who would only contribute to the betterment of society.

Sincerely
Aja M. Valentine

Dear Office of Executive Clemency of the State of Florida,

I would like to submit myself as a character witness for my cousin and best friend Caed Brawner. We grew up together in New York City and I've known him all of my life. During that time, Caed exhibited a sense of extreme intelligence and talent. I believed then, as I do now, that Caed could be whatever he wanted. I always admired him.

Since his incarceration, we have been communicating with each other on a regular basis. Over the past 15 years he has consistently maintained a positive attitude and conveyed a sense of hope. Surprisingly, he has been more of a source of encouragement and inspiration for me than I have for him. In our letters he has reminded me to stay focused and positive. He has always advised to stay on the right path and to keep faith.

Throughout this time, his attitude has shown that he has grown exponentially as a mature adult. I have the utmost confidence, that if and when released, Caed will continue to stay on his positive and uplifting path. With the support of his immediate family and myself, I believe he can become a very successful person and I will do everything in my power to make sure that that happens.

I hope this letter finds you in good faith.

Sincerely,

A handwritten signature in black ink, appearing to be 'ak' followed by a long horizontal stroke.

Akkim Lee
11340 National Blvd #11
Los Angeles, CA 90064

Paula Mancillas
435 Fair Oaks Street
San Francisco, CA 94110
415-823-9908
paula.mancillas@gmail.com

April 16, 2015

To: The Office of Executive Clemency of the State of Florida

Re: Caed Brawner, #125673

To whom it may concern:

My name is Paula Mancillas, and I write this letter in support of Caed Brawner's request for a commutation of his sentence. I am 55 years old and I am a School Psychologist for San Francisco Unified School District. I was married to Caed's father, Eddie Alicea, for 24 years and have known Caed since he was a toddler. He is the half-brother of my daughters, Pilar Alicea and Lucienne Alicea.

I am aware that Caed Brawner is imprisoned for second-degree murder at Liberty Correctional Facility in Bristol, Florida. We have exchanged letters regularly over the past 15 years and I have saved all of them. During this time, Caed has steadily matured both spiritually and intellectually. This is most evident by his deep and philosophical prose, as well as his accounting of the many productive activities he has engaged in over the years. Caed has always remained optimistic and steadfast in his determination to grow and learn in spite of his circumstances. He has contributed to the lives of his fellow inmates and has expanded his world behind bars.

Caed's incarceration has had a devastating effect on our family. We have suffered immensely and his absence has been deeply felt by all of us. Caed has more than learned his lesson -- he has paid dearly and his family has suffered with him. It is only through Caed's efforts to be the best person he can be that has helped ease this loss. Caed has always remained optimistic and has shielded us from what is, and has been, the deepest pain imaginable for all involved. I am sure if he could turn back the clock to that fateful day, as a 19 year-old away from home to attend college, he would without hesitation.

Caed is a kind, thoughtful and loving person with a very devoted and supportive family. If he were to have the opportunity to live his life as a free man there is no doubt he would continue the path he is on -- one of integrity, intellectual curiosity and stewardship. If anyone were to deserve a second chance, it would be Caed Brawner. If Caed were granted clemency, I would consider it an honor to provide whatever support necessary to ensure his continued success.

Thank you for reading this letter and for your consideration. I encourage you to meet Caed so that you may know the person we love and miss. Please contact me if you have any questions or would like further information.

Respectfully,



Paula Mancillas

TO: THE OFFICE OF EXECUTIVE CLEMENCY
OF THE STATE OF FLORIDA

DEAR SIRS/MADAMS

I AM WRITING TO YOU ON BEHALF OF
MY BIOLOGICAL SON, CAED BRAUNER #125673.
CAED HAS ALWAYS BEEN A CIVIC MINDED
INDIVIDUAL. HIS WILLINGNESS TO TAKE
PART IN ASSISTING IN COORDINATING
COMMUNITY ACTIVITIES HAS HAD A
POSITIVE INFLUENCE ON THE YOUTH
AND THE COMMUNITY AT LARGE.

WHEN CAED WOULD COME TO VISIT ME
AND MY FAMILY IN SAN FRANCISCO, CA.,
HE MADE FRIENDS VERY EASILY. WE
VISITED THE U.C. BERKELEY CAMPUS, AS
AN OPTION FOR HIGHER EDUCATION.

HOWEVER, CAED'S INTEREST IN VIDEO AND
FILM PRODUCTION LEAD HIM TO TALLAHASSEE
COMMUNITY COLLEGE WITH THE INTENTION
TO TRANSFER TO FLORIDA STATE UNIVERSITY.
CAED'S GOOD CHARACTER AND PERSONALITY
MADE COMMUNICATING WITH HIM A PLEASURE.
HIS WILLINGNESS TO LISTEN MADE IT EASY
TO CONNECT WITH HIM. ~~HE~~ CAED GAVE
A SENSE OF VALIDATION TO FAMILY
AND FRIENDS ALIKE. HE IS STILL
FONDLY REMEMBERED HERE IN SAN FRANCISCO,
ALTHOUGH, IT HAS BEEN MANY YEARS SINCE
HIS LAST VISIT.

TO: THE OFFICE OF EXECUTIVE CLEMENCY OF
THE STATE OF FLORIDA

CONTINUED: RE: CAED BRAWNER #125673

CAED'S COMPASSION AND CONCERN FOR OTHERS GARNERED MUCH RESPECT AND ADMIRATION, AS HE CONTINUES TO DEMONSTRATE WITHIN THE WALLS OF YOUR INSTITUTION. CAED'S MORALS AND VALUES IS UNWAVERING AND AS VALUABLE TODAY AS THEY WERE BEFORE. CAED'S PRINCIPLES AND HARD WORK ETHICS AND SENSE OF RESPONSIBILITY SEEMS EFFORTLESS BECAUSE IT IS HEART FELT. AS MENTIONED, CAED'S WILLINGNESS TO ENCOURAGE AND ENGAGE OTHERS IN POSITIVE AND UPLIFTING ACTIVITIES IS FROM KNOWING IT WOULD MAKE THE COMMUNITY A SAFER AND PRODUCTIVE ENVIRONMENT. CAED CONTINUES TO GROW AND IMPROVE HIS LIFE AND THE LIVES OF OTHERS THROUGH THE SUPPORTIVE SERVICES OF THE LIBERTY CORRECTIONAL INSTITUTE. CAED'S RESOURCEFULNESS AND CREATIVITY WILL CONTINUE TO MAKE A POSITIVE AND PEACEFUL RESULT WITHIN THE INSTITUTION. AND YET, A GREATER IMPACT IN THE COMMUNITY AT LARGE. CAED IMBUES LOVE AND COMPASSION IN ALL HIS EFFORTS. CAED IS GREATLY MISSED BY FAMILY AND FRIENDS ALIKE. THE COURAGE AND EAGERNESS CAED CAN BRING TO OUR COMMUNITY IS AS

TO: THE OFFICE OF EXECUTIVE CLEMENCY
OF THE STATE OF FLORIDA

CONTINUED: RE. CAED BRAWNER #125673

IT IS AS MUCH NEEDED NOW MORE THAN EVER,
CAED'S VALUABLE KNOWLEDGE AND EXPERIENCE
HE HAS GAINED CAN BE OF GREAT IMPORTANCE
TO THE YOUTH AND COMMUNITY AT LARGE.

CAED HAS, AND CONTINUES TO, DEMONSTRATE
HIS MATURITY AND WISDOM OF LIFE, AS
RECOGNISED BY ADMINISTRATORS, STAFF,
AND PEERS.

THERE ARE FEW INDIVIDUALS WITH THE
STEADFAST COMMITMENT TO TAKING ON A
WORTHY TASK TO LIVE A WORTHY LIFE.
CAED IMBUES LIFE WITH PASSION AND
PURPOSE. THE POST RELEASE SERVICES
AVAILABLE TO CAED, GODWILLING UPON HIS
RELEASE, WILL BE ENHANCED BY CAED'S
CREATIVE IMAGINATION IN THE USES
OF THE SERVICES AVAILABLE (EMPLOYMENT,
EDUCATION/VOCATIONAL, ETC.). IN ADDITION
THE RESOURCES AVAILABLE THROUGH FAMILY
AND FRIENDS WILL ENHANCE AND
BRING CAED UP TO SPEED WITH CURRENT
SOCIOECONOMICAL STANDARDS.

PLEASE, OBSERVE OBJECTIVELY CAED'S ACCOMPLISHMENTS
BEFORE ~~BE~~ INCARCERATION, DURING INCARCERATION,
AND THE COMMUNITY BENEFITS OF CAED'S RELEASE,
IN GOD'S NAME

Lucienne Alicea
3721 25th Street, Apt. 2
San Francisco, CA 94110

April 16th, 2015

To The Office of Executive Clemency of the State of Florida,

My name is Lucienne Alicea and I am writing to you to express my support for my half-brother Caed Brawner and his petition for clemency.

As I reflect upon the character of Caed, I cannot help but to reminisce upon a particularly fond memory which I feel illustrates his core nature. We were both teenagers, he just a few years older than myself, and he had come out to San Francisco to visit my sister, parents, and I. Though we had not grown up in the same household, I still looked up to him as a younger sister would to an older brother, and I was (and am) proud that he was related to me. During the visit, we strolled on the University of California, Berkeley campus together and I expressed my aspirations to attend one day. I remember being struck by his sincerity and thoughtfulness when he encouraged me with his words, expressing the idea that I too could graduate from this university, which I would indeed do some years later. He was generous, authentic, and dynamic in his interactions – he was at once silly, joking with my little sister and making us laugh with his comedic impersonations, while also displaying the intellect and thoughtfulness of someone beyond his years. I was in awe of him for those reasons. That was who Caed was and continues to be, because these qualities constitute who he is *at his core*.

