

## **MICHIGAN RETIRED JUDGES ASSOCIATION**

### **Resolution urging the Michigan Legislature to abolish sentences of LWOP for juveniles.**

**September 22, 2016**

*(Note: this resolution was quoted to writer over the phone, so there may be some errors in language.)*

Whereas: the Supreme Court of the United States has taken a giant step forward for fair and rational sentencing of juvenile offenders, ruling in *Miller v. Alabama* and *Montgomery v. Louisiana* that sentencing juveniles to life in prison without parole except in the rarest of cases violates the Eighth Amendment prohibition against cruel and unusual punishment. Juveniles have less maturity and culpability, but also greater capacity for reform.

Whereas: the Supreme Court has found that extending parole eligibility to juvenile offenders does not impose an onerous burden on the states nor disturb the finality of convictions, thus insuring that incorrigible prisoners will continue to serve life.

Whereas: there are 363 inmates in our prison system who were sentenced as juveniles presently serving that time on unconstitutional sentences.

Whereas: The U.S. Supreme Court has said that a state may remedy Miller/Montgomery violations by allowing juvenile homicide offenders to be considered for parole without going through the process of resentencing.

Whereas: Thirty-nine states have foregone cumbersome re-sentencing procedures and granted parole eligibility [at varying ages].

Whereas: Michigan prosecutors have filed motions seeking life without parole in 70 percent of cases, and in half of cases where hearings have been conducted, life without parole has been meted out once more.

Whereas: these statistics do not reflect a conscientious effort to grant parole hearings to all but [incorrigible individuals incapable of rehabilitation and reform].

Whereas: for almost a year the state of Michigan has employed a failed re-sentencing process, placing a heavy burden on the funds and human resources of state and local units of governments and often requiring victims' families to revisit [painful past memories.]

Resolved: That the Michigan Retired Judges Association urges the Michigan Legislature to abolish sentences of life without parole for juvenile offenders tried and convicted as adults.

This was adopted by unanimous vote at the MRJA's 216th annual meeting.

/s/ Retired Judge Robert Ransom, President