



Criminal Defense Attorneys of Michigan

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WRITTEN TESTIMONY OF YVONNE K. FLEENER EXECUTIVE DIRECTOR CRIMINAL DEFENSE ATTORNEYS OF MICHIGAN

MICHIGAN HOUSE OF REPRESENTATIVES JUDICIARY COMMITTEE

May 6, 2009

Chairman Meadows and Members of the House Judiciary Committee, thank you for the opportunity to provide written testimony on mandatory life in prison sentencing for juveniles.

CDAM was founded in 1976 by criminal defense attorneys across the state of Michigan. The members are trial and appellate advocates in the state and federal courts. Our mission is to promote quality legal defense services, to educate the public on the need for quality and integrity in defense services, and to guard against the erosion of the constitutional rights guaranteed by the State of Michigan and the United States.

The membership of CDAM support HB 4518, HB 4594, HB 4595 and HB 4596. Together, the bills eliminate the possibility that a person who commits a crime as a juvenile will be sentenced to life in prison without the possibility of parole. A sentence of life without the possibility of parole is a sentence to die in prison. The United States Supreme Court recognizes that youthful offenders are less able to weigh the consequences of their actions, and the harshest possible penalties, if imposed on juveniles, are an excessive punishment with costly ramifications. Not only is life in prison without the possibility of parole a possible sentence in Michigan, is it the only sentence available for juveniles convicted in adult court of first degree murder, regardless of the circumstances.

Michigan shamefully ranks second in the nation in the number of juveniles serving sentences of life in prison without the possibility of parole. States across the nation are eliminating life in prison without the possibility of parole as a sentence for juvenile offenders. These bills would bring Michigan in line with national and international human rights norms and potentially reduce the state's costs in its correctional system. The bill does not guarantee or require the release of any individual, it simply allows those who would otherwise be eligible for parole to be considered for release by the parole board after they have served a minimum of 10 years.

These bills end the harsh and costly practice of sentencing juveniles to life in prison without the possibility of parole. CDAM supports HB 4518, HB 4594, HB 4595 and HB 4596.