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# • Second Look Legislation Policy Briefing

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*Modeling Cost Savings Under Second  
Look*

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Jeff Morenoff

AFSC Contributors: Pete Martel & Claudia McLean



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# Second Look Legislation Policy Briefing

## Michigan's Punishment Problem

When it comes to extremely long prison sentences and actual time served in prison, Michigan leads the way. Nationally, 17% of individuals serving prison sentences have served 10 years or more. In Michigan, one-third (32%) of the prison population has served 10 years or more. Further, 41% of the Michigan prison population will have to serve at least 10 years before becoming eligible for parole. Most of those individuals will have to serve much more than ten years before becoming eligible for parole. Finally, nearly 4,500 people (approximately 14% of the full Michigan prison population) will spend the rest of their lives in prison, however many years that may be for each of them.

This punishment trend that has dominated our policy decisions over the past five decades has left us with a large proportion of people serving draconian sentences in the Michigan Department of Corrections (MDOC). At the same time, the MDOC is facing increasingly difficult staffing shortages that could be ameliorated through the successful implementation of Second Look.

In Michigan's one prison that houses women (Womens' Huron Valley, or "WHV"), there have been more than 50 full-time vacancies in healthcare for more than two years. WHV staffing requirements call for 344.5 corrections officers, but there are currently only 247 people working in those positions. Despite recruiting efforts spanning years, corrections officer vacancies across the state have not improved and staff are now regularly "mandated," where they finish a regular 8-hour shift and are then forced to stay on for an additional 8-hour shift.

In the most recent staffing report to the legislature, the MDOC has 1,031.9 vacant corrections officer positions statewide. These shortages have a cascading effect, making educational programs, rehabilitative programs, recreation, and nearly every aspect of being in prison (whether incarcerated there or working there) much more difficult.

A growing portion of the prison population is made up of people serving very long sentences and the MDOC has no way to release these people regardless of whether they pose any degree of risk to society. Truth in Sentencing (or "TIS") requires that people serve 100% of their minimum sentence before the Parole Board can evaluate them for release on parole. The minimum sentences at issue in the current "Second Look" discussions range from 10 years up to 200 years and also include people serving parolable life and life without the possibility of parole ("LWOP") sentences. There are more than 17,000 people serving such sentences in Michigan (the total prison population at the time of data collection was just under 33,000).

### **How does Second Look Legislation (SLL) Address this Problem?**

Second Look Legislation offers a release valve for this problem. Except for those who are/were convicted of a mass shooting (as defined in the Second Look Legislation), people who are serving these long sentences would be allowed to petition their sentencing court to request a sentence reduction once they have served ten years. This legislation would empower circuit court judges to review the facts of the case and combine that information with everything the person has done since the crime to determine whether the sentence can be reduced. If the judge decides to reduce the person's minimum sentence by any number of years, the Parole Board can then decide whether the person can be safely released on parole according to the new minimum sentence imposed by the judge. If the judge denies the request, the person can submit a new request in 2-5 years (the judge can set the waiting period at 2 years, 5 years, or anything in between).

Judges are also given discretion to simply screen cases out and deny petitions summarily without a hearing for people convicted of criminal sexual conduct (where the victim was under 13 years of age), child pornography, domestic violence, and human trafficking.

What judges decide to do with this expanded sentencing power will drive the overall effects of a Second Look law in Michigan. This joint project between the American Friends Service Committee and the Ford School of Public Policy covers two broad aspects of this work: First, we present descriptive data regarding the sentences people are currently serving in Michigan. Second, we have used a model to demonstrate the benefits we may achieve upon Second Look becoming law in Michigan.

**Figure 1**

**Ten years: National vs Michigan (served)  
vs Michigan (serving)**

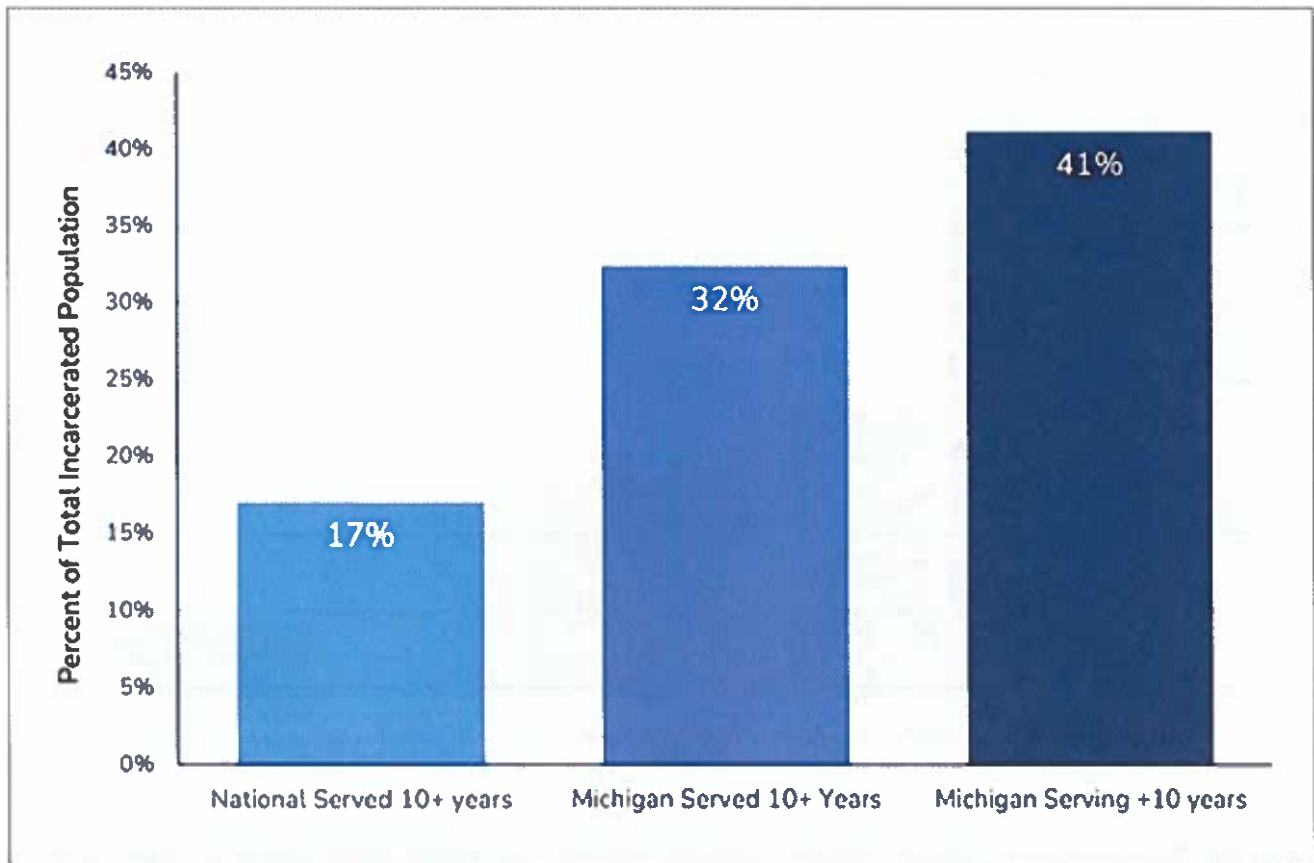
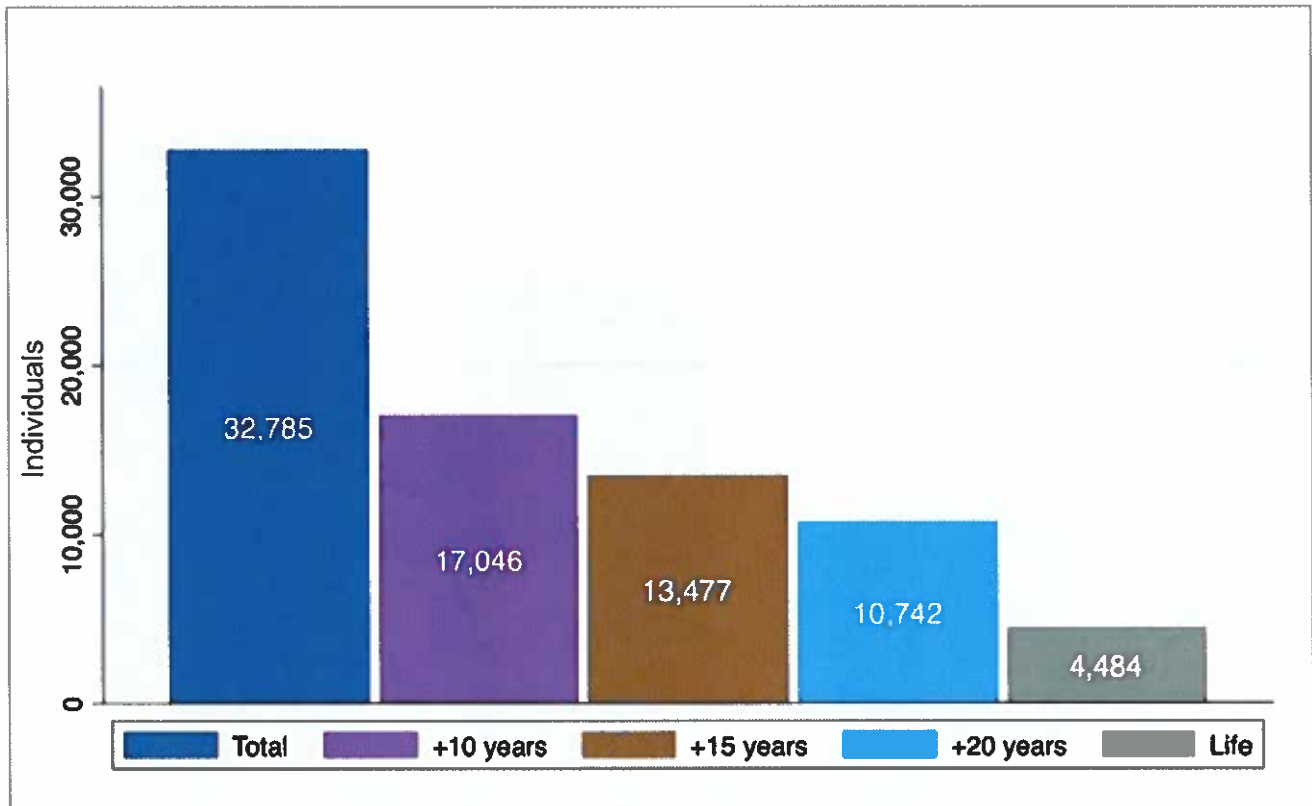


Figure 1 compares Michigan sentencing practices to national figures, focusing on the minimum sentences (where people first become eligible for parole consideration). The first two columns show time served nationally and time served in Michigan; the third column shows the total percentage of the MDOC population that must serve sentences of at least ten years before they become eligible for parole consideration.