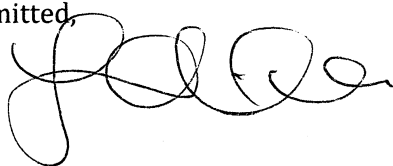
In the written correspondences that my family and I have had with Caed over the years, he has continued to inspire me. The tone of his letters have not been ones of despair or anger, but rather, they have been imbued with a sense deep philosophical meaning and underpinnings of positivity despite his current circumstance. Because of his intellectual and spiritual rigor, he has continuously sought to enrich his mind and expand the breadth of his knowledge, practices, and interactions. In doing so, he not only continues to inspire me, but he actively engages others in positive ways in order to inspire them and to improve their own lives. One needn't be related to Caed to know that his heart is good.

There is no doubt that Caed Brawner is immensely loved by myself, my family, and the network of individuals who think about him every day and whose wish is to see Caed be free one day. We, as a community, *implore you* to grant him this precious opportunity.

I sincerely thank you for your consideration in this matter, and pray that you will grant my brother Caed Brawner the Commutation of Sentence that I, and many others, believe he is worthy of.

Respectfully submitted,

Lucienne Alicea

A handwritten signature in black ink, appearing to read 'Lucienne Alicea', with a large, stylized initial 'L'.

Pilar Alicea

655 Steiner St. Apt. 204
San Francisco, CA 94117
415-823-3314
pilar.alicea87@gmail.com

April 15, 2015

Office of Executive Clemency of the State of Florida

Re: Caed Lee Brawner, #125673

To whom it may concern,

I am writing this letter because I absolutely believe that my brother, Caed Brawner, should be granted a commutation of sentence and given a second chance at life as a free man. Although I was only thirteen years old and did not fully understand Caed's situation at the time he first began his sentence, I am now twenty-eight and I've come to fully understand and accept the gravity of what he is facing. Upon his release, I will be able to offer support in the form of room and board in San Francisco, California.

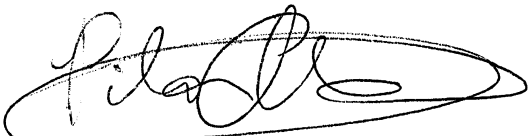
I have always had the strong belief that one's situation should never dictate who you are as a person. This couldn't be more true than in the case of my brother. I've always looked up to Caed and regarded him as someone whose ideas and insight holds the utmost value and importance. I can always trust him to give me sound brotherly advice and input. Throughout the past fifteen years, we've written back and forth about life events and personal experiences and each time I receive one of his letters, it brings me joy knowing that with each correspondence our relationship as siblings is growing stronger. Caed has always offered unwavering support and advice through every major stage in my life, from losing my best friend at the age of twenty, to getting accepted to University of California, San Diego in my early twenties, and even my latest life event of getting married. As someone in prison, my brother's letters continue exude such genuine sincerity, humor and love, I can only imagine how bright he will shine once walking as a free man. Caed has served as a mentor not only for his younger sisters, including myself, but for his fellow inmates as well. The level of inspiration and compassion Caed exhibits in his day to day life should serve as a testament to his readiness to make a positive impact on society.

Over the past few years, I've wondered about the name "Liberty Correctional Facility" and what that must symbolize for someone like my brother. In order for one to right his wrongs, on any level, a correction must first be made. Is this true for people who have made wrong decisions in the past? And if so, it seems logical for an institution named Liberty Correctional Facility to have credible outcomes. I hope that for Caed, his Liberty is again realized and all his wrongdoings will therefore be regarded as Corrected. I love my brother with all my heart and I am thankful in a sense that he has been serving time at a facility which supports one ultimate goal of self improvement. I know that this facility has helped Caed immensely and it is now time for this correctional institution to take pride in granting clemency to someone who is so worthy of a life outside bars.

Caed's potential is limitless and it is important for people to experience all he has to offer. I am proud and honored to be Caed's sister and I truly believe that upon leaving the correctional facility, he will continue to inspire and mentor those around him. He will always be a source of courage and strength in my life as well as my family's and we all look forward to the joyful day we are reunited.

Sincerely, Caed's sister,

Pilar Alicea

A handwritten signature in black ink, appearing to read 'Pilar Alicea', with a large, sweeping flourish at the end.

Monday, April 20, 2015

The Office of Executive Clemency of the State of Florida

To Whom It May Concern,

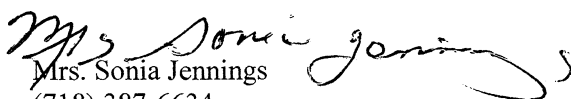
I have been a surrogate grandmother to Caed Brawner for many years since the passing of his grandparents on his mother's side Deotha and Fred Lee who me and my daughters Deneise and Yolanda have always know affectionately as Mama Lee and Daddy Fred. I've known Caed all of his life. When Caed was two or three he and his mother lived with my family for about a year. During that time I did a lot of in-house babysitting for him. He was always affectionate and a happy child and it was a great pleasure for me to keep him. I enjoyed that time in my life very much.

As Caed got older I didn't see him as much except for holidays like Christmas and Thanksgiving but his mother always made sure to keep us up to date about his progress in school and other extra-curricular activities. Caed would also call me on occasion. I was very proud to hear that he was going to attend college in the fall of 1999.

When this whole incident happened it was very stressful for me and our entire family. I have never known Caed to be in any kind of trouble, so the fact that he is away serving a life-sentence for taking the life of someone is very hurtful. I have every reason to believe that this is a horrible mistake that will be corrected one day soon, hopefully before I close my eyes. I am soon to be 83 this July so I will appreciate if we can get all of this straighten out because 15 years for Caed to be locked up and away from those he loves and who love him, this has been long enough.

I want it to be clear that I believe in Caed's innocence full heartedly and without question because the boy that I watched grow up is not capable of hurting anyone for no good reason. This whole ordeal has always sounded fishy to me. My instincts have always told me that something is just not right.

I would like to end by saying that we need Caed to come home because this is where he belongs. My grandson has never hurt anyone so how on earth could he bring himself to mortally harm someone for any reason? It makes no sense whatsoever. I've always been a person who has great faith in God and I'll continue to believe that God will see to it that Caed returns home hopefully before my return to our greater home.


Mrs. Sonia Jennings
(718) 387-6634

Daniel Brawner
4 West 130th Apt 3
New York, New York, 10027

April 23, 2015

To: The Office of Executive Clemency of the State of Florida

I write on the behalf of Caed Brawner, who has been incarcerated since the year 2000. I have known Caed for my entire life. Though not related by blood, we grew up calling each other cousins through my uncle and his mother's marriage. However, our families' sharing a home, the various trips we went on together, and the countless time and invaluable experiences shared created a bond equal in strength to that of me and my biological brother, Haley. Although the strength of this bond has been tested by the divorce and his incarceration, it is still one that could so easily be rekindled if Caed were allowed to once again return to our family's network of support.

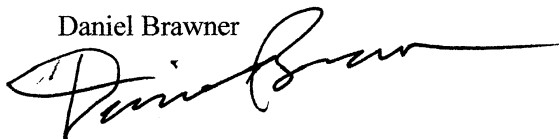
Being four years my senior, Caed's attributes are ones that I have looked up with fond and profound admiration my entire life. In fact, in many ways I hoped to follow Caed's example, as is the wont of any little brother. His artistic talent, which he formally explored as a student at LaGuardia High School of Art and Performing Arts, inspired me to go to the same school for instrumental music. His athletic ability, his uncanny interpersonal skills, and positive outlook on life were all attributes I aspired to emulate, but came well short of. His influence on my development as an individual, one that led me to become a middle school teacher of students with disabilities, is undeniable. That's just how Caed is; he seems to inspire the best in those around him.

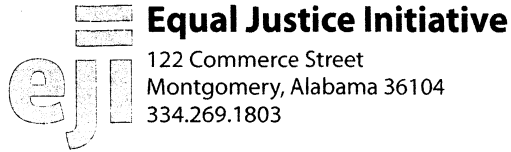
Such positive qualities, I imagine, are also coming to be recognized within the correctional facility where Caed currently is held. I am positive that to those who have come to know him must also realize that while these qualities are a great asset within this prison community, the quality of our own society at large is lesser for the lack of his contribution. His oratory prowess, his utmost desire to do good and seek penance for his past mistakes, are potentially tremendous assets to the communities of New York City where he was raised. Such potential should not be ignored.

A mistake, even one as egregious as Caed's, does not define an individual. It certainly does not dismantle one's capacity to do good in the future. This is especially the case with Caed. I have two big brothers as far as I am concerned. My family has not been whole for over 15 years now. I wish more than anything for this to be remedied. That is my selfish desire. The selfless desire to improve our community and society- one inspired in no small part by Caed directly as well as the upbringing we share- leads me similarly to the conclusion that his place is back home in New York with his family.

Sincerely,

Daniel Brawner

A handwritten signature in black ink, appearing to read 'Daniel Brawner', with a long, sweeping horizontal line extending to the right.



