August 27, 2013

Dear State of Michigan Legislators,

I am writing to express my concerned about the debate happening right now in the Michigan Legislature regarding natural sentences given to some extremely violent juvenile offenders in Michigan.

First, let me share some history with you. On May 12, 1990 I lost my brother, James Cotaling; He was brutally attacked and killed by a young couple, James Hyde (age 18) and Barbara Hernandez (age 16). They stabbed my brother in excess of 26 times. Both were tried by a jury of their peers and found guilty on numerous counts and sentenced to "Life in Prison without Parole".

Please note, for the 16 year old to be charged and sentenced as an adult she had to undergo a psychiatric evaluation and hearings took place in order to determine if the 16 year old was aware of what she was doing, the severity of the crime and the consequences of the crime before she participated in the crime. The result was yes she was therefore she was tried as an adult. A similar hearing took place after the trial to see if she could be sentenced as an adult, again yes and she was.

Since that time my family and I have found it necessary to write numerous letters call our Senators and Congressmen and even participate and testify in a commutation hearing for the younger of the two offenders. Something we never thought we would have to do after the verdict was handed down over 23 years ago.

Now we find the need to raise our voices regarding more legislation.

I support our legislature's plans to comply with the United States ruling in *Miller v Alabama*. I support *Miller*'s premise that life sentences should never be mandatory and I strongly support the national trend, affirmed in most other state Supreme Courts, against applying the *Miller* ruling retroactively.

I feel it is wrong to subject victims' families to resentencing hearings. My family, and hundreds of other families should be able to rely on the verdicts and sentences handed down and not be subjected to reliving these horrible crimes against their loved ones again.

I do support a legislation that takes into consideration the severity of first degree murder and applies a sentence that is proportional to the crime. I feel a reasonable alternative for judges; if a Life without parole sentence is not sought after would be a minimum parole-able sentence of 40-50 years with parole reviews every 5 years thereafter.

Personally, I have two teenaged children. They are your average teens, go to school, enjoy their friends, and yes, occasionally they do something wrong. But as their parent I discipline them and teach them the appropriate behavior. But sadly, every day there is another story of the teenage committing a violent crime. I support our state developing the best juvenile and criminal justice system possible. I also feel it cannot come at the price of public safety. We cannot place more value in protecting the guilty over the victim.

I urge the State of Michigan Legislature not to apply *Miller* retroactively.

Sincerely,

Christine M. Cook

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