**Figure 2**

**MDOC Minimum Sentence Distribution**

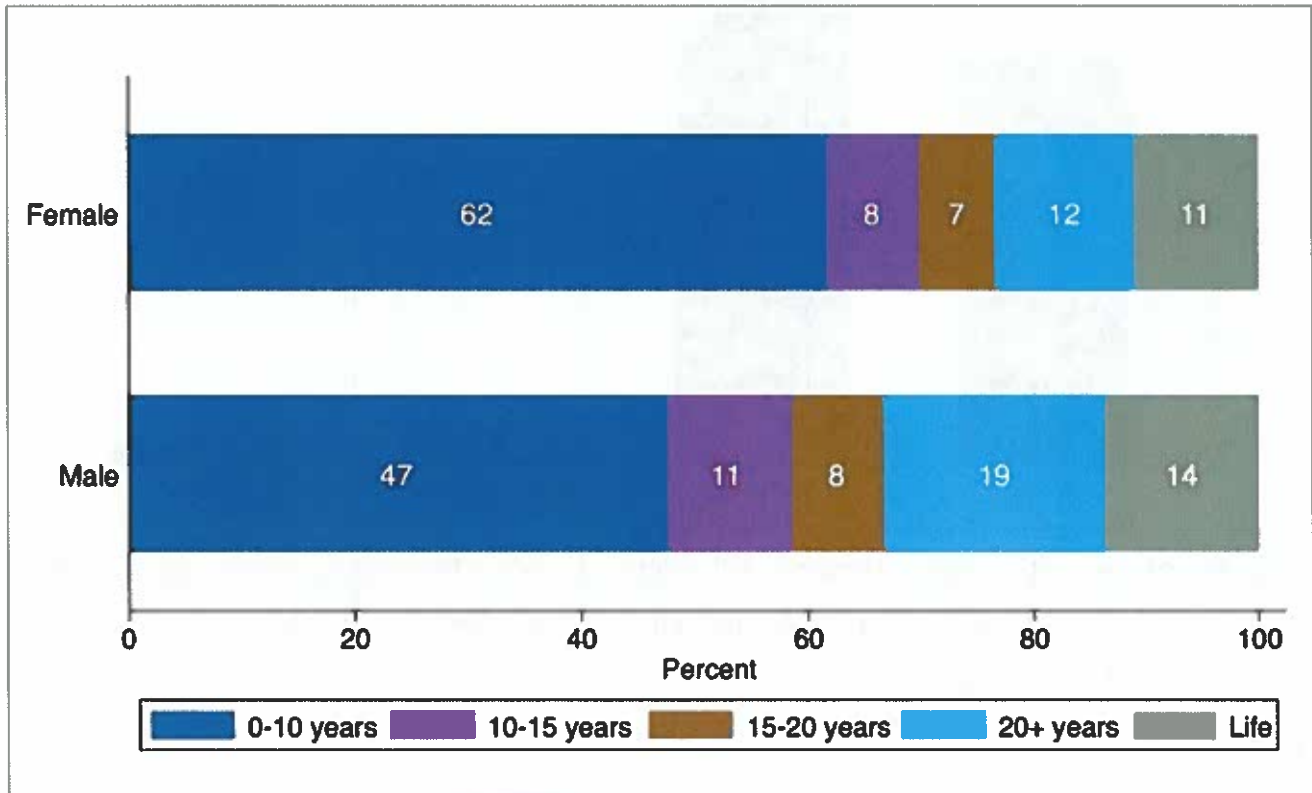


As of September 2023, there were nearly 33,000 people serving prison sentences in Michigan. Of those, this chart shows how many people have minimum sentences of at least 10 years, 15 years, and 20 years. Each of those columns include the 4,484 people serving life sentences.



**Figure 3**

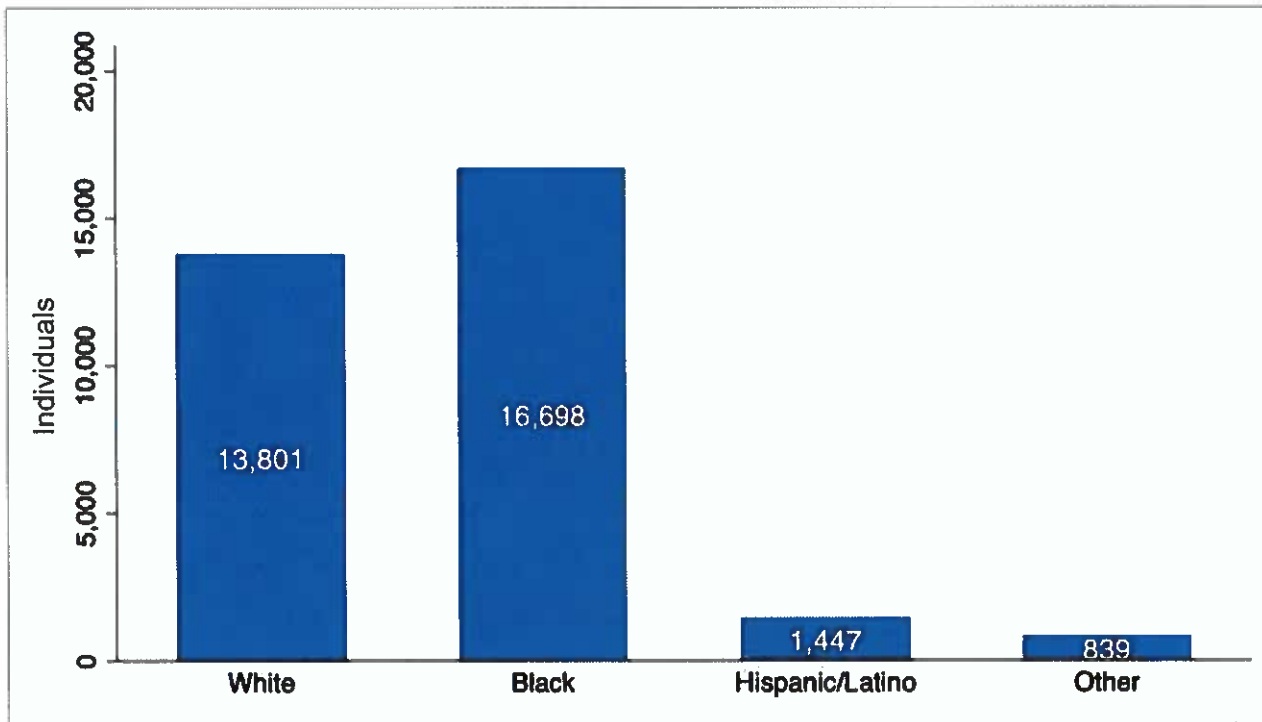
### MDOC Minimum Sentence Distribution, by Gender



Women make up approximately 5% of people serving prison sentences in Michigan. The current MDOC population shows a larger proportion of men serving minimum sentences greater than 10 years compared to the sentences women are serving, but both tables show a greater proportion of these sentences than we've ever seen in Michigan. (For context, in 1990—the apex of “tough-on-crime” policies—only 20% of the entire MDOC population were serving sentences longer than 15 years. Currently, 38% of women and 52% of men are serving such sentences. We use 1990 as a reference point because the MDOC population at that time was just over 33,000, providing a good baseline for comparison.)

**Figure 4**

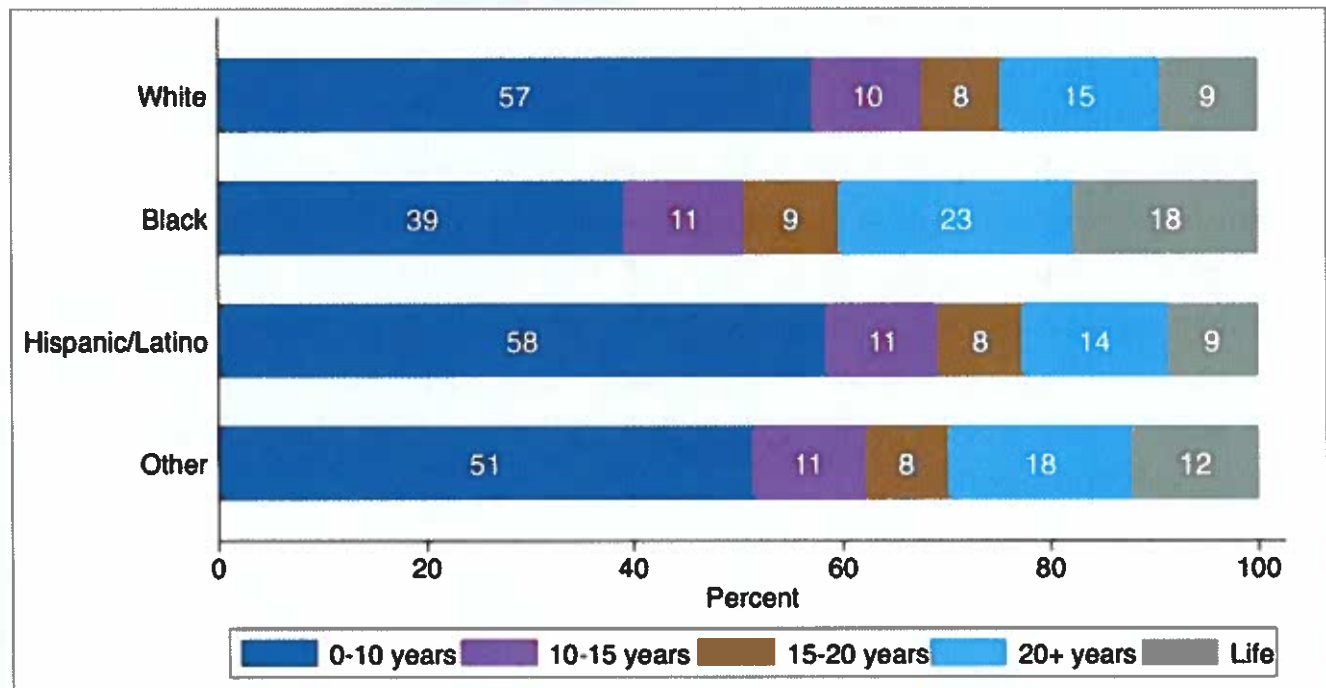
### MDOC Total Population, by Race



The most recent census reports Michigan's race demography as almost 80% white and 14% Black. Figure 4 demonstrates how overly-represented Black people are in Michigan's prisons.