April 6, 2015

The Office of Executive Clemency
Florida Commission on Offender Review
4070 Esplanade Way
Tallahassee, FL 32399-2450

Re: Caed Lee Brawner, DC # 125673

Dear Members of the Florida Board of Executive Clemency,

We are writing in support of an application for a commutation of sentence made by Mr. Caed Brawner (DC # 125673). Mr. Brawner was 19 years old at the time of the crime to which he pleaded guilty; he is now 34 years old. He seeks commutation in order to be reunited eventually with his family, and we believe that his young age at the time of his arrest makes this a case deserving of special review.

The Equal Justice Initiative has represented hundreds of young people who, like Mr. Brawner, were arrested as teenagers and thereafter sentenced to lengthy sentences in adult prison. In the course of litigating these cases – in over 20 states, the federal courts, and before the United States Supreme Court – EJI has collected significant evidence of important biological, psychological, and behavioral differences between adolescents and adults. Consideration of these differences counsels that principles of sentencing apply differently to adolescents than they do to adults, and that sentences that might be appropriately imposed in the adult context can be excessive when imposed on a young person.

As a measure of preventing such excessive sentences, criminal law holds that adolescents accused of crime cannot be treated simply as “mini adults,” even when prosecuted formally as adults. Rather, any evaluation of their moral culpability must account for the distinctive characteristics of adolescence. Developmentally, adolescents are more impulsive, heedless, and sensation-seeking, and lack mature behavioral controls. Adolescents are also more vulnerable to, and less able to control, their environments. Crucially, their youthful characters are transitory and demonstrate a greater capacity for reform and rehabilitation. In many cases, these characteristics combine to create a lessened moral culpability, and indicate a greater potential for productive reentry into society.

Re: Caed Lee Brawner (DC # 125673)

Mr. Brawner was just months past his 19th birthday at the time of the crime to which he pleaded guilty. As a teenager, he exhibited many of these signature characteristics of adolescence – impulsivity, poor judgment, and a capacity for growth and change. In the years since his arrest, Mr. Brawner has accepted responsibility for his crime and demonstrated the increased capacity for rehabilitation and maturation so often observed in adolescents. His remarkable commitment to self-improvement has lead him to pursue an education, work as a facilitator and mentor in prison programming, and be selected to serve on the committee tasked to develop reentry programming for his fellow inmates. Mr. Brawner, now in his mid-thirties, has grown and matured in immeasurable ways.

As it stands, Mr. Brawner's life sentence is effectively a "death in prison" sentence, failing to account for his potential for rehabilitation. It denies him and his family any hope of being reunited, and wholly rejects – despite all indications to the contrary – the possibility that Mr. Brawner is capable of growing into someone worthy of release. When imposed on adolescents, such harsh sentences are subject to increasing concern by courts nation-wide; just last month, in *Falcon v. State*, the Florida Supreme Court found it constitutionally necessary to reconsider the appropriateness of death in prison sentences imposed on a juveniles. Applying similar principles to this case, Mr. Brawner's death in prison sentence is overly harsh and contrary to what is known about adolescents in general and Mr. Brawner in particular.

In conclusion, Mr. Brawner's current sentence fails to take account for his young age at the time of his crime. Arrested as a teenager, Mr. Brawner had a greater capacity for growth and rehabilitation than an adult charged with a similar crime, and his achievements in the interim have shown that he has faithfully cultivated that capacity. Accordingly, we respectfully request that you commute his sentence to a term of years that would provide some hope of release before his death. Thank you kindly for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "B. Stevenson", with a stylized flourish at the end.

Bryan Stevenson
Charlotte Morrison
Attorneys at Law

28 March 15

To the Office of Executive Clemency of the State of Florida:

I'm writing to you on behalf of Caed Brawner #125673. He has been serving a life sentence without parole at the Liberty Correctional Institution in Bristol, Florida. Caed is now 34 and has been incarcerated since 2000. My wife, Gail, and I are hoping that you will consider commuting his sentence.

I'd first like to tell you a bit about my wife and myself. We each grew up in suburban New Jersey. I went to college at Pratt Institute in Brooklyn. I was drafted after graduation in 1969. I served with the 101st Airborne Division as a radio operator in Vietnam from 1970 to 1971. I came back to New York City and have lived here ever since. I met Gail here in New York and we married after dating for several years. I took a job with our local power utility, Con Edison, after the birth of our first son, Joe. I retired a little over two years ago after working for 31-years as a senior graphic designer in corporate communications. Gail is a graduate of Skidmore and also has a master's degree in early childhood education from Teachers College along with New York State certification as a reading specialist. She worked as a teacher in New York City before deciding to stay home to raise our two sons.

We met Caed when he and Joe became classmates in the first grade at P.S. 9's Anderson Program for the gifted and talented on the Upper West Side of Manhattan. Caed and Joe were winners of a New York City school-wide art contest when they were in the 4th grade. I believe Caed won 1st place and Joe won 3rd. The awards ceremony was held at the Brooklyn Academy of Music. Caed and Joe continued in school together until we moved Joe to another program in the 5th grade. They remained friends, having play-dates at our home on the Upper West Side or at Caed's family's brownstone in Harlem. I have wonderful memories of them playing in Central Park, running around and climbing trees. Caed came to many of our parties for Joe and his younger brother, Jacob, and also attended Joe's Bar Mitzvah. I coached Caed and Joe in our local recreational basketball league when they were around 14 years old. Caed always struck me as an intelligent, talented, athletic kid with a really good heart. He went on to attend, and then graduate from, the prestigious LaGuardia High School of Music and Art in Manhattan before going to school in Florida to further his education.

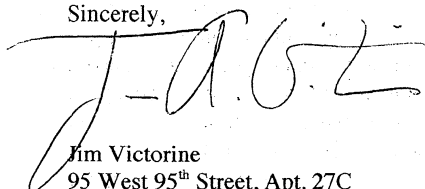
I believe that Caed, unfortunately, fell in with some individuals who led him astray while in Florida at a time when he was young, vulnerable, and away from the positive influence of his family and friends. Gail and I offered our help to Caed and his family after his arrest and throughout the court proceedings. We've maintained a written correspondence through most of his incarceration. He's had us send him books to help him continue with his self-education. Through his letters, I've seen a young man who has worked steadily to further develop his intellect, who has matured and gained a strong sense of self, and has become a compassionate human being. I've been both surprised and impressed by the lack of bitterness in his correspondence. Joe and I visited him last year and were touched by other inmates and their families who came up to us to tell us what a great person Caed is. He has remained determined, steadfast, hopeful, and faithful throughout his incarceration.

While serving his sentence, Caed has helped fellow inmates as a tutor and a mentor. He has worked in the law library and completed studies with Taskmasters International Educational Organization to become a Certified Competent Communicator. Caed was among a select few of the inmates invited to participate on the committee to develop the curriculum for a new re-entry program and now serves as a facilitator continuing as a mentor to his fellow inmates. The day before his 34th birthday, his family was invited to attend the celebration of the first graduating class. Caed shared the podium with several wardens, staff, and special guests and was asked to give a speech. He has matured into an outstanding young man with compassion and intelligence that will continue to serve him well and benefit others.

Please know that Gail and I will do our best to help Caed and his family with any financial and emotional support that they may require. As a veteran, I understand that coming home after existing in a different environment can be difficult, even for the best of us. We'll also do our best to help Caed further his education and find employment.

Thank you in advance for your consideration.

Sincerely,



Jim Victorine
95 West 95th Street, Apt. 27C
New York, NY 10025

212-662-9347

WMAIF

The Office of Executive Clemency of the State of Florida
4070 Esplanade Way
Tallahassee, Florida 32399-2450

To Whom It May Concern

It gives me pleasure to provide a reference of character to support Caed Brawner in his pursuit for clemency.

Caed requested that I, a family member, a confidant, an educator, a developer of human potential and an advocate of second chances submit a reference in support of his character for Commutation of Sentence.

In behalf of Caed's character. I've known this now a proper adult for well over 30 years. As a child I saw an energetic, vibrant and investigative son. The teenager, a very creative, aspiring and emotional person who demonstrated character with great potential. The young man, a college student full of pride and conviction. Showing all of the qualities of a genuinely good conscientious, abiding, and well governed person.

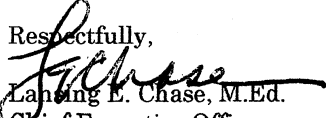
This young man I was later deprived of, due to faulty decision-making, is now serving a life sentence for a crime completely adverse to everything he and his family represented. A family steeped in high expectations, grounded in the community, framed around professional and progressive integrity, and a continuum to life's highest standards. To which I felt he had blossomed as an individual.

Our families were shocked; truly overwhelmed. True to our strengthened convictions and family virtues, persuaded in the belief that what has since transpired will always remain, but stand steadfast, hopeful and relying on goodness of faith to bring about a meaningfulness for Caed, this since matured existence of moral dedication, diverse compassion and intelligence.

Rehabilitation, a true measure of transformation from a young naïve faulty decision-maker to a competent adult. A facilitator capable of serving as a mentor and leader of men. Utilizing his accredited skills acquired through hard work and purpose. Initiating, proposing and developing an inmate driven "Re-Entry Program" in conjunction with the Warden, Correctional Staff and fellow inmates; promoting a revelent release into the communities of society. Our society is continually in need of individuals who can be entrusted with the preservation of our values and standards; embedding a conscience into the "hard-core" lives of so many others, I submit this letter in behalf of Caed Brawner a gifted motivator of life's truths and a seeker of purpose.

