August 27, 2013

State of Michigan House of Representatives
Committee on Criminal Justice

State of Michigan Senate
Judiciary Committee

Ladies and Gentlemen:

I along with the rest of my family adamantly oppose House Bills 4806-4809.

I am writing you as a piece of my family was brutally and abruptly stripped from me the day this inmate decided to lure my brother Jim to his death and I could not sit idly by and watch while yet another injustice be committed.

The pain and suffering that her acts have put on my family over the past 23 years are unbearable and an injustice in itself. It just never stops. You would think that after 23 years, my brother and my family would be able to rest in peace. Yet we are continually subjected to the abuse, yes abuse, of our judicial system.

When we left the courthouse 23 years ago, the verdict was first-degree felony murder. I can remember that day so vividly because after the verdict was read I went out into the hallway and called my Mom from the pay phone at the courthouse. My brother died on Mother's day 1990, after his death I am sure my mother couldn't allow herself live to see another Mother's day, my mother died on April 27, 1991, of what I believe to be a broken heart. She was distraught in knowing Jim lost his life while on an errand to buy a Mother's Day card. She just could not cope with the fact of having to bury one of her children. She said it "just was not natural for your child to go before you".

On the telephone that day, I told her, "Mom the verdict is First Degree Felony Murder" and then she asked me "what does that mean?" I promised her, based on the verdict, the law at that time, and the promise from the State of Michigan that her Son's murderer would never get out of prison. The State promised my family there would be NO chance EVER for parole. My mother took my words to her grave; that was her closure on life. Now, if you let this inmate out, my promise to my Mother is broken, you take her closure from her and you take my final promise to my mother away from me. I will be handed a life sentence with NO chance for parole. If that is not mental and emotional abuse I am not sure what is!

After the inmate was sentenced, I worked hard to pick up the pieces of my life. It had been about a year and a half since Jim was killed. I had spent that time completed consumed by the entire ordeal. Nothing in my life seemed right anymore. My brother was gone, my Mother was gone. I found myself as a grown married woman, needing to sleep with a nightlight so when I woke up, scared, from the nightmares of my brother being stabbed to death I could be assured that no one was in my room. There were days when all I could do was sit at home and cry. The pain was unbearable. My husband felt helpless and it was doubly tough on him as he was morning the loss of his brother in law, mother in law and temporarily his wife. I was a mess. Nearly two years after my brother's death my therapist said the mourning process was just beginning. I had not had time to mourn my brother's brutal death or the sudden death of my mother.

I need you to know my healing process continues after 23 years. To this day, every time a helicopter flies overhead I wonder who they are looking for. Just writing this makes me cringe and brings back the horrible thoughts of my brother's endless suffering and his horrible death. The pain had to be so tremendous for him; to this day I can imagine him bleeding to death.

Yet I still cannot comprehend why my brother, my mother, my father, my siblings and now my nieces and nephews, many of which were not even born at the time of Jim's brutal death, need to go through this. It

was all for his car! This was a senseless crime and it deserves a life with no parole sentence, not for me or my family but for the guilty. Today I am not sad, I am angry but it still makes me cry.

I often sit and wonder what my Brother Jim's life would have been like. He was just two years older than me. We had a lot of fun growing up together and throughout our school years. When we were kids we had a paper route together, we picked up our papers after school at the corner store and every day he and I would buy, and then we would share, a can of coke and a Hostess Ding Dong or Twinkie. He was a chocolate junky, but he also loved the creamy filling of the Twinkie. He would eat a Twinkie from the inside out. We would sit outside the store, eat our treat, count our papers and load up our paper bags.

Along the way, Jim he would stop and talk to everyone, young and old. He was just the kind of kid that everyone loved. He had something to say to everyone. We use to call him the "old man on the street" as many times he would be seen sitting on front porches or standing in someone's yard or driveway just shooting the breeze with the old men. As we grew older he and I would often spend the evenings together; we shared many of the same friends, he escorted me on my first date. He was a big part of our family, a huge part of my life and he had a special place in all our hearts. I miss him dearly.

As we grew up Jim acquired a love for automotive mechanics and took vocational classes in high school. He told me once that he enjoyed spring because people would roll down their car window and hear their cars needed attention after a cold winter and then the shop he worked at would get busy. He loved to help friends, often working on cars for free.

I imagine that Jimmy could have owned his own auto mechanic business, I am sure he would have married, and he probably would have had a big family as he loved kids. The problem is I can only imagine how Jim's life would have turned out because there are no second chances given to the dead!

My family and I have learned to accept the things that we cannot change. We understand that Jim was just a random victim in a scheme to steal a car. We have learned to never take each other for granted. But we cannot accept a second chance at life for someone who killed our brother and inflicted a life time of pain and suffering on our family. It just can't happen.

You cannot allow our family to be victimized again. At some point, this pain has to stop and it's in your hands.

Sincerely,

Lori Vallance

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