**Figure 5**

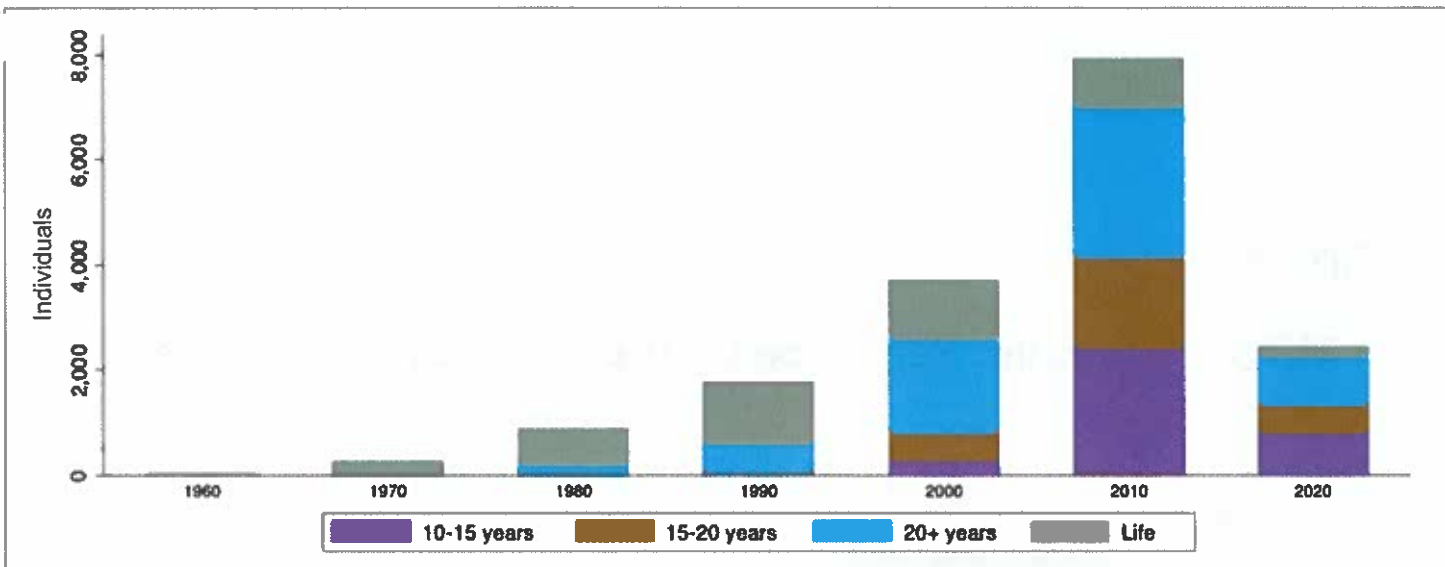
### MDOC Minimum Sentence Distribution, by Race



Current sentences divided by minimum sentence distribution, broken down further by race (as tracked by the MDOC).

**Figure 6**

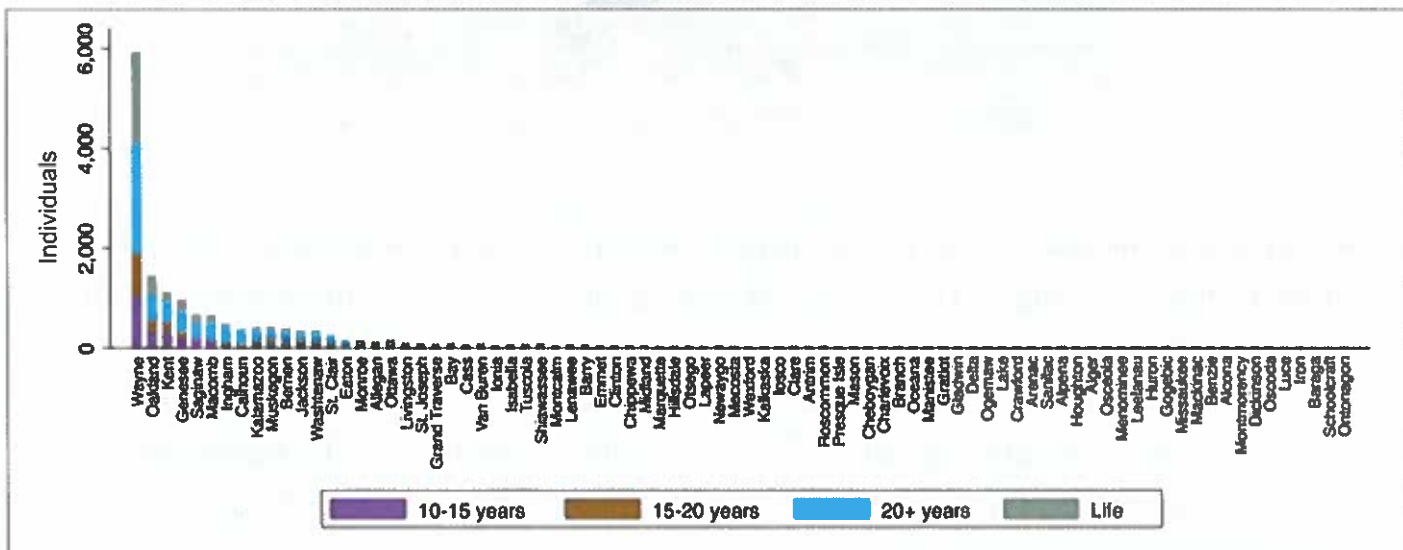
## MDOC Minimum Sentence Distribution, by Decade Sentenced



Many of the sentences included in our analysis are very old. This figure shows that sentences that would be reconsidered under Second Look go all the way back to the 1960s.

**Figure 7**

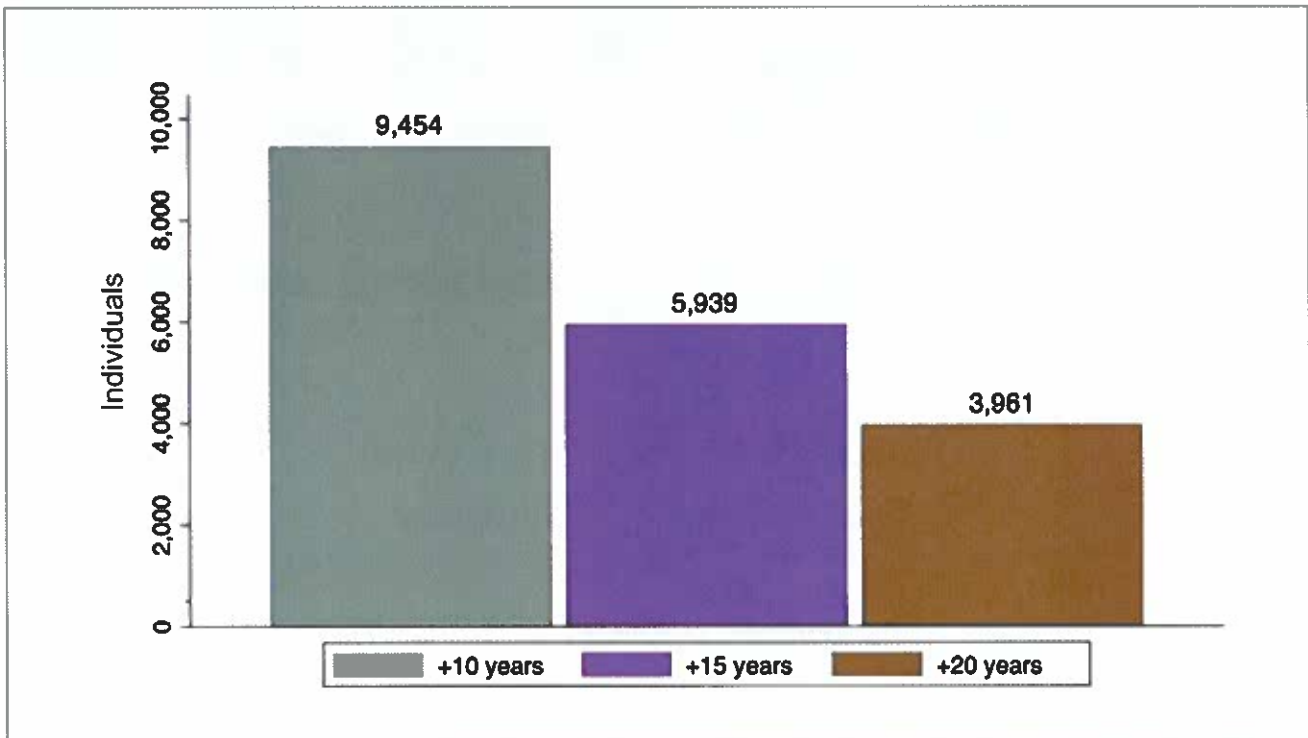
## MDOC Minimum Sentence Distribution, by County



More than a third of all life and very long sentences currently being served in Michigan were handed out by judges in Wayne County. Because Wayne County towers above every other county in Michigan for such sentences (by such a large margin) it is difficult to see how the sentences break down elsewhere. We have included a full list of these sentences by county in Appendix A.

