

May 6, 2009

Michigan House Judiciary Committee  
521 House Office Building  
124 N Capital Avenue  
Lansing, MI 48933

Reference : Opposition to House Bills #4518, 4594, 4595 & 4596.

Good Morning,

My name is Roberta Featherstone, and I live in White Lake Township. I am here today to voice my opposition to House Bills #4518, 4594, 4595 & 4596.

If approved, these bills would eliminate Life without Parole sentences for anyone under the age of 18 and they would allow juveniles previously convicted and sentenced to life without parole, the opportunity to possibly be paroled after serving only 10 years. Life without parole sentences are not handed out lightly, they are given to the worst of the worst offenders and I do believe that Life without parole means, **NO parole, EVER.**

I am here today with several members of my family and I would like to take a few minutes to tell you our story.

On Mother's Day in 1990, we received a phone call that my brother Jim was missing. This day also happened to be my sister, Christine's anniversary. Two special days that will never again will be celebrated the way they were meant to be.

After three heart wrenching days of endless searching, telephone conversations with various law enforcement officials, and dealing with the news reporters and their cameras, we were informed that my brother had been found. His body had been left in an abandoned house, he had been stabbed more than 30 times and his throat cut so deeply he was nearly decapitated. **This was not a juvenile crime.**

After many horrible weeks in court, 20 year old James Roy Hyde and 16 year old Barbara Hernandez were both convicted of **first degree premeditated murder** in the death of my brother. A life without parole sentence would be in order.

But our time in the court room didn't end there.....

You see Barbara Hernandez was 16 years old, and the law dictated that another hearing be held to determine if the sentence of Mandatory Life without Parole was applicable. After additional sociological testing and testimony from ALL the experts it was determined by the court that this 16 year old was in fact responsible for her actions and lawfully could be given a Mandatory life without parole sentence. Justice was being served and my family was given a sense of closure.

But the impact on my family didn't end there.

Our mother, who was in frail health at the time, lasted long enough to hear the convictions, and the court was kind enough to reschedule the sentencing around her funeral. As it happened, this was the day before my sister, Christine's birthday. Another special day that she will never again celebrate the way it was meant to be.

My daughter was five years old when her Uncle was murdered, and my son was seven. For many years I could not display photographs of my brother in my home because of the emotional distress it placed on my young children. They constantly asked if the bad people who hurt their Uncle would hurt them too. For years, my daughter was so afraid of strangers, that she would go no where without having a parent by her side and I literally had to spend time

in her classroom so she would be comfortable enough to stay in school.

My children are no longer children. They are now both adults. But as children they understood that they were responsible for their actions and the subsequent consequences. Most children know this.

I understand that this legislation is being proposed because some believe that the existing laws are too harsh. That young people may not really know right from wrong. And I understand they have studies to prove their point. I also have a study. The United States Department of Justice, Office of Juvenile Justice and Delinquency Prevention published a report in December 2003 that states in part, that between 1993 and 2001, Juvenile arrests for murder have declined 70%.....**declined 70% !** Our existing "gets tough" on Juvenile crime policies are working, why change them?

It is kind of ironic that last week was National Crime Victims Rights Week.

It has been almost 19 years since my family became a victim of crime. One would think that over time the pain would lessen and the wounds would heal. This pending legislation has reopened those wounds . . . again . . .

As I mentioned earlier, my family was given a sense of closure when the two individuals who were responsible for my brother's murder were given Life without parole sentences. We were told that life without parole meant exactly that. They were going to prison and we were going to pick up the pieces and move on . . .

In December of 2005 we learned of proposed legislation similar to the bills you are considering today. At that time, my family was devastated. Old wounds were being torn open. We had never registered our names to be notified in the event that the life without parole sentences would be changed. There was no reason to . . . life without parole meant NO parole EVER.

We were concerned that many, many more family's like ours were not even aware of these proposed changes. We spent that holiday season making phone calls and writing letters to our Senators and Representatives. Letters were sent to many newspapers around the state trying to alert the other victimized families. We collected hundreds of signatures of people who also believed life without parole, meant NO parole, EVER. These petitions were sent to both the House and Senate Judiciary Committees. That was a family holiday that was never celebrated the way it should have been. Fortunately, those bills never left their committees.

Then on January 18, 2008, my step mother happened to find a flyer on her car windshield from the organization Second Chance Legislation. They were asking for people to come to Lansing, probably to this very room, in support of another set of pending bills similar to what we are discussing today. The hearing was schedule for January 23<sup>rd</sup> and we as victims never even knew about it. This time my family was angry....we had less than a week to prepare. More letters were written. My sister Jody cleared her schedule and traveled to Lansing to testified before the committee. She was amazed by the fact that the room was full and only a handful of people were in opposition to the proposed legislation. It seems the only people who knew about this schedule hearing were those who wanted to see their felons set free.

For the next several months, my family, led by my brother Jeff, campaigned for what we termed "Victims right to know" legislation. Remember we didn't register to be notified of pending changes, because Life without parole meant NO parole EVER. Phone calls and letters were sent to our legislators, area newspapers and also the Second Chance Organization. We tried to reach out and ensure that when and if this type of legislation was proposed all the voices of all the victims could be heard. My sister Jody helped to create the National Organization of Victims of Juvenile Lifers. One of their goals is to ensure that victims are notified of pending legislative changes. You see we are only one family. There are many, many, more victim families. They should be made aware that a sentence of Life without Parole, possibly might not mean that anymore.


Then on March 16<sup>th</sup> of this year, the wounds from that horrible Mother's day in 2000 were tore open again when I read in the Oakland Press Newspaper that this legislation was once again being considered. We have come to the realization that these wounds will never be allowed to heal. We will continue to be victimized every time a new set of bills are proposed. We will spend the rest of our lives wondering if Life without parole really means NO parole

Ever. We are only one family....how many more families will continue to be victimized.

In closing, I would ask that this committee give serious thought as to why these bills should be adopted. What good purpose would they serve? Our current system already provides protection for juveniles who might have extenuating circumstances or juveniles who have not committed these horrible types of crimes. This proposed legislation would only effect those that have been tried and convicted of the worst possible crimes. **The worst of the worst.** The role of government it to protect it's citizens and we know that our "get tough" on juvenile crime policies are working. Why change that?

**Adult crimes, deserve adult time.**

Thank you.

  
Roberta Featherstone  
8305 Carpathian Drive  
White Lake, MI 48386