With continued vigilance and always in support

Respectfully,


Lansing E. Chase, M.Ed.
Chief Executive Officer

Mr. J. Kendall Flowers and Dr. LaVerne S Flowers

500 North Brookside Avenue

Freeport, New York 11520

The Office of Executive Clemency of the State of Florida

Liberty Correction Facility

11064 NW Dempsey Barron Road

Bristol, Florida 32321

March 26, 2015

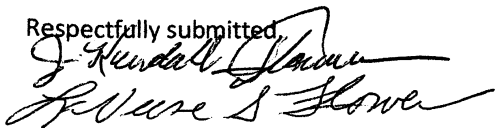
Dear Members of the Office of Executive Clemency of the State of Florida:

It is with great joy, gratitude, and sincere pleasure that we have an opportunity to write a letter of recommendation for an incredible young man, Mr. Caed Brawner. Many years have passed since we had the pleasure of being in Caed's presence. Our last major encounter was featured in the enclosed picture of Caed, during our son's graduation from high school. Caed was one of several young men who spent time with our family because he was an outgoing, kind, caring, fun-loving person who enjoyed many of the activities we participated in including skiing, baseball, basketball, family barbecues and celebrations. Caed was the type of person if he didn't know how to play a specific sport he was willing to try his best to learn regardless of the difficulty (e.g. falling numerous times just to get down a ski slope) but he kept on trying and continued to go back up the mountain. We will always remember Caed as a person who would put forth an effort to improve, to excel in any chosen field if given the opportunity. We have known Caed for over twenty-five years, and we're not at all surprised that he has tried to make the most of his unfortunate situation by keeping a positive attitude, by serving as a mentor to his fellow inmates in the capacity of a motivational speaker.

When you consider the concept and purpose of a correctional facility it's to modify a person's behavior, to help incarcerated individuals become productive citizens, to help each person redirect their lives toward upward mobility. Caed Brawner, is without a doubt a role model for success. He deserves a second chance to become an active member of our society, to become reunited with his family and friends, to motivate others in terms of the positive contributions that each person can make to society, by staying true to their goals and aspirations in life.

Featured in the enclosed picture of our family and friends are kids at the time who are now attorneys, and a former CEO of a very successful IT Company. Adults who are featured in this picture are business leaders, a civil engineer, a real estate broker, a teacher of the year, a director of a major literacy initiative, a college professor, etc, in essence successful contributors to society. We strongly urge you to consider giving Caed Brawner a second chance in life, to fulfill his life's trajectory toward making a positive contribution to society, and he has a strong support system waiting to assist his transition.

Respectfully submitted,



Mr. J. Kendall Flowers and Dr. La Verne S. Flowers



419A Convent Avenue
New York, NY 10031
(212) 368-9635
(212) 281-6675 FAX

Monday, April 13, 2015

The Office of Executive Clemency of the State of Florida

Re: Caed Brawner #125673
Liberty Correction Facility
11064 NW Dempsey Barron Road
Bristol, Florida 32321

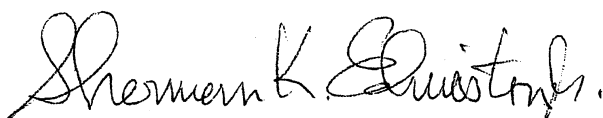
I very much welcome the opportunity to speak in behalf of Caed.

Caed worked for me at the gallery when he was a senior in high school. It was a part time job after classes for 2 or more days a week. The reason I hired him was because his family lived across the street from us and I observed his behavior with his friends in the neighborhood. Talking with him I learned he was an art student at a highly regarded high school and was also on the schools basketball team. And his grades were good enough for him to realize his ambition to get to college.

Caed was a diligent and attentive worker. He always came to work when expected and did not "fool around" even though there was another classmate of his working for us at the same time. There was never any question of his honesty and his attitude was polite and respectful. The spirit of the two boys was refreshing and engaging. I would have recommended Caed to anyone who would consider hiring him for a job.

When I heard about Caed arrest I found it incomprehensible. There was nothing in my relationship with him which would lead me to consider it to be a cause for concern.

Whereas I cannot question the circumstances or the judgment, I do whole heartedly ask for forbearance and compassion in his case. I pray for him to regain the opportunity to realize the bright potential I have seen in his life.



Sherman K. Edmiston Jr.

Reverend S. Luna Montalvo

640 West 153rd Street #B5

New York, NY 10031

Lunasees1@gmail.com

The Office of Executive Clemency
Florida Commission on Offender Review
4070 Esplanade Way
Tallahassee, FL 32399-2450
(c/o Caed Lee Brawner)

April 25th, 2015

To the Office of Executive Clemency in the State of Florida,

I have known Caed Lee Brawner since he was 6 years old, in 1987. He and my daughter went to P.S. 9, a prestigious public school in Manhattan. They were accepted into an academic program for the 99th percentile. My daughter and he became the closest of friends, our families lived about half a mile away from each other. His family and mine celebrated holidays together, played softball in the park, picnicked and celebrated our birthdays. My daughter and Caed were also together at the only specialized high school for talented artists.

At LaGuardia High School for Music and Art and Performing Arts, Caed excelled not only in academics but also a number of sports, including basketball and track and field. All of this time, I have known Caed to be a loving, warm, sincere, charismatic and respectful young man. He had a particularly strong bond with his little sister Kessie, on which he doted. She was born when he was 15 years of age, there was no one who lit up her eyes more than having him come into a room.

I was always very pleased to be in Caed's company: his smile, his wit and his welcoming hugs were part of the joy of being with him. Every night, I include him in my prayers and I ask God that the bars that encircle his body never encircle his heart. With his freedom, I look forward to be able to council him: I am an ordained minister, licensed by the State of New York. And knowing Caed is a God-loving individual; I look forward to supporting him in his daily life.

Yours truly,

Rev. S. Luna Montalvo

Reverend Sylvia Luna Montalvo

Taina Montalvo-Teller
2 Ellwood Street, #6U
New York, NY 10040
(917)496-6082
artetaina@gmail.com

The Office of Executive Clemency
Florida Commission on Offender Review
4070 Esplanade Way
Tallahassee, FL 32399-2450
(c/o Caed Lee Brawner)

April 20th, 2015

To the Office of Executive Clemency for the State of Florida,

The first time I met Caed Lee Brawner was in elementary school. It was our first day of first grade. Both of us lived in the same low-income neighborhood and we both tested with exceptional scores in order to get out of our public school district with few materials and into much more affluent schools in a upper-middle class neighborhood in Manhattan. I knew from the first time I laid eyes on this scrawny, goofy-looking six year old with a wide smile that lit up the room that I wanted to be his friend.

Because our families lived 6 blocks away from each other, we grew quite close. My mother and his mother had similar experiences from growing up in Brooklyn, Caed and I both loved nature and he was great at telling silly jokes that cheered me up on the toughest of elementary school days. We spent birthdays, holidays, summer picnics and barbeques together. His stepfather Everett drove us and another little girl home from school every day.

I have many fond memories of Caed. I remember Caed was allergic to many things and had to regularly get allergy shots. We would play a game on our car rides home where I would name things and he would tell me whether or not he was allergic to them. Caed was also one of the kindest and most thoughtful boys I had ever met. While other boys our age thought girls were gross, Caed quickly became a loyal friend. We would sometimes draw together, he had a fondness for drawing these gorgeous birds when we were 6-8 years of age. I was always in awe of his talent.

Caed was an only child for most of his childhood. I remember him thinking that my toddler brother was the coolest while I only thought my brother was okay sometimes. Caed gave my little brother a great nickname that stuck, my baby brother's eyes would light up whenever he heard Caed's voice, Caed was so gentle and patient!

Caed and I went to different schools after second grade but our families stayed in touch for most of our youth. We reconnected our first day of freshman year of high school. We had both been accepted to the only specialized art school in

New York City, LaGuardia High School statistically accepts fewer students than Harvard. Seeing Caed as a 15 year old made it seem as though no time had passed! He gave me one of his great hugs that I can still feel to this day when I close my eyes, despite not having felt one of his hugs in 16 years. His big grin was infectious! I immediately smiled, despite being anxious on my first day at a new school.

I remember later that freshman year, Caed found out he was having a little sister. He was elated. I remember the day he told me so well. I thought maybe he would feel jealous or concern that he would have to share the love his parents had for him, but he was just so overjoyed to learn newborn Kessie would be entering his family. Caed was a great big brother. He cared and loved Kessie as I have never seen a love for a sibling before.

Caed continued to do well in school, he was not only a great artist, but had become an exceptional athlete. This scrawny, sweet little boy who was once allergic to nearly everything had grown into this handsome, confident, charismatic and kind young man. He played track and field as well as basketball, had many friends, and stood up for others. No matter how popular he became within our school, he never forgot the people who helped him get there and always made each of them feel very special.

Throughout his imprisonment over the last 15+ years, Caed and I have corresponded on and off. I have told him about my job as a second grade teacher and how it makes me think of him every single day that I teach, he writes about his faith in God, what he is learning from books he reads and his continuing to keep hope alive. Throughout the letters, each of which I have kept, his writing has become more and more eloquent and beautiful. Caed has always been an articulate and well-educated friend. I can only imagine his doing so much incredible good if he is allowed the possibility of parole.

If Caed is released and allowed to re-enter the world outside of the confines of the prison that has been his home for many years, I would love to be a support for him. I can offer help with finding volunteer positions that would help build his resume for paying work. As a career changer, I am excellent at networking and would be able to reach out to friends for help securing a job for Caed. I would also be a friend, helping him navigate the new technology and other changes the world has faced since his incarceration.