**Figure 8**

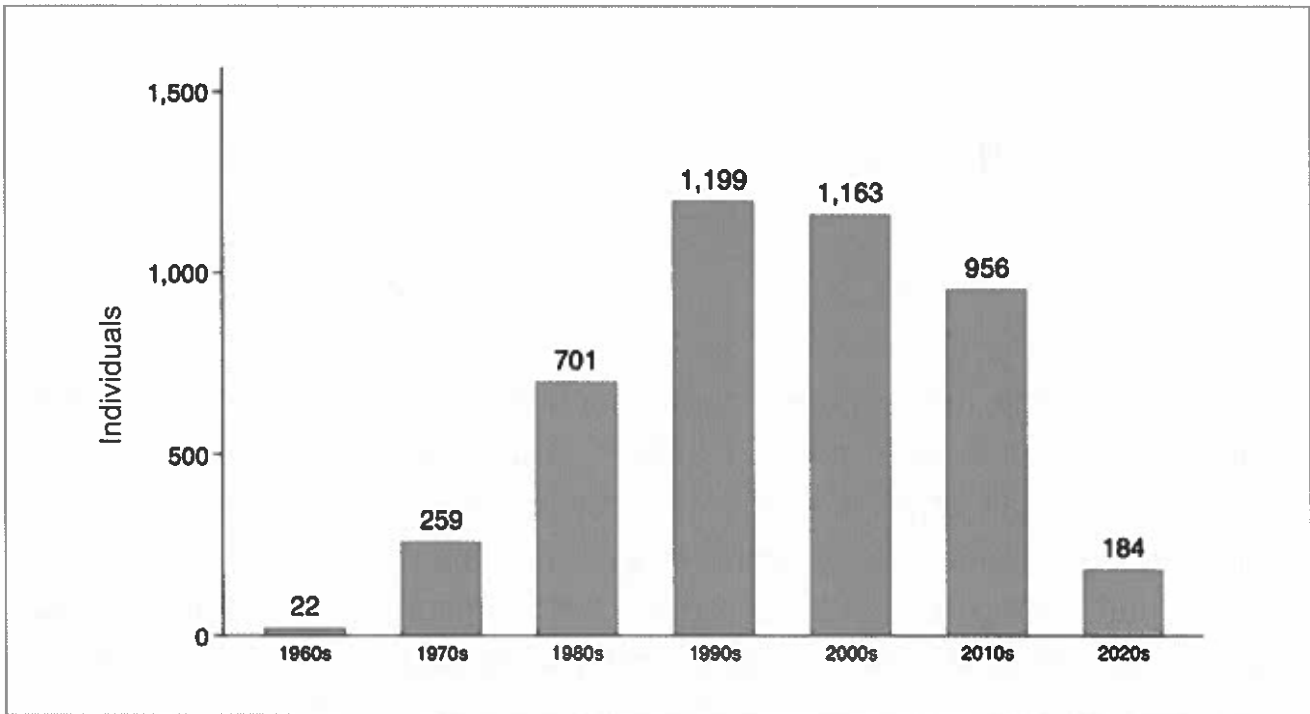
### **MDOC Minimum Sentence Distribution, by Time Served**



Of those individuals serving minimum sentences of at least ten years, this figure shows how many people have served at least ten years, at least fifteen years, and at least twenty years. This figure does not include people who have served that much time with minimum sentences of less than ten years (for instance, someone serving an 8-20 year sentence who has 12 years served due to being denied parole for four years is not included in this figure).

**Figure 9**

**Life Sentences, by Decade Sentenced**



There are currently 22 people in the MDOC who are serving life sentences they received in the 1960s. This figure gives a glimpse of how long some people have served on these life sentences and also shows a downward trend in life sentences being used since the 1990s (the bar for the 2020s, of course, is incomplete, yet we still see numbers decreasing in the 2000s and 2010s).

**Figure 10**

**Our (Completely Arbitrary) Model**

Current Minimum Sentence	Second Look Sentence
15-20 years	10 years
20-30 years	15 years
40-60 years	20 years
60+ or Life	25 years

We developed this model based on historical norms in Michigan. Up until the 1960s, people who were serving LWOP sentences for first-degree murder served longer than anyone else and those sentences were commuted as a general practice once the person served 25 years (see Appendix B: Parole Board Chair Memo to MDOC Director Gus Harrison and Director Harrison Memo to Governor Romney). As such, our model output shows the reduction in MDOC population we should expect if judges reduced sentences on the following schedule: Minimum sentences of 15-20 years are reduced to 10 years; minimum sentences of 20-30 years are reduced to 15 years; minimum sentences of 40-60 years are reduced to 20 years; and minimum sentences greater than 60 years or life sentences are reduced to 25 years. This is not a guideline for how Second Look should be implemented; it is just a model we created to demonstrate one potential outcome. Undoubtedly, there will be variance in how different judges use Second Look in different cases. Some people will continue to serve LWOP sentences until they eventually die in prison. But some people currently serving LWOP sentences will see their sentences reduced drastically (see Appendix C: Judge Schmucker Letter to Governor in Support of LaChante' Mobley's Commutation Application).

**Figure 11**

**Individuals Who Currently Fit Model  
Criteria for Second Look by Gender**

	Men	Women	Total
Not Eligible	25,828	1,557	27,385
Eligible	5,249	151	5,400

If sentences were reduced according to our model, Figure 10 shows how many people would qualify for Second Look consideration AND have served the required amount of time under TIS to be released on parole with their new sentence. For instance, a person originally sentenced to life in 1980 would receive a new minimum sentence of 25 years. Since that person has already served that sentence, they fulfill our model criteria to assume release on parole. Likewise, someone who was sentenced to serve 15-60 years in 2014 would receive a new sentence of 10-60 years—they would then become eligible for parole in 2024 instead of 2029. This person would also fulfill our model criteria to assume release on parole.

It is important to note here that our model is not only looking at everyone who would become eligible for Second Look because they have served ten years. Our model also requires that people have served enough time to assume release on parole when they have served their Second Look sentence (whether that is 10, 15, 20, or 25 years). Figure 9 shows that 5400 people would meet our model's criteria and we will assume release on parole in order to see how Second Look sentencing could help address a number of problems.

**Figure 12**

**Individuals Who Currently Fit Model Criteria for  
Second Look by Gender (50% enrollment)**

	Men	Women	Total
Not Eligible	28,452	1,633	30,085
Eligible	2,624	75	2,700

Text: Figure 11 uses the same model, but only assumes 50% of those eligible for Second Look receive sentence reductions according to our model (and the other 50% receive no sentence reduction at all). At 50% enrollment, we still see a reduction in the MDOC population of 2,700 people.



**Figure 13**

**Facility Closure, Cost Savings, and Corrections Officer (CO) Backfill**

Facility	Capacity	Annual Budget	CO Vacancies
Alger	808	\$31.8m	61.3/166.3
Baraga	868	\$37.8m	60.5/184.5
Cotton	1,692	\$47.7m	83.2/256.2
Marquette	649	\$40.0m	57.5/187.5
Cooper St.	1,282	\$31.0m	52/164
Total	5,299	\$188.3m	314.5

A reduction in the MDOC population by 5,400 represents a little more than the capacities available at Alger Correctional Facility, Baraga Correctional Facility, Cotton Correctional Facility, Marquette Branch Prison, and Cooper Street Correctional Facility (these five prisons have a combined capacity of 5,299). The combined annual budget for these five facilities (as of 2022) was \$188.3 million. That is a cost savings realized anew every year.

Additionally, those five facilities reported a collective corrections officer shortage of 314.5 in the most recent report to the legislature. The statewide shortage of corrections officers is 1031.9, so nearly a third of those shortages come from these five facilities. By closing those facilities down, we eliminate the collective shortage of 314.5 corrections officer positions at those facilities, bringing the statewide vacancy total down to 717.4. But the 644 corrections officers who are currently being overworked at those facilities can transfer and backfill vacancies elsewhere. The overall statewide vacancies for corrections officers would drop from 1031.9 to just 73.4, providing much-needed relief for the staffing shortages that have been challenging the MDOC for so long.

# Appendix A

# Minimum Sentence Distribution by County

County	10+ Min	15+ Min	20+ Min	Life	Served 10+	Served 15+	Served 20+	Meet Model Criteria
Alcona	17	7	4	0	3	1	1	2
Alger	13	10	9	3	10	5	2	3
Allegan	139	109	73	19	78	47	23	43
Alpena	38	24	14	7	22	6	1	5
Antrim	28	20	15	2	17	8	6	8
Arenac	17	14	9	1	5	4	2	3
Baraga	4	2	2	0	1	0	0	0
Barry	74	48	31	9	22	11	9	12
Bay	116	92	69	29	87	53	31	54
Benzie	14	12	12	8	8	6	3	3
Berrien	397	298	234	94	224	137	92	108
Branch	39	30	20	10	23	18	13	16
Calhoun	378	332	266	88	261	165	96	143
Cass	78	61	48	14	39	19	11	16
Charlevoix	30	15	13	3	12	7	4	7
Cheboygan	28	19	14	4	10	6	4	7
Chippewa	60	42	31	12	31	17	13	13
Clare	39	26	17	4	14	4	3	5
Clinton	57	35	26	7	16	12	9	6
Crawford	20	12	11	3	15	4	3	5
Delta	16	13	13	4	9	4	3	3
Dickinson	13	8	5	2	6	6	2	3
Eaton	151	116	98	30	77	51	38	44
Emmet	52	32	23	3	19	11	5	9
Genesee	984	794	658	276	629	416	290	341
Gladwin	29	23	13	4	15	5	5	6
Gogebic	30	11	8	3	8	6	3	2
Grand Traverse	83	59	48	8	36	16	9	12
Gratiot	30	21	13	4	19	7	2	8
Hillsdale	41	29	25	8	27	16	11	14
Houghton	10	9	8	2	7	5	4	5
Huron	14	8	6	1	9	3	1	4
Ingham	486	388	302	103	277	165	105	145
Ionia	64	48	42	12	33	19	14	19
Iosco	23	18	14	1	9	7	5	6
Iron	9	7	6	4	3	2	0	0
Isabella	64	48	34	5	37	17	8	15
Jackson	352	283	217	86	209	132	86	110
Kalamazoo	419	340	279	115	262	158	92	120
Kalkaska	34	26	21	8	18	11	5	11
Kent	1,132	851	664	259	642	349	207	280

# Appendix A

# Minimum Sentence Distribution by County

County	10+ Min	15+ Min	20+ Min	Life	Served 10+	Served 15+	Served 20+	Meet Model Criteria
Lake	17	12	11	3	14	9	9	8
Lapeer	52	40	34	18	30	23	17	16
Leelanau	13	9	7	2	5	3	2	2
Lenawee	88	71	56	34	65	32	19	22
Livingston	118	90	64	16	64	37	23	34
Luce	3	3	3	1	3	3	1	1
Mackinac	6	5	4	0	1	0	0	1
Macomb	671	516	419	179	337	197	115	175
Manistee	20	16	15	6	8	5	4	5
Marquette	50	37	32	15	28	19	16	12
Mason	31	18	12	2	15	7	2	3
Mecosta	39	32	28	13	29	20	11	14
Menominee	13	9	9	4	8	4	4	4
Midland	65	43	32	14	31	19	13	12
Missaukee	7	5	5	1	3	2	2	2
Monroe	164	105	81	27	96	61	39	47
Montcalm	63	50	39	13	39	29	14	20
Montmorency	12	12	10	7	9	7	5	6
Muskegon	421	342	241	90	285	161	100	161
Newaygo	50	35	23	8	14	6	3	5
Oakland	1,454	1,157	923	375	994	587	356	494
Oceana	24	19	11	2	13	6	5	8
Ogemaw	18	17	10	2	10	7	5	6
Ontonagon	5	3	2	2	2	2	2	2
Osceola	20	10	7	2	5	2	0	0
Oscoda	15	8	8	6	6	5	4	2
Otsego	37	27	18	2	17	12	8	12
Ottawa	177	130	85	37	65	34	21	27
Presque Isle	23	17	14	3	12	3	2	5
Roscommon	29	17	13	1	12	6	6	5
Saginaw	683	574	473	222	472	265	180	233
Sanilac	27	17	11	4	9	3	2	1
Schoolcraft	8	5	3	2	5	2	2	1
Shiawassee	110	71	47	20	45	22	16	28
St. Clair	269	202	143	51	144	78	38	74
St. Joseph	108	82	61	21	66	44	26	35
Tuscola	84	60	36	8	38	17	10	20
Van Buren	112	82	60	27	58	26	18	24
Washtenaw	350	269	211	95	245	156	85	107
Wayne	5,941	4,898	4,049	1,890	4,018	2,652	1,826	2,136
Wexford	27	22	17	4	22	16	7	14

October 1, 1964

MEMORANDUM

To: Director Gus Harrison  
From: Leonard R. McConnell  
Subject: Pertinent facts about the Murder First Degree Program, with particular reference to the current administration  
Purpose: This is prepared at Director Harrison's request to serve as a basis for writing a letter to the Governor explaining our Murder First Degree Program.

I - Procedure

The Michigan Parole Board employs a very careful screening procedure as applied to murder first degree cases. We have an annual review procedure whereby all five Board members sit down once a year and devote about two weeks exclusively to the review of murder first degree cases. We do not consider for processing such cases until after their 15th year. However, under our current program we do interview them in their 10th year and receive annual reports every year thereafter. This means then that generally we have reviewed many times on an annual basis all cases before they are set up for the public hearing and recommendation to the Governor. As a rule we require unanimous Board approval for favorable action. There are currently 244 cases under our annual review program (31 of these are at Ionia State Hospital).

II - Success of the Program

Our murder first degree program is most successful. We have a far greater rate of success than is true of any other category of offenders. Since 1938 we have had six violators (mostly technical) out of about 286 paroles. Our experience and the high rate of success in Michigan is not unique, since other jurisdictions report similar success. In brief, this means that all murder first degree cases paroled represent excellent risks.

III - Time Served

The average period of time served by our murder first degree cases is about 25 years. More recently the Board has

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released somewhat sooner. Our feeling has been that men should be released while they are still productive and that it is more humane to do so. However, it is still our feeling that we should not consider murder first degree cases prior to the service of 15 years, and generally we require something beyond that.

#### IV - Executive Response to Parole Board Recommendations

Over the past 15 years the Executive Office has generally accepted our recommendations and acted favorably. There were two denials during the Williams' administration and two during Governor Swainson's administration. Governor Romney has denied the following:

##### 1963

John Lewis, A-46140-J  
John Abbatoy, A-57205-J  
Gordon N. Rolland, A-44428-M

##### 1964

Sanford Callier, A-75022-J  
Isaiah Perry, A-67015-J  
Al. J. Meyers, A-64503-J  
Wallace A. Wilson, A-64796-J  
Richard H. Gorman, 67278-C  
LeRoy Reynolds, B-43137-J

#### V - Number of Commutations

During the early years of the Board's participation in the commutation program a very conservative number were processed. However, since 1959 about 25 cases have been commuted annually. In 1963 Governor Romney commuted 24 - thus far this year there have been 10 commuted. There are 11 cases pending in the Governor's office and four being typed up to send over.

#### VI - Significance of the Commutation Program to the Total Corrections Program

Since murderers serve long periods of time in prison, they become quite well-known by all of the personnel and the inmates. Also they generally compile very good records. Because this is true, they wield tremendous influence on other inmates and on Corrections generally. Therefore, any action taken regarding their commutation has considerable impact on the rest of the inmate body. A denial generally has a very negative effect on inmate morale and the image of Corrections. Also, frequent denials make it rather difficult for the Parole Board to proceed in an orderly fashion. In the past, a public hearing and recommendation from the Board has generally meant favorable action. Further, a reasonably quick response to a Parole Board's recommendation is helpful, since a long delay creates much anxiety on the part of the offender involved and all other interested parties.

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SUMMARY: The Board employs a very conservative and careful screening policy regarding murder first degree cases and our success rate, we feel, justifies and supports our decisions. The trend in dealing with offenders is more humanitarian; accordingly, we feel our handling of murder first degree cases is consistent with the public interest. If more guidance from the Governor's Office is possible, the Parole Board would welcome it, since more danger results from denial than if such cases were not even submitted. Since the Board views its function in Executive Clemency as largely advisory, we are eager for a closer liaison in such matters. Anything we can do to work toward this is desirable.

*hold*

October 5, 1964

**Personal**

Honorable George Romney  
Governor of Michigan  
Executive Office  
Lansing, Michigan

Dear Governor Romney:

Recently I discussed the murder first degree program with Walt DeVries. I expressed some concern about its present state. Walt thought I should forward my comments to you; so at his suggestion, I make certain observations about this program.

As you know, the Parole Board carefully screens murder first degree cases. All cases are reviewed annually, and the Board will devote almost two weeks to the thorough review of those. Every murder first degree case is interviewed after service of ten calendar years, but cases are not considered for processing until fifteen calendar years has been served. Presently, there are 244 cases given this annual review.

The program has been extremely successful. Lifers not only make the best inmates, but also the best prospects for rehabilitation and successful adjustment in the community. Since 1938 we have had only six parole violators out of 286 paroles. Michigan's high rate of success is not unique, but comparable to the experience of other jurisdictions.

The Parole Board has expressed to me its concern over the reaction to their recommendations. This does not mean that the Board feels that the Executive Office must always agree, but prior to 1963 only four cases were denied by the Governor, but during the past 20 months nine have been turned down. Further, there is a considerable backlog of these cases in the Executive Office. I share the concern since the commutation process has considerable impact on the inmate body. Denial has a negative effect on inmate morale and also on the employees from the custodial officer up through the Parole Board - all responsible for a favorable recommendation for commutation to you. A long delay in processing commutation cases

Page 2  
Honorable George Romney

October 5, 1964

creates much anxiety on the part of the offender and his family. Quite often, community programs which have been tentatively arranged disappear if too much time elapses during the processing of the case.

The Board feels that it is quite conservative and careful in screening cases. Of course, they point to their success rate to justify their decisions. The Board has discussed with me the possibility of further guidance from the Executive Office. The Board's function is, of course, advisory to you, but it would rather not submit cases which have no chance of going. Is it possible to work out more specific guidelines for the Board so that there would be a closer agreement on what type of case would receive favorable action?

I respectfully submit this matter for your consideration.

Respectfully yours,

DEPARTMENT OF CORRECTIONS

Gus Harrison, Director

GH:jm

cc: Mr. Walter DeVries



**Chad Schmucker**

Attorney at Law, P27883

December 20<sup>th</sup>, 2023

Re: LaChante Mobley Commutation Request

I am writing again to support LaChante Mobley's request for a commutation. I was the trial judge for both defendants.

The basic facts are not in dispute. LaChante Mobley's son died as a result of child abuse by her boyfriend, Anwar Benin. LaChante Mobley was present during the incident. The prosecutor requested a separate trial for each defendant for evidentiary reasons.

Her case was tried first. The jury found she allowed or encouraged the excessive discipline, so she was found guilty of first-degree child abuse and felony murder. I sentenced her to the mandatory sentence of life without the possibility of parole.

Anwar Benin's different jury found him not guilty of murder and he then pled guilty to child abuse in the 2<sup>nd</sup> degree and received the maximum sentence under the guidelines of 24-48 months.

Both defendants were represented by competent counsel. Neither counsel engaged in a high-risk trial strategy. The same prosecutor tried the cases and the same witnesses testified. But there were different jurors, and they viewed the evidence differently. The investigating officers, prosecutor and court staff were dumbfounded when Benin's jury found him not guilty of the serious offenses.

LaChante Mobley was tried and sentenced before Benin's trial. The law did not allow me to reopen LaChante Mobley's case or re-sentence her because Benin's jury found him not guilty. Her sentence is not legally wrong, but I am deeply troubled by the injustice, and I hope you agree.

I have spoken with both the assistant prosecutor and the detectives involved and I do not believe they are opposed to a commutation.

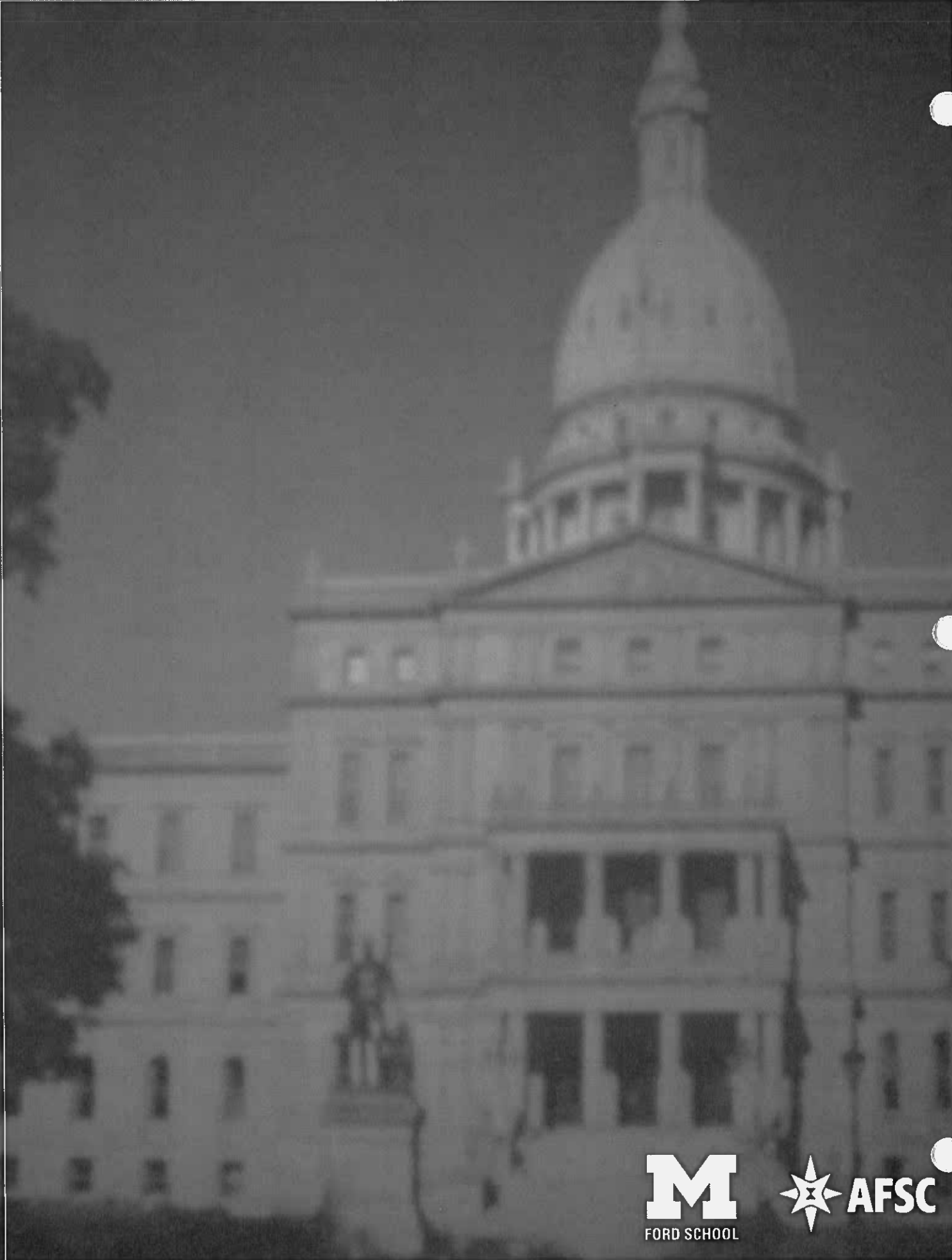
I have been told that LaChante has had a discipline-free record at MDOC, but I would be supporting this request even if she did not.