I truly hope that you will give Caed a second chance. I know you will not be disappointed, he has many friends and family who would step up to support and guide him and each of us knows people who would be able to help him in his transition.

Thank you for your time and review, it is truly appreciated. Please let me know if you have any questions or need any more information.

Sincerely,



Taina Montalvo-Teller

Dear Office of Executive Clemency of the State of Florida,

In my junior year of high school, I participated in a videography class at the Harlem School of the Arts with Caed Brawner, David Patton—his best friend—and our good mutual friend Jelani Wilson. We spent our afternoons together after school creating video documentaries of the neighborhood, impromptu short narratives, and music videos set to freestyle rhyming sessions. Of that close group of friends, I went on to work in the arts as an exhibitions curator and community outreach specialist, Jelani Wilson went on to become a union-certified cameraman and worked on *Law & Order* and *Spiderman 3*, and David Patton has spent the better part of the last 10 years dedicating his adult life to mentoring children at the Harlem Children's Zone. Caed never had the chance to make the best of his many gifts and talents—at the very beginning of our collective journey, Caed was locked away in a cell far from home, never to have the opportunity to tell his story and to give back to the community of his many gifts. I often think of what Caed would have been able to achieve had his life path taken a different route.

Undoubtedly he would have impacted the lives of many in our community, and I cannot help but believe that he is impacting the lives of the men he is currently incarcerated with in Florida. He is a natural leader, incredibly charismatic, gregarious, and sincere—he has been this way ever since I can remember and possesses a gift for capturing the imagination that is incredibly rare, and cannot be learned or taught. Even in our late teens Caed could attract and capture the attention of his peers spontaneously and effortlessly, no matter what the context, venue, or situation. I remember his special way with words and images—he was a great freestyle poet, had an innate sensitivity and connection to the rhythms, language and culture of our home community, and an impeccably developed aesthetic sense—whether in fashion or through his eye for composition. I especially remember his incredible sense of humor and generosity of spirit—both things I pray he has been able to maintain after all this time under less-than-inspiring circumstances.

David, myself, and Jelani will never forget the moments we shared with Caed. If he were to be released, he certainly has a community of caring, professional, and creative young black men that are more than willing and able to support him spiritually and emotionally, as well as to make inroads to different avenues of employment. Through my own work as coordinator of socially-engaged cultural programs and events throughout New York City's diverse urban communities, I have made contacts and developed solid working relationships with many creative non-profits in the city who could frame Caed's experiences and story in such a way as to have a positive impact on youth who would certainly resonate with what Caed has been through. These include organizations throughout the city's five boroughs that address difficult issues faced by our communities through spoken word, theatre, film, and the visual arts, among many other mediums of expression—and personal expression is precisely the area where Caed consistently excelled, and triumphed. Because of the above qualities and attributes I myself have witnessed and have never forgotten for one moment over the past fifteen years, there is not a shred of doubt in my mind that Mr. Brawner would make an effective ambassador and teacher of young men and women who are facing difficult life choices in the critical years of their late teens, and oftentimes do not have relatable role models with whom they can learn from.

Should you have any questions regarding my statement as a witness to Mr. Brawner's character and boundless potential, please don't hesitate to contact me at the telephone number and email below.

Sincerely,

Marcus Galen Mitchell

441 East 6th Street
New York, NY 10009
(917) 318-6691
marcus.galen@gmail.com

Jihad Abdul-Karim
20 West Palisades Avenue
Apt. 3236
Englewood, NJ 07631

To: The Office of Executive Clemency of the State of Florida:

I pray that this brief note finds you well and in the highest of faith. My name is Jihad Abdul-Karim, I am a Vice President at JP Morgan Chase for the past 19 years in New York City, I also manage a group of technology professionals within JP Morgan's Private Bank, I am also a life long friend and mentor to Caed Brawner. I thought it was imperative that I send my opinion of what knowing him his entire life has been like.

First let me say again, I have known Caed all of his life. I was devastated when I heard about the incident that has change "My Sons" and another family's life forever;

That brings us to where we are now, if Caed is given a second chance to return to life outside of prison I would provide all of the necessary resources within my power to help him move on with his life in a positive manner,. I would do everything I can to help him return to school, assisting him in obtaining employment, supporting him spiritually and of course a place to live. Caed is a young man that made a mistake at a very early age and deserves a second chance, based on what I know of him and how he was raised and the many things he as accomplished while incarcerated, it would be very easy for a young man to fold and just accept his circumstances over time. He has continued to move forward while helping other inmates adjust and assist them in preparing to return to the streets. I believe you are impressed when looking at his progression while incarcerated. He was NEVER involved in any crimes or hung with the bad element prior to leaving for college, which is very rare for a young man raised in Harlem, NY. I might sound redundant in my statements but I am very passionate about the possibility of having my dear friend/son return home.

I have known his family most of my life and have known Caed all of his life. As a young boy Caed was very active and excelled in sports, education and cultural activities. His mother kept him active in only the positive, he was always a well spoken and mannerly young boy and was easy to have around, I enjoyed spending as much time as possible with him from the time he was adolescent up until the time he left for college.

We spent lots of time talking about life and his plans as he continued to grow into a young man. It was a given that he would continue his education, during this time

Caed was involved in modeling and had photo shoots in some of the more popular magazines, another moment that made me feel very proud of him as with the popularity he remained humble. This young man had all of the tools to be successful and was clearly self motivated.

Caed also spent time mentoring his younger sister, friends and cousins in how to respect adults and be respected, these things I have witnessed and it always made me proud of him. I honestly considered Caed my son without actually being his biological father.

Caed was raised with an excellent mother and a stepfather that thought and loved him enough to adopt him and raise him as his own. The character that Caed has always presented made me have true love for him and prayed for only the best for him even when we would lose touch for some time, which was not often.

I remember how proud I was when he informed me that he was going to college; I believe I was as proud as he was. Just watching him grow was one of life's pleasures that any father would love to experience.

God bless and thanks for the opportunity to tell you briefly what I think of my "son". As I always tell him, we WILL stand on St. Nicholas Avenue together again.

If in your power, this is one young man that truly deserves a second chance.

Sincerely

A handwritten signature in black ink, appearing to read 'Jihad', with a stylized flourish extending from the end.

Jihad Abdul-Karim, PMP
Vice President, JPMC

To: The Office of Executive Clemency of the State of Florida

Ref: Commutation of Sentence for Caed Brawner #125673

To Whom It May Concern;

I have had the honor and pleasure of knowing Caed Brawner for a number of years. Caed has and continues to present himself as a humble servant of God. He has conducted himself as a mature, polite and humble young man in my presence. As I have watched his interaction and behavior with others, he displays the same characteristics. It is my understanding that Caed has been placed at Liberty C.I. due to a conviction of second degree murder. During the time of his conviction, I also am aware that he was of a young age and maturity level. I have observed a development and demonstration of a very mature and faithful individual who respects his God, family and life. I strongly believe that Caed should be reunited with his family and that he is worthy and deserving of a second chance.

During his incarceration, Caed has completed studies with Toastmasters International Educational Organization and is a Certified Competent Communicator. He is an avid reader, extremely gifted orator speaking life's truths, and continues to seek purpose in his life. Caed has remained determined, steadfast, hopeful, and faithful throughout his incarceration.

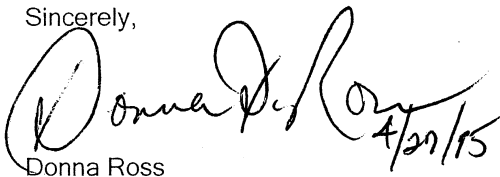
To add to his credit, Caed was one of a select few of the inmates in the Liberty Correctional Institution to be invited to participate on the committee to develop the curriculum for a new Re-Entry Program and now serves as a facilitator and mentor to his fellow inmates. The day before his 34th birthday, his family was invited to attend the celebration of the first graduating class for which he is also a graduate. Caed shared the podium with several wardens, staff, and special guests. He gave a very moving and motivating speech. Caed has matured into an outstanding young man with compassion and intelligence that will continue to serve him well and benefit others, when he is finally released and home with his family.

Caed maintains strong support from his family as reflected by their visitations over the years, constant communications with him, along with their continued efforts to petition his release. As I am sure you are aware, family is critical to the successful achievement and survival of those incarcerated as well as when they are released. Caed has his family, and friends, unrelenting material and spiritual support. I, too, strongly support and believe in this young man and the great purpose God has for his life's testimony he shares with his family and will share with others when he is released. Even greater than what he shares with them now during this time of incarceration.

It is my prayer that your hearts will be moved to allow Caed another opportunity to do with his life what he has been predestined to do by his creator.

Thank you for your consideration.

Sincerely,



Donna Ross

Volunteer Coordinator- Trinity Prison Restoration Ministry

Trinity United Methodist Church

1401 9th Street

West Palm Beach, Fl. 33401

Rev. Ann Davis, Pastor

Ms. Mary J. Barnett
423 Convent Avenue
New York, New York 10031
April 26, 2015

The Office of Executive Clemency of the State of Florida
Liberty Correction Institution
11064 NW Dempsey Barron Road
Bristol, Florida 32321

To The Office of Executive Clemency of the State of Florida:

My name is Mary J. Barnett; I have been a friend and neighbor of the Brawner family for the past 33 years. When Caed Brawner was a pre-teen, he came to my home, from time to time, along with his two cousins, to have a "play date" with my god-daughter. The children seemed to have shared interests and enjoyed each other's company. The relationship between my granddaughter and Caed blossomed into an endearing friendship during their mid-teen years. However, their short-lived teenage courtship ended when my god-daughter left home to attend an out of state early entry-pre-college program at Andover University in Massachusetts.

In all my interactions with Caed since I've known him, his behavior and manner has always been exemplary in regards to being respectful, thoughtful, considerate, and caring. I found him to be keenly intelligent, highly inquisitive, focused and passionate in regards to his academic and social interests and pursuits. Often, after my god-daughter's departure Caed would stop to greet me as I was returning to my home at the end of the day. During these times he would share some aspect of his current studies at LaGuardia High School, the premier performing arts high school in New York City. Also shared were his thoughts, concerns and aspirations for his future in the arts. All before accompanying me to my door where he waited patiently until I was inside and had closed the door behind me. At the time everything seemed so new, challenging and wonderful to him. I sincerely enjoyed our chance meetings and on occasion since then I've written to him about how much I've missed, and remembered those times. I sincerely felt privileged that Caed wanted to share this special time of growth and discovery with me.

Presently I am an Arts in Education Professional Development Facilitator and Mentor for first and second year arts teachers and their students in the New York City Public School System, as well as the Founder and Artistic Director of my arts organization Arts in Motion, Africa, established in 2011. In my capacity as Mentor it is my intention and purpose to engage, interact, motivate and guide new teachers, young students and artists to become aware of the many different options, choices and outcomes available to them, not only in their teaching and learning, pursuits, but also in their lives so that they become informed, responsible, passionate, and creative human beings who are cable and willing to make positive contributions to benefit our society. I believe Caed has been preparing himself for such a challenge.

I look forward to welcoming Caed back into our lives, our hearts, our minds, and our neighborhood. I do believe in a person's endless capacity for growth and change. My prayer is that Caed is given a second chance to realize and use his talents for teaching, orating and writing to guide, motivate and inspire the endless possibilities for growth and change in his life.

Sincerely,



Mary Barnett
Retired Teacher, Arts in Education Mentor/Facilitator, and Founder/ Artistic Director of Arts in Motion, Africa

EUNICE A. JACKSON
ATTORNEY AT LAW
155 WEST 68TH STREET, #1206
NEW YORK, NY 10023
April 28, 2015

The Office of Executive Clemency of the State of Florida
Florida Commission on Offender Review
4070 Esplanade Way
Tallahassee, FL 32399-2450

Dear Sirs and Madam:

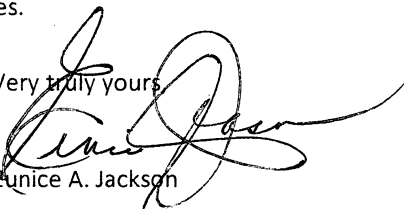
I write in support of Caed Brawner's petition to have his life without parole sentence commuted. I humbly and respectfully request that you grant this request.

I have known Caed since he was three years old. Caed has been incarcerated since his arrest during his first year of college, which was also his first experience living on his own, far from family and friends. His arrest and subsequent imprisonment ripped this young, intelligent, vibrant young man, blessed with an abundance of artistic genius from a family and community that supported and continues to support him.

I am also godmother to Caed's younger sister, Kessie, who was in grade school when he began serving his sentence. As I have watched her mature into a young and gifted artist soon to receive her undergraduate degree, I have been humbled and awed by the love, commitment and unconditional support she has for her big brother, against tremendous odds and without the benefit of his day to day physical presence. I am certain that having him in her life as a confidant and counselor makes her stronger, wiser and more compassionate. Her wonderful growth is in part a testament to Caed's enduring positive impact and influence.

I can attest to the fact that if granted an early release his family will continue to support him. Personally, I am an attorney practicing and residing in New York City and I too am prepared to lend the support I can to facilitate Caed's re-acclimation to a life outside the prison environment. Life is a journey for each and every one of us and we all stumble along the way. It is through a combination of maturity, personal growth and the love and support of community that we grow stronger and better able to offer up to the world the gifts with which the Creator endowed us. I believe that Caed should have the chance to return to the community outside prison to complete his journey with the love and support of family and loved ones.

Very truly yours,



Eunice A. Jackson

April 20, 2015

Dr. Juanita Kirton
305 Maple Lane
East Stroudsburg, PA 18302

The Office of Executive Clemency
State of Florida

Dear Clemency Office of Florida:

From the age of nineteen, to the present at thirty-four years old, Caed Brawner has been serving a life sentence without parole. Despite his incarceration for the last fifteen years in correctional institutions in Florida, he has remained steadfast, hopeful and determined to better himself. I've had the privilege to correspond with him, provide reading material and to exchange ideas. Caed is a gifted orator, avid reader and a mentor to those who share the everyday struggles of surviving in a difficult situation. He is a positive leader to his fellow inmates, setting an example for younger men and aiding in the decline of the residuum rate.

As a young college student away from his family, Caed Brawner made a tragic and immature decision that changed the direction of his life. Before this, he never had a criminal offence or infraction. Caed and his family were unprepared for the next chapter in their life. One lapse in judgment took his possibilities and freedoms away. Out of this horrendous incident, a juvenile adolescent matured into manhood. He constructed a wholesome posture and is accountable for his decisions. With this realization Caed ripened and expanded his awareness and reconnected to his spirituality. He had to reassess his purpose.

My family and I are committed to the continued support and guidance of this fine young man. My association with the Pennsylvania Department of Education will provide him with opportunities to continue his formal education and to partner with other young people who will benefit from Caed's example. My son, who is four years older than Caed is the Executive Director of a technology company. He has contracts with several private corporations and the City of Philadelphia. He will be a mentor and teacher for Caed, training him in the latest solutions for digital, audio, video, lighting and computer expertise.

Caed's accomplishments while incarcerated illustrate his transformation. He completed the Toastmasters International Educational Program and became a certified competent communicator. He is a mentor in the Re-Entry Program and is on the committee that facilitates the development of the curriculum. I don't believe that Caed's gifts should be regulated to a correctional institution they are too precious. The world can benefit from his talents and genius. He is triumphant in the loss of his freedoms and will be extraordinary in his emancipation. His understanding, compassion and intelligence will serve him and be of value to others when he is released. I request you award clemency for Caed Brawner.

Sincerely,



Juanita Kirton, PhD.

April 25, 2015

The Office of Executive Clemency of the State of Florida
Re: Caed Brawner #125673
Liberty Correction Institution
11064 NW Dempsey Barron Rd.
Bristol, Florida. 32321

I have been wanted to do something for Caed from the moment of his arrest, today I get an opportunity to do just that.

Like another son, Caed and my son spent almost two decades together frolicking, faltering, exploring, and finding their way to adulthood. They were consummate friends and spent many days together talking, playing, playing baseball, traveling and learning about life, love, family, disappointments, successes, and losses. Together they would become "brothers from different mothers"! When in my home and in my presence Caed was respectful, helpful, gregarious, engaging, and sensitive. He also had an excellent appetite!

Caed had an easy going and humorous way; a way that could surprise you because it appeared at such a young age and developed into a refreshing and delightful mannerism. I believe that his ability to find humor in life has been one of the many coping skills that he has developed.

As a young Black man in Harlem, and throughout his development, his parents exposed him to a variety of relationships with politicians, business people, artists, community leaders, clergy and others. He was also fortunate to be able to travel extensively and enjoy the relationships of family and close friends. This has also helped him to develop extremely adept communication skills.

Growing up in Harlem at the height of the crack epidemic has assisted Caed in becoming a sensitive, caring, principled, critical thinker with a heart for the underdog. Living through those days required a great deal of tenacity, courage, and familial/community support as the community was very dark during that time. Being able to matriculate to College was a milestone that we were all proud of; one that was unfortunately interrupted.

Commuting Caeds sentence is the plausible next step. He is a gift and has many gifts that need to be deposited into the world. I ask that you would strongly consider making this decision in the affirmative. I prayerfully await your decision.

With respect and gratitude,

Jacqueline Patton, M.Ed.

Haley Brawner
4 West 130th St. Apt. 3
New York, N.Y. 10027
April 23, 2015

To The Office of Clemency of the State of Florida:

When I was a child growing up, Caed was my best friend. We grew up under the same roof in a 4-story brownstone in Harlem from the time he moved in with my aunt when I was age 4. My uncle, aunt and Caed lived on the top two floors while I lived on the bottom two with my mom, dad, and younger brother. Caed, one year older than me, was also like the older brother I didn't have. We played video games, basketball in the backyard (he was very good), watched sports and generally had a good time doing all the things that kids do, together.

We were both lucky enough to have families with the means to take nice vacations, and I have fond memories of our ski trips to Vermont and Colorado. In fact one of my fondest memories is a game we invented in a Colorado hotel, which was essentially a glorified game of tag throughout the whole building (much to the dismay of the other hotel guests, I would suspect). As a very good artist, he also influenced me to get into drawing and painting. His skill eventually landed him in the prestigious Fiorello La Guardia High School.

Caed was an outgoing, friendly, clever and witty person – one people enjoyed being around and usually the center of attention (something he probably enjoyed). Caed was a naturally hilarious person and loved to make people laugh. Though many of his ridiculous jokes that I remember probably date back to the ages of 10-14 and have no right to still be considered funny, I can still repeat them and laugh.

Importantly, Caed grew up with a very loving family – which also includes my parents. My uncle Everett and Aunt Carol instilled in him good moral values and ensured that he had the foundation of a solid education. They encouraged his extracurricular pursuits, enrolling him in activities such as Harlem Little League baseball, Carmine basketball, karate lessons.

Caed and I grew apart a bit during his high school years, the result of normal adolescent growing pains and changes, but also possibly of his being estranged from his natural-born father, a factor that may have affected the identity he wanted to forge in those years. The distance between us only grew when my aunt and uncle separated in. Of course, I can only theorize as to how these things affected him, and I am no psychologist, but it seems only natural to assume that these key factors in his life keenly impacted him at this stage – a stage where one doesn't know quite how to process or react to problems, issues, or emotional stress in a productive or mature way. This stage in Caed's life eventually tragically ended with his incarceration. While many of us are lucky enough to be afforded second chances, Caed was not.

I coincidentally have another cousin who got into a fight with someone who ended up hitting his head on the pavement and went into a coma. If he had died, my cousin would probably be in jail for life. As it turned out, the person survived, and my cousin is now a doctor with a wife and three kids. While not a perfect corollary, their two stories are testament to how random chance in an incident can completely change the outcome as well as determine how that person is perceived by the law and society. They are a testament to how easy it is to make a tragic mistake when going through something difficult in one's life. No matter how drastic that mistake, if good once existed in someone, it is never truly snuffed out. When one is offered the chance at redemption, truly special things can happen. Since he was a special person in my life, and from all indications a model citizen during his imprisonment, should he ever be given this chance, I would expect nothing less from Caed Brawner.

Sincerely yours,


Haley Brawner

P.O. Box 31244
Clarksville, TN 37040
931.302.5066



The Office of Executive Clemency of the State of Florida

It gives us great pleasure to write this letter on behalf of Caed Brawner, 125673.

Caed's family has been personal friends of ours (Carrie and Kenny) since 1973 and 1981 respectively. Our initial meeting took place at Austin Peay State University, Clarksville, TN. Throughout the years, our families have remained very close, having watched our children grow from infants to adults; family vacations and numerous yearly visits. We are family. Caed was the love of our lives and we were the village that raised him, along with the loving parents God gave to him.

Being part of a close-knit family, we watched our beloved Caed grow from an infant to an adult. It was/is, and has been, one of our fondest memories and will remain so. We always knew Caed would change our world for the better. There was no kid, in his age group, who was more committed, focused and attentive than young Caed. He was passionate about life, living and giving back to everyone with whom he came into contact. Caed loved people. He was caring and kind. Caed was respectful and respectable.

Caed was intelligent, productive and diligent in his approach to academics and art. He developed early as an artist and worked hard to improve his God-given talent. He was an academically sound young man, articulate and well mannered. Caed was a leader with integrity and strong moral beliefs. While young, he was quite conversant in groups of adults and everyone enjoyed the time spent with him.

Caed, of all the young people we have had the good fortune of mentoring, is deserving of a second chance. He will return to society with a strong purpose; teaching and mentoring and offering hope to the less fortunate. We remain prayerful that Caed will reunite with his family and all of us soon. He has a strong family support system and network of friends. Our Church, the Great Commission Christian Church, pledge support to offer whatever transitional and developmental support Caed might need when released.

We have been kept apprised of Caed's training completions, his interactions with other inmates and how he has remained focused and positive, despite circumstances he cannot control. We would personally accept full responsibility for Caed's return home. We strongly believe in and support him. We believe strongly in what remains to be accomplished through him and by him.

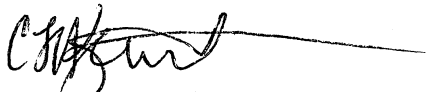
We pray a favorable decision be made in Caed's behalf. We thank you in advance that a decision made by the Board will allow Caed ***"another chance"***.

If you should have any questions, please call us at 931.302.5066.

In His Name and For His Service,

A handwritten signature in black ink, appearing to read 'Kendrick', with a stylized flourish at the end.

Kenny Kendrick
Pastor and Family Friend
Great Commission Christian Church
"Believe Only"

A handwritten signature in black ink, appearing to read 'Carrie W. Kendrick', with a long horizontal line extending to the right.

Carrie W. Kendrick
Director, Operations and Administration, TGC3
(Most Important Title: Lifelong Family Friend)
Great Commission Christian Church
"Believe Only"

Everett Brawner
417 West 148th Street
New York, New York 10031
917-856-3892

April 15, 2015

The Office of Executive Clemency of the State of Florida
Florida Commission of Offender Review
Tallahassee, Florida

Re: Caed Brawner DC# 125673

Dear Members of the Florida Board of Executive Clemency:

I married Caed's mother, Carol Lee, in 1989 and proudly adopted him as my son when he was 11 years old. I am the only father he has ever known. I have a Bachelors Degree in Education and a Masters Degree in Special Education. I am a retired educator who taught in the New York City Public Schools for 25 years. My brother and I have a band, "The Brawner Brothers". I play the Bass guitar and we specialize in Pop, Rhythm and Blues and Jazz.

Caed and I shared many great moments together. I drove him every morning to one of the best gifted elementary schools in NYC. I coached him in the Harlem Little League and cheered him on when he played basketball in Junior High through High School. He also ran track in school and for a private track club sponsored by New York Road Runners Club. Some of our best moments were shared on the ski slopes in Colorado and Father and son weekends in Vermont.

We exposed him to many opportunities as possible. He has a warm heart and is loved by many adults as well as his peers. It was a shock to hear he was in trouble in Florida. The news of his arrest was a nightmare. This was his first time away from home alone for a long period of time. Trying to adjust and fit in with students from southern cultures was very difficult. My feeling is while trying to fit in he became involved with people that were not of high character.

Visiting Caed in prison was difficult for our family. Writing letters and phone calls to his parents was all the contact he had. At 19 years old, our concern for his well being was almost unbearable. Our visits together were difficult for me. When I did visit; many other visitors, inmates and officers would approach me stating what a good person he is. They knew he deserves to be home with us.

In January 2015, we were invited to the first graduation class of the Re -Entry Program at Liberty Correctional Institution. As my son walked to the podium to deliver a speech, all the

inmates stood and applauded. Sitting in the front row I could hear his pause and deep breathes. Fighting back the tears I realized the good caring man he had become. As the program closed, we mingled with the staff, inmates and other family members. We were overwhelmed with the outpouring of respect that Caed received from the graduating class. His friends shared his nickname, Dictionary. He has developed such an expansive vocabulary you would think you were speaking to a college graduate. We witnessed accomplishments and pride from the Choir, Band and through the skits performed by the inmates. The awesome keyboard player spoke about how Caed mentored and guided him through his upcoming release date. We only hope the program continues to grow and spread to other facilities.

The next day of our visit was Caed's birthday. Two sisters sang happy birthday as a gift of thanks to Caed for helping their family member. Others seemed to enjoy the singing as Caed was humbled not wanting to bring so much attention to himself.

Caed has been a big brother and mentor to his younger sister, Kessie, keeping her grounded from a distance. Caed sacrificed food and saved money to send her a \$200 check to purchase her high school prom dress. He has invested himself in her and needs to be home to continue their amazing relationship. Carol, his mother, was so inspired by Caed she now mentors released prisoners at the Welcome Home Program at The Riverside Church in NYC.

I am now 75 years old and would love to have him home to be able to share joyous moments again, like going to church, sporting events and family gathering. Please reduce his sentence. I believe he deserves your consideration.

Yours truly,

A handwritten signature in cursive script, reading "Everett H. Brawner". The signature is written in dark ink and is positioned above the printed name.

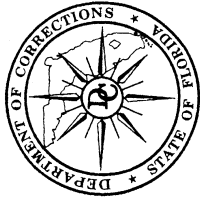
Everett Brawner

CERTIFICATE ACHIEVEMENTS

- | | |
|---|------------------|
| 1) Developing Business Concepts | Jan. – Feb. 2014 |
| 2) Anger Management | Apr. 2014 |
| 3) Impact of Crime on Victim Program | Jan. 14, 2014 |
| 4) Liberty Correctional Institutional
Re-Entry Program | Jan. 7, 2015 |
| 5) Employability | Aug. 2014 |
| 6) Goal Setting and Release Planning | Dec. 2014 |
| 7) Personal Finance Course | Sep. 22, 2014 |
| 8) Leadership Values and Principles | Nov. 2014 |
| 9) Character Development | Jan. 2015 |
| 10) Problem Solving and Decision Making | Mar. 16, 2015 |
| 11) Domestic Violence Awareness | Apr. 2014 |
| 12) Leadership Training Course | Dec. 17, 2013 |
| 13) Parenting | Aug. 4, 2014 |



FLORIDA DEPARTMENT OF CORRECTIONS



LIBERTY CORRECTIONAL INSTITUTION
RE-ENTRY PROGRAM

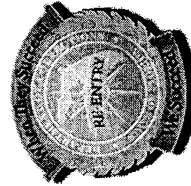
CAED BRAWNER

IS HEREBY RECOGNIZED FOR SUCCESSFUL COMPLETION
OF THE

DEVELOPING BUSINESS
CONCEPTS

Bin Joany
RE-ENTRY PROGRAM COORDINATOR

LIBERTY C.I.
INSTITUTION/FACILITY



Paul D. Munn
RE-ENTRY PROGRAM DIRECTOR

Jan - Feb 2014
DATE



FLORIDA DEPARTMENT OF CORRECTIONS



LIBERTY CORRECTIONAL INSTITUTION
RE-ENTRY PROGRAM

Caed Brawner

IS HEREBY RECOGNIZED FOR SUCCESSFUL COMPLETION
OF THE

ANGER MANAGEMENT

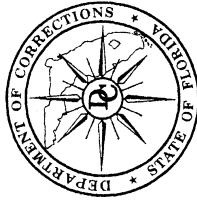
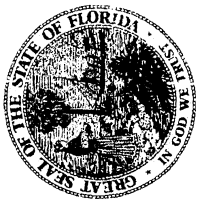
B. Joern
RE-ENTRY PROGRAM COORDINATOR



[Signature]
RE-ENTRY PROGRAM DIRECTOR

LIBERTY C.I.
INSTITUTION/FACILITY

APRIL 2014
DATE



FLORIDA DEPARTMENT OF
CORRECTIONS

CERTIFICATE OF COMPLETION

THIS HERBY CERTIFIES THAT

Caed Brauner

HAS SUCCESSFULLY COMPLETED THE CLASS REQUIREMENTS FOR THE

Impact of Crime on Victims Program

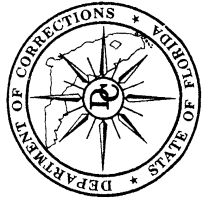
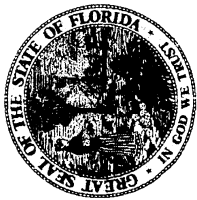
On

January 14th 2014

John C. Hammer
Program Director
Liberty C.I.

[Signature]
Asst. Warden Programs
Liberty C.I.

[Signature]
Warden
Liberty C.I.



FLORIDA DEPARTMENT OF
CORRECTIONS

CERTIFICATE OF COMPLETION

THIS HERBY CERTIFIES THAT

Caed Brauner

HAS SUCCESSFULLY COMPLETED THE PROGRAM REQUIREMENTS FOR THE



LIBERTY CORRECTIONAL INSTITUTION
RE-ENTRY PROGRAM

JANUARY 07TH 2015

Jack Brauner
Program Director
Liberty C.I.

[Signature]
Asst. Warden Programs
Liberty C.I.

[Signature]
Warden
Liberty C.I.



FLORIDA DEPARTMENT OF
CORRECTIONS

LIBERTY CORRECTIONAL INSTITUTION
RE-ENTRY PROGRAM

Caed Brauner

IS HEREBY RECOGNIZED FOR SUCCESSFUL COMPLETION

OF THE

EMPLOYABILITY

[Signature]

RE-ENTRY PROGRAM COORDINATOR

LIBERTY C.I.

INSTITUTION/FACILITY

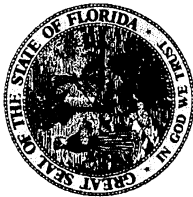


[Signature]
RE-ENTRY PROGRAM DIRECTOR

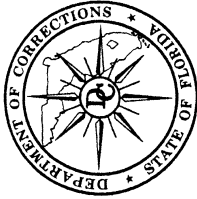
August 2014

DATE

Program Code:
TRANS 05



FLORIDA DEPARTMENT OF
CORRECTIONS



LIBERTY CORRECTIONAL INSTITUTION
RE-ENTRY PROGRAM

Caed Brauner

IS HEREBY RECOGNIZED FOR SUCCESSFUL COMPLETION

OF THE

Goal Setting and Release Planning

[Signature]
RE-ENTRY PROGRAM COORDINATOR

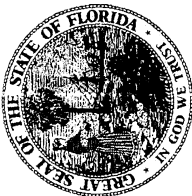
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LIBERTY C.I.
INSTITUTION/FACILITY

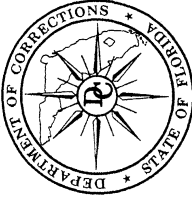
December 2014
DATE

Program Code:
TRANS 02





FLORIDA DEPARTMENT OF
CORRECTIONS



LIBERTY CORRECTIONAL INSTITUTION
RE-ENTRY PROGRAM

Caed Brawner

IS HEREBY RECOGNIZED FOR SUCCESSFUL COMPLETION

OF THE

PERSONAL FINANCE COURSE

Caed Brawner

RE-ENTRY PROGRAM COORDINATOR

LIBERTY C.I.

INSTITUTION/FACILITY



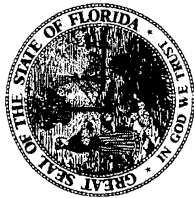
Caed Brawner

RE-ENTRY PROGRAM DIRECTOR

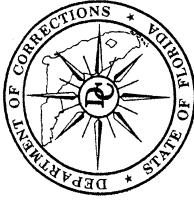
9/22/10

DATE

Program Code:
PF-115



FLORIDA DEPARTMENT OF
CORRECTIONS



LIBERTY CORRECTIONAL INSTITUTION
RE-ENTRY PROGRAM

Caed Brauner

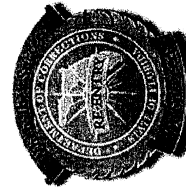
IS HEREBY RECOGNIZED FOR SUCCESSFUL COMPLETION

OF THE

LEADERSHIP VALUES & PRINCIPLES

Caed Brauner
RE-ENTRY PROGRAM COORDINATOR

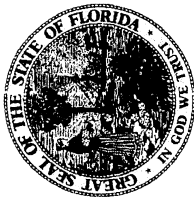
Jack Brauner
RE-ENTRY PROGRAM DIRECTOR



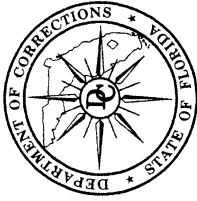
LIBERTY C.I.
INSTITUTION/FACILITY

NOVEMBER 2014
DATE

Program Code:
VALUES



FLORIDA DEPARTMENT OF
CORRECTIONS



LIBERTY CORRECTIONAL INSTITUTION
RE-ENTRY PROGRAM

Caed Brauner

IS HEREBY RECOGNIZED FOR SUCCESSFUL COMPLETION

OF THE

Character Development

[Signature]

RE-ENTRY PROGRAM COORDINATOR

LIBERTY C.I.

INSTITUTION/FACILITY

RE-ENTRY PROGRAM DIRECTOR

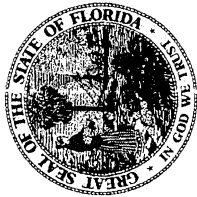
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January 2015

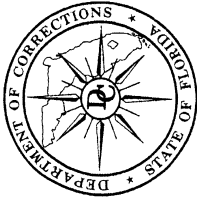
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Program Code:
FTHCHAR



FLORIDA DEPARTMENT OF
CORRECTIONS



LIBERTY CORRECTIONAL INSTITUTION
RE-ENTRY PROGRAM

Caed Brauner

IS HEREBY RECOGNIZED FOR SUCCESSFUL COMPLETION

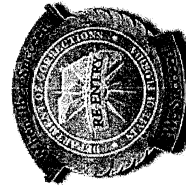
OF THE

PROBLEM SOLVING & DECISION MAKING

[Signature]

RE-ENTRY PROGRAM COORDINATOR

LIBERTY C.I.
INSTITUTION/FACILITY



[Signature]
RE-ENTRY PROGRAM DIRECTOR

MARCH 16, 2015

DATE

Program Code:
TRANS 03



FLORIDA DEPARTMENT
OF CORRECTIONS



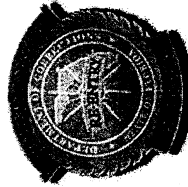
LIBERTY CORRECTIONAL INSTITUTION
RE-ENTRY PROGRAM

CAED BRAWNER

IS HEREBY RECOGNIZED FOR SUCCESSFUL COMPLETION
OF THE

DOMESTIC VIOLENCE AWARENESS

Ben Doering
RE-ENTRY PROGRAM COORDINATOR



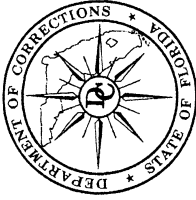
Jack DeLamater
RE-ENTRY PROGRAM DIRECTOR

LIBERTY C.I.
INSTITUTION/FACILITY

APRIL 2014
DATE



FLORIDA DEPARTMENT OF
CORRECTIONS



LIBERTY CORRECTIONAL INSTITUTION
RE-ENTRY PROGRAM

Caed Brauner

IS HEREBY RECOGNIZED FOR SUCCESSFUL COMPLETION

OF THE

LEADERSHIP
TRAINING COURSE

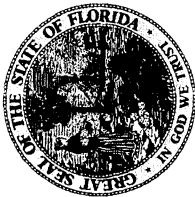
Brian Joerner
PROGRAM COORDINATOR

Jack Brauner
RE-ENTRY PROGRAM DIRECTOR

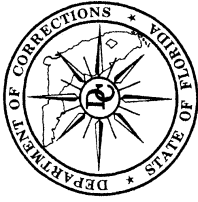


LIBERTY C.I.
INSTITUTION/FACILITY

17 December 2013
DATE



FLORIDA DEPARTMENT OF
CORRECTIONS



LIBERTY CORRECTIONAL INSTITUTION
RE-ENTRY PROGRAM

Caed Brauner

IS HEREBY RECOGNIZED FOR SUCCESSFUL COMPLETION

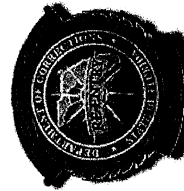
OF THE

Parenting

Brauner
RE-ENTRY PROGRAM COORDINATOR

LIBERTY C.I.

INSTITUTION/FACILITY



Jack Brauner
RE-ENTRY PROGRAM DIRECTOR

8/4/14
DATE

Program Code:
PS-115