This is the only request for commutation or pardon I have requested. I served on the circuit bench in Jackson for almost twenty years and handled hundreds of serious cases. After leaving the bench I served as Michigan's State Court Administrator for three years and then as the President of the National Judicial College for four years.

Judges are often required to impose a mandatory sentence even if it seems unjust; we are a rule of law country. This sentence does not meet most people's standard for justice, and I urge you to commute the remainder of her sentence.

I would be glad to answer any questions you have about this case.

Judge Chad Schmucker (retired)



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**From:** JOSEPH DIXON  
**Date:** 2/28/2024 5:37:41 PM  
**To:** Cozine Welch

**Attachments:**

34 yrs in one page  
Thank you for the March 14th notice, I am on top of my part.  
My name is Mr. Joseph S Dixon, in 1989, at age 22 I fatally shot and killed a man during a attempted petty drug transaction, he didn't like the size of my rock cocaine. I got angry, punched him, knocking him to the ground then shooting him in the head because of my then quick temper and bad attitude.

What I did was intentional and I knew that it was wrong, but it was 18 yrs before the full reality of my intent to actually kill a man would become soberingly surreal and repulsive.

Please allow me to briefly explain; How I could get to the point of killing (a person) a innocent man.

I was 7yrs old when my father, age 26 was killed by my grandfather. Around 11yrs old I learned that it was my grandfather who killed my father, it was then I vowed vengeance on my grandfather, to kill him for killing my father.  
From that moment, pre-teen into mid-teens I became mischievous and violent and dangerous outside of my household, toward myself (drug & alcohol abuse) and others in order to have the courage to one day kill my grandfather; adopting street codes and mannerisms. Gradually dismissing my home upbringing.  
When the time came for me to fulfill my vow of vengeance I was met with a shocking account of awareness from my grandmother (mother of my father and wife to my grandfather) concerning my father's anger issues and constant threats that provoked and scared my grandfather, resulting in my fathers demise.

At that time I aborted the mission to kill my grandfather. But I lived up to being quick tempered and angry, even until the day I fatally shot my victim in this case which led to my being sentenced to a LIFE sentence w/o the poss. of parole; for first degree premeditated murder.

For years I lied about my involvement in my crime due to a fact that I was afraid of facing Life in prison.  
I lied to the Innocent Clinic, and received two student attorneys to help me, but as they awaited my trial transcripts I was called from my Control Center porter detail to Segregation where I doubled as a "on call" porter to do a horrific blood spill that took me 4 and half hours to finish.

By this time I had completed several self help classes like Conflict Res., Critical Thinking, Anger Management, Becoming a person of Influence, Substance Abuse Awareness, Mediation Training, Mentorship Training and more...  
(3 Misconducts in whole, non-violent)

I had long since been returning to the principles, manners, ethic's, values... that I was raised to exhibit  
The programs and courses helped me to examine what true empathy, remorse, regret and accountability should look like in my life.  
And as a man of faith, while doing the blood spill I believe that God told me to "stop lying and to tell the truth", this time I heeded.  
Writing the Innocent Clinic Project, parole board, successor judge at the time confessing my lying, deceitful actions.  
Unlike my father who never got to mature out of his misguided anger and bad attitude, it is unfortunate that someone lost their life in order for me to experience my growth.  
I deeply and humbly apologize for killing a being that belong to God, of which I have NO rite to harm or kill.  
As if it was not bad enough that I killed a man, on top of that to lie about it. It felt like it was my truth that helped me become a "man", facing my fate, putting away childish ways. A mans life was taken by my hands, and now, age 56, I cannot bring my victim back, but if I were ever to be granted relief I'd be more than grateful with that second chance to get it right  
Sincerely, Mr. Joseph S. Dixon

P.S.  
Just wanted to share

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My name is Tashiena. I am one of many incarcerated women housed within the Women's Huron Valley Correctional Facility, who would like for you to take a few moments to develop a vested interest in the humanity we all share in common with your own.

I am writing to share more about women I live with and have lived with here at the Valley. To cross paths has been a saving grace in the hardship of long incarceration. Our paths are paved with love, kindness, compassion and mercy for those of us who may have made poor decisions in our pasts. Paths designed for each of us to walk, at our own pace, with our heads held high, because although we may have made some poor choices in our pasts, we are so much more than that which may originally meet the eye, and we most certainly deserve a second look.

Lawanda Hollister is a woman who was formerly incarcerated and housed here with me as my neighbor. I met Lawanda years ago when I first arrived here. I had always known her to be a fun loving, charismatic woman with the most creative ideas on how to get women interested in tapping into their own creativity. I did not get to know the story surrounding her case until she became my student in a 25 and under class I was teaching through Chance For Life. Lawanda was well beyond the age of 25 when she signed up to participate in this class. As she had already served over thirty years of her life for harms she caused when she was a teenager. Most non-visionary people could not understand why I would have selected her to participate as an older person in this class. I however, saw something in Lawanda, that sometimes Lawanda is unable to see in herself. And I knew that her participation, as a student, (whose ability to be loved on, as a young 25 and under person was stunted by circumstances beyond her control, before and after her incarceration) would be the eye and heart opening material I needed to get through to the kids in the class. Lawanda sharing her gifts and talents, in the way that she did, while also demonstrating accountability for her past actions was phenomenal. Lawanda was able to openly share insight she gained into how her lack of love for self-fueled the overwhelming desire to be loved by a man. This man was also incapable of loving her. I still remember the look of such sadness in Lawanda's distant stare, each time the realization hit her that she personalized this man's inability to love her, as being somehow her fault, something she could do better, if only she could convince the other woman, whom this man was also seeing, was actually her man. Until this moment, I had never heard Lawanda acknowledge the fact that this man had never been anything near "her man". He was her pimp, who never loved her, and had served as the only kind of love she had ever known, someone taking what was precious and sacred and turning it into a commodity. Although, this may have been Lawanda's first time sharing these insights publicly; these were truths which had set her free to be her best self years before. However, Lawanda was sentenced to a Long Indeterminate Sentence as a teenager, not Life. So, she was not afforded the opportunity, under the changed Juvenile Lifer Law, to present the mitigating circumstances which were definitely a part of her case. Nor could she present the

transformation she had experienced while inside as proof of her deserving of a second look, well before her 40-year minimum.

A second look for Lawanda would have meant the community of Washtenaw county would have been blessed with her amazing presence long before now. It may have also meant 30 years less without the trauma she endured growing up within the dehumanizing conditions of mass confinement. Trauma she will forever need to process through with her therapist at home.

I share Lawanda's story with you because it is triumphant, and she is a shining example of the women here at WHV deserving of a second look.

Donnell Miracle is another woman you should know. Unfortunately, Donnell has not yet been afforded the opportunity to demonstrate the awesome woman she is because she was sentenced to life without parole, and the parole board does not have a policy which provides for serious consideration of women sentenced to the highest penalty of our state. Donnell is one of the many talented women who works for Michigan State Industries hand crafting artificial teeth to give men and women across the state a new sense of self-worth after having lived without them. Every woman can relate to feeling our best when our appearance is at its best. I have witnessed the care and attention to detail that Donnell puts into her work and the effect that hard work has on each woman who comes out of the dentist aglow from a new sense of pride in her appearance. I have also witnessed Donnell put forth the never-ending effort-laden work of rising above the debilitating effects of living with the fact that her past reactions caused the life of another human being to be no more. My introduction to Donnell was more indirect than that experienced with Lawanda.

I met Donnell through the eyes of one of my very best friends who worked as a mentor with me in the prison's Residential Substance Abuse Treatment program. A program we both needed to utilize as a means to work through the many traumas we experienced, prior to prison, in order to help mentor others. It was during this time that I came to understand that Jennifer and Donnell were codefendants who had both experienced serious life altering traumas prior to meeting one another, which in my opinion is what drew them together. I remember watching Jennifer, in her thirties, still struggle with wrapping her mind around how what she had done was a robbery and not merely a stealing. In her mind, as a teenager, she was just taking a few dollars from the old man who was always inappropriate with her. And she thought leaving her friend, Donnell, out in the living room to deal with his inappropriateness would certainly keep him occupied while she swiped a few dollars for the two of them to spend on booze later. No harm, no foul.

What Jennifer didn't know, or expect, was that Donnell had suffered extreme forms of physical and sexual violence at the hands of dirty old men, just like the one she was left alone with her

whole life, and at the exact moment this man placed his hand on an area of her body familiar to the violence inflicted there in the past, Donnell reached for a near-by knife and did not regain consciousness until sometime later when she was told she had stabbed a man to death. For my friend's part in this tragedy, she received a life sentence without parole. And once the law around juvenile life sentences changed, she was afforded the opportunity to go back to court, present mitigating circumstances, along with her exemplary prison record and be resentenced to a number of years, making her eligible for parole immediately. Jennifer has been home for several years, successfully completed her parole and is living her best life. Donnell, who was over the age of 18 remains in prison, unable to present her mitigating circumstances and exemplary record because she was 21. A second look would give Donnell a second chance for healing and recovering in America with the newfound wisdoms she has acquired after almost thirty years of punishment. A second look would also mean reuniting her with her children.

I could go on and on about not only the strides many of my inside neighbors have made to be more than these circumstances would have you believe are. I could also share with you all of the transformative work I have done on myself. I would rather close out by telling you firsthand, I am not perfect. I have made great gains and suffered many losses. Mostly at my own hands. And I still push my fingers to these letters mapping out the many wonderful women who live here that not only supported me during my successes but also loved me through my failures. Friends like Sharon Hunter. I would also like to make it clear that I would not have been able to grow beyond my own poor self-image, if it were not for some of the stand-up staff members that have worked here, that believed in me and gave me a chance when my sentence said that I did not deserve that. I was only able to participate in the many programs and treatment that I received because some person in authority authorized me to do so. I am sure many of them who know me will say it is about time that I acknowledge them for this because I have a tendency to give them all a hard time. And rightfully so! We must all strive to do better. Because to whom much is given, much is required. I know this. Which is why I promise to not let any of you down.

Sincerely,

Tashiena L Combs-Holbrook 304622

Hello my name is Mercedes L. Kemp . I am currently incarcerated at the women's Huron valley correctional facility, where I've been for eleven years now . I am personally connected to an amazing woman and advocate by the name of Natalie Holbrook, at American friends service committee, who always seems to give me just what I need spiritually to remain motivated.

Please take a moment and allow me to introduce you to a few of us. I have managed, against statistical odds, to complete many groups during my incarceration. Chance for Life gave me critical thinking, conflict resolution and effective communication skills. Healing Trauma helped me to come to terms with the effects of my childhood trauma which contributed to the dysfunctional relationships I chose to engage in prior to prison. Restoring Broken People 1 and 2 has contributed greatly to me finding my worth again after the death of my son truly devastated me. I continue to engage in N.A and A.A because I understand that recovery is a process not an event. I am currently enrolled in Jackson college and will graduate in June 2024 with my associate's degree. I will then attend Eastern Michigan university to obtain my bachelor's degree . I've completed two classes with Eastern Michigan university back when classes were offered by volunteer alumni. Women's Gender studies and psychology of women. I also completed Celebrate Recovery and multiple book clubs with women I live with who came together, with the assistance of AFSC, to do for ourselves. I'm working to put together a proposal for a self-esteem group that will teach women to know their value and how it directly, negatively impacts the quality of their lives to operate from a valueless base. I facilitate Narcotics Anonymous on Monday nights and I'm currently on the waiting list for the Domestic Violence class , which I would return to teach after completing the course. I cook and host bake sales, praise dance , style hair and workout daily . I read self-help books to pass my free time in order to remain centered while also encouraging other women I meet .

My mother, who is my number one supporter began a family-owned business she named in my honor Sadey's Place because she knows my desire to give back upon my release, the way I have given my heart to the women here. Sadey's place is a reentry program for women leaving prison . To learn more about Sadey's Place please feel free to contact Ladonna Morrell my mother @ 517-715-7132.

There are over 30,000 prisoners all over Michigan that will have the potential to benefit from second look. One that I know personally is Angel Pringle # 583073 . This woman is beyond phenomenal, she has been incarcerated for over 18 years, has maintained steady employment for over 11 and is currently enrolled in Jackson college, graduating 2025 with an associate's degree. Angel is a mother and has motivated people striving to better themselves as she has worked hard to better herself. Angel's motto is to not allow the past to paint the picture for our future, knowing each day is the start for a new beginning.

There will never be a time when everyone will agree with the justice system but with second look it will open the door for many people to show and prove that they can be rehabilitated back to their communities.



Michigan needs relief and second look is 100% the way to go . It is our prayer that you will go on our behalf equipped with a deep, visceral understanding of the amazing women you are advocating for. We believe you would be greatly impressed if you were to come join us during an NLA meeting here at WHV.

Thank you for your time and attention and may God bless you in all of your endeavors.

Sincerely,

Mercedes Kemp

Hello, my name is April Juarez #645205, and I was referred to you by Natalie Holbrook the Director of American Friends Service Committee-MI. I am the chairperson of the sentencing reform committee through National Lifers OF America (NLA) chapter 1014. This organization is within all Michigan State Prisons. NLA consists of 8 committees that cover a multitude of prison reform efforts. The sentencing reform committee is a team of woman who focus specifically on sentencing reform, by raising awareness of the major mass incarceration epidemic in the state of Michigan. We write letters asking for support from state legislators on behalf of bills that offer alternative sentencing such as SECOND LOOK and GOOD TIME. Our main goal is getting law makers to see and believe that restoring good time or passing bills such as second look will not compromise public safety.

The reason I'm reaching out to you is to help inform your efforts as you lobby for SECOND LOOK! I believe together we can be the change! I wanted you to understand what it would mean for me and my family if second look passes. I would be reunited to my family! I would be able to impact my children's lives in a very amazing way. Together we could change the course of our family legacy. I came to prison at the age of 22, and I have served almost 14 years on a 20-year sentence. I am now a 36-year-old woman. I was once told that there are two kinds of people in prison. "The ones who only pass time and those who use time!" I thought about what that really meant over and over. In my opinion, time is power and it's up to us to use it by making it work for us or just let it pass. I have used my time here at Woman's Huron Valley to understand and rehabilitate myself. I've grown from my mistakes by focusing on my growth and development. In that process I learned what you tend to focus on expands. So, I kept digging and working to gain insight on how and why I followed a path that led to such pain and destruction for so many.

First, I learned how to overcome, by unlearning certain behavioral and thought patterns so that I could become a good woman, mother, daughter, sister, and friend. From there my character kept building, making careful judgements, thinking before acting, and maintaining a positive mindset. I found outlets coping with any negativity or frustration by running, listening to music, writing, meditating, and yoga. Even though access to programming is limited for people serving my long sentence, I actively took advantage of every opportunity which came my way, including working with other women to create learning and growth opportunities for us, all while maintaining meaningful employment. One of the many women here at WHV who are transformed because of their own tenacious incentive is my friend Paula Bennett #691313 who has served 16 years. She has been working for years in our educational building serving her community as a GED tutor, one of her many talents.

Inmates, such as me, and Paula wake up every day with a life sentence or a long indeterminate sentence and choose to use our time wisely, and in a productive manner. Regardless of the possibility of an early release or even a parole. That's because we know one choice does not define who we are!

Michigan spends 2.2 billion annually keeping people locked up. This has not dropped our crime rates nor does keeping people in prison longer result in public safety. We can increase public safety by building people. Investing time and money into our schools, vocational training, and higher education. Huron Valley Women's has been chronically understaffed. Right now they are experiencing a 30% vacancy rate, this includes being 103 correctional officers short (they are supposed to have 344 on staff). Recently, there was an article on MCO-SEIU's website about WHV. According to this article, the biggest fear the staff have is driving home after working a 16-20 hour mandated shift. The staff express over and over that falling asleep at the wheel was dangerous NOT the inmates; meaning we are not management problems and the least of their worries. What these officers are not allowed to say is that we, the women incarcerated, are the people who protect them by allowing them to take naps in their office, or where ever they are stationed while working, so they can return home as safe as they were while here on shift. I say that not to get anyone in trouble because we incarcerated understand they are over worked. I tell you this so you're aware that we pose no threat to them or society as a whole. If we did pose a threat, we could have taken over the prison long ago. Staff are not in fear for their lives. In other words, officers would have to be on constant guard, not sleeping peacefully! It's unnecessary to

keep us in prison; it does not take a person 20 years to be rehabilitated. When someone is truly sorry for what they did they will never do it again. This is why SECOND LOOK is imperative!

Thank you for your time and consideration to this matter.

Respectfully,

A. Juarez  
3201 Bemis RD  
Ypsilanti MI, 48197  
email: [www.JPay.com](http://www.JPay.com)

My name is Quiana Lovett #779728, I'm currently incarcerated in Women's Huron Valley located in Ypsilanti, MI. I am the Chairperson of the Domestic Violence Committee in National's Lifer's of America Ch. 1014

I am writing this letter to convey to you the importance of passing Second Look Legislation in the State of MI. The passing of this legislation would impact lives of many people that are currently incarcerated. For me and my family Second Look would have allowed me to attend my son's funeral in 2021. It would give me the opportunity to give back to my community, my family, advocate for prison reform and domestic violence.

For the more than 1/3 of people that are being held in MI's state prison serving more than 10 years, it would also give them that same opportunity. This past June I graduated with my Associate's Degree in Business Admin, and have recently been accepted to attend Eastern Michigan University to obtain my bachelors' Degree in Entrepreneurship. I am a graduate of Chance 4 Life, facilitate Domestic Violence and work hard to maintain a positive mindset despite the things I have endured. As the Vice-President of Student Voice Council, I get to work with our President, Katherine Wright-Woods, who has been incarcerated for over 21 and a half years. She has worked as a School Tutor since 2008. She is a Chance 4 Life graduate and is also enrolled in EMU. Her commitment to do better and show up is evident every day.

MI spends 2.2 billion dollars annually keeping people locked up. These monies can be used for education, vocational training, afterschool programming breaking the school to prison pipeline. These funds can also be used to fund the Tiny House Community, an alternative to incarceration, transitional housing such as Sadey's

Place, and the Genesis House.

As I close this letter, I hope you see that the passing of Second Look is imperative to the State of MI.

Thank You for reading this letter. We also invite you to attend a NLA meeting.

Thank You

Quiana Lovett



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**From:** RETTA HUGGINS  
**Date:** 3/14/2024 5:13:19 PM  
**To:** Skylar Gillette

**Attachments:**

I am Retta Huggins. I am 49 yrs old and have been incarcerated for 30 yrs now. I was convicted of aiding and abetting to felony murder. what the second look bill would do for me is allow a judge and prosecutor to hear and judge me on MY culpability. My actions, not my co defendants. My codefendants were tried and convicted as the principals in our case. Under the letter of the law aiding and abetting receives the time for the felony. I caused no death. nor caused a foreseeable death.

I am in no way excusing myself of any guilt. or inactions on my part. what I am asking is that you take in consideration that I was convicted for the actions of others. I actually received more time than both of my codefendants, who again were tried and convicted as the principals.

I grew up in prison. I have fought to keep my self from becoming part of prison. I have worked hard to heal myself by taking many mental health groups. To help heal a broken girl; to become a healthy and productive woman. I struggled for many years trying to become a better woman.

I was given a life sentence. since then I have lost all but one of the adults who helped raise me. I am past child bearing years. so I will never be a mother. with that I leave no one to carry on my families name or history.

I am in no way saying that the loss of life of my victims is less than what I have lost. What I am asking is to look at and take in consideration how much should a person be punished for the actions of another.

There are so many like me in the system. I am capable of working; and contributing back to society. I am begging for that chance to show you and all of society that people can make permanent changes.

That the actions of a young person should not dictate who they will forever be.

Thank you for your time and consideration.

Retta Huggins

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**From:** JASON BADGLEY  
**Date:** 3/14/2024 11:37:58 AM  
**To:** Cozine Welch

**Attachments:**

To the legislators and all those reading this letter:

My name is Jason Badgley I am currently incarcerated at Lakeland Corr. Facility in Coldwater Mi. I was incarcerated on Sept. 11, 2004. That was almost 20 years ago and to be honest I don't think the person I was would recognize the man I've become. At the time of my incarceration I was almost 28 years old living in Utica Mi. I will be 48 this December. Since my incarceration I've lost my father, grandfather, grandmother, my aunt and my uncle. It has been hard, losing family members one after another with no way to be there to say goodbye, to comfort and encourage the family you still have left. And to know in your heart, one day more will be gone.

I grew up in Kinde Mi. which is a small rural town located in Michigan's thumb. I was raised by my father who divorced my mother when I was around a year old. I went to college at Nashville Auto Diesel and graduated with honors. Sometime after that on Aug. 3, 2004 my son Christian was born. On the morning of Sept. 11, 2004 I struck my son on the head causing a head injury which led to his death. I was found guilty of child abuse and second degree murder. I was sentenced to a 34 year minimum for the second degree murder, which I am currently serving.

I was a selfish, self-centered person. I bear the sole responsibility for my son's death. There was no excuse for the terrible act of violence committed that morning or any way to justify what I did. I took Christian's life, robbing him of the chance to live and experience a full, meaningful life. Because of my actions Christian's mother was robbed of her chance to raise her little boy. To watch him grow and learn. To shape him into the man she envisioned he would become. The pain I caused Christian's mother and the rest of his family is inexcusable. The void I created in their hearts and lives is something I cannot fix no matter how much I wish I could. The guilt and shame I carry for the things I've done and the pain I caused Christian's mother, her family, my family and all those exposed to this senseless act of violence is something I will always carry.

Before my incarceration I was an addict. I struggled with anger and frustration that was increasingly elevated as my addiction to oxycotton spiraled out of control. Through my incarceration and the consequent sobriety I've experienced since I've come to better understand myself, my trigger points and how the things I experienced throughout my childhood shaped the person I had become. Through self-reflection and intense introspection I realized the anger and frustration I struggled with stemmed from my childhood and my father who raised me. I also realized my childhood experiences had created deep set insecurities and fear that my family would fall apart just like my father's had, that I would be a failure. Having a full understanding of these things has better equipped me to handle these emotions in a healthy, productive way.

I've participated in several programs during my incarceration. Through these programs I've changed and matured in many ways. I started attending N/A, seeking to better understand the root causes of my addictions. Many of which stemmed from the people I associated with. It was during my early teen years I was exposed to and chose to use drugs. Over time I became dependant on drugs to relax and socialize. I learned through N/A the importance of surrounding myself with people who, like me, desired and lived a lifestyle of sobriety. By sharing with the group and listening to them I gained a better understanding of what my trigger points are, how to recognize situations that could cause one of these triggers to manifest and healthy ways to respond when one does.

Over the last few years I've also been taking credited correspondence courses that would, in time, result in a degree in Christian Counseling. These courses have been invaluable to my growth and development. They've helped me understand the source of the pain, insecurities and fear that I've struggled with and has been the root causes of the vast majority of the bad choices I've made throughout my life. I've come to realize the anger I once struggled with was really caused by the deep set pain, fear and insecurities from my childhood. These courses helped me heal, accept myself and love myself. Freeing me from the childhood traumas that in part shaped and formed who I was. Allowing me to grow and mature into the man I am today.

I believe, because of the transformations I've experienced in here, if given the opportunity, I can help people out there that are struggling with addiction. I believe I can help people struggling with anger and harmful or destructive ways of expressing that anger change, as I've changed. That I can help lift up my community and play an integral role within my family because I am no longer the person I was before my incarceration.

So when you gather together and consider the Second Look Bill I pray for your consideration and ask for your mercy. Humbly praying that you consider the person I've become and many others like me have become when you make your decision. Thank You....

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**From:** JOEI JORDAN  
**Date:** 3/14/2024 12:45:43 PM  
**To:** Cozine Welch

**Attachments:**

Greetings,

This is for you to share at the second look Hearing if you would like.

These words are for those listening and wish to truly change how we give second chances

Before I go into my story understand that Judges who will be given this important discretion will have to be re- elected or not re- elected and judged according to their decisions to resentence these worthy individuals. Keep that in mind.

My name is Joeli Jordan. I was born in Ann Arbor on may 16th 1993. My mothers name is Sabrina Reese and my stepfathers name is Derek Reese

My grandfather retired from ford motor company and one of my grandmothers retired from General motors while my fathers mother retired from Chrysler.

Those two women raised me while my mother struggled with addiction and went from rehab to rehab until I was about 11 years old.

My mother decided that her sobriety would be easier in Sumter south Carolina so she moved us and she still lives there and has been clean and sober for 19 years.

I have an older brother in the military and a young sister who is a nurse and a single mother.

My biological father has been in and out of this system his entire life.

He is the standing example of who a second chance shouldn't be given too. Some people need this confinement. He is not a bad person he just can't shake the culture of "street life."

He just recently went back to prison, leaving my younger brother who is 14 and my sister who is 12 to be raised by their older sister.

I created alot of victims on July 22nd 2013. I was 20 years old, frustrated, anxiety driven, to young and to high to care.

I was searching for myself in this thing we call life with the wrong compass and map. A college drop out

Who loved to smoke weed party and meet beautiful women.

Pretty normal 20 year old right?

So how the hell did I get a mandatory life without parole sentence?

I mean, I hadn't never been in trouble in my life.

Did I kill someone?

Aren't mandatory life without parole sentences for murderers? or repeat offenders or sexual assault offenders?

These are the questions I asked myself for a great while.

I refuse to articulate inside of this letter how I wasn't deserving of a life sentence because had it not been for me and my actions, I truly believe Paul DeWolf would still be here today.

He was studying to be a doctor. He was going to save lives and make this world a better place.

And his life is gone not because I killed him but because I was moving like I didn't know better than to be going in peoples homes and trying to steal their things.

For that I deserve every moment of this last decade. The good and bad...and trust me a lot of good has come but too much bad has come.

Do I deserve a second look?

I haven't caught a misconduct since 2017.

I have been elected president of The National Lifers of America for chapter 1010 and chapter 1023.

I am currently serving my first term at 1023.

I recently published my first children's book called "The big Wonderful train of thought" by Joe Alexander.

I currently am a in unit tutor and I assist guys in getting their GED's and I just started a refreshment course that bridges guys from GED to the new college courses smoothly.

I do this because my life without parole sentence won't allow me to take a trade. Welding, carpentry, coding, horticulture, ect.

I am on the waiting list to go to college to study social work.

So with all of this I ask do I deserve a second chance. Before you answer, remember this isn't a second chance to get out next year

but only a chance to one day get released.  
Only a chance to one day have an out date.  
Only a chance to maybe go to my mothers funeral.  
Because I'm sure you don't know that when you have a life without parole sentence you can't go to your loved ones funerals.

So to you senator, I understand that their are victims as a result of the actions of men, but remember that mandatory sentences never look into account if someone victimized the victimizer.  
Remember mandatory sentences don't care if you pulled the trigger.  
Remember that mandatory sentences don't care if this was a first offense.

Lastly, what have we done to heal. Do we even know if the victims families or the victims themselves believe these sentences were just in all the situations?

Have we done any real work trying to heal these victims and their families.  
Or do we just keep throwing around "victims rights" or "advocating for victims rights".

Do victims actually "heal" by knowing the person or persons who are responsible for the crimes against them are going to die in prison?

Thank you for your time, and I hope I did not offend anyone.  
My intentions are to simply give some perspective.

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**From:** JAWAN HAYES  
**Date:** 3/12/2024 11:08:00 PM  
**To:** Cozine Welch

**Attachments:**

Brian David Kane #181468  
 Lakeland Correctional Facility  
 141 First Street  
 Coldwater, Michigan 49036

Many things have changed since the day of my arrest, conviction, and sentencing. The person I was didn't deserve the freedoms a law abiding citizen had. The people I hurt didn't deserve the pain I caused them. My victims and their families didn't deserve to be put through my crimes and the effects on them and their families. I take full responsibility for my actions, and deny any resentment regarding the consequences.

My crimes were driven by a serious drug addiction, greed, financial reasons, and the lack of regard for the law. My behavior and criminal thinking caused me to not care who was hurt in my path. Many of those I sold drugs to became addicted, committed crimes, neglected their lives and the lives of their families, suffered addiction and possible overdose. Thinking back on the ripple effect of my actions causes me an extreme amount of shame and regret.

The light went off when my sentencing Judge expressed how people were dying from the drugs I was selling and using. Additional I lost a brother and sister from overdosing. I made a commitment to change my thinking. I had to first address what our thinking is made up from, beliefs, values, and attitude. I learned about the cycle of addiction, cognitive behavioral process of learning and change, and coping strategies.

I also had to address my substance abuse and my criminal thinking. I had to dig deep down and reflect on my childhood trauma, abandonment, teenage life, and decades of prior incarceration. I never knew the meaning of anti-social, pro-social, remorse, empathy, Internal and External high risk situations; and most importantly how to employ coping strategies. And to make changes stick, I changed my underlying attitudes, values, and beliefs.

Since the day of my arrest close to 15 years ago I have been 100% clean and sober. I'm misconduct free, have completed a very long list of institutional programming, I'm close to completing the clock hours needed so I can take the state exam for an addictions counselor, been a dog trainer for close to 8 years, and recently started my training to become a core member and facilitator for Chance For Life. CFL is a prison-based Rehabilitation Program that offers progressive transformational programs.

I have a support system, accountability partners, friends, family and several offers of employment. The most import thing for me, and for anyone leaving prison, jail, or rehab is a relapse and recidivism prevention plan that identifies both high risk situations in substance abuse and criminal behavior with appropriate coping strategies.

I've been transformed by the renewing of my mind. Even my sentencing Judge is impressed by my accountability and rehabilitation. My story mirrors THOUSANDS of men and woman throughout the MDOC who are no longer a threat to society. Who want to live a pro social life and give back to society. We can accomplish this chance through the current Second Look Legislation.

Thank You.....

Sincerely,

\_\_\_\_\_  
Brian David Kane #181468

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**From:** JAWAN HAYES  
**Date:** 3/12/2024 11:08:00 PM  
**To:** Cozine Welch

**Attachments:**

HELLO

I'M SCOTT LEE PICKERD, I HAVE BEEN INCARCERATED FOR OVER 32 YEARS AND AM CURRENTLY SERVING LIFE WITHOUT THE POSSIBILITY OF PAROLE. I AM NOW OVER 52 YEARS OLD AND I AM EXCITED ABOUT THE 2ND LOOK OPPORTUNITY THAT MAY BE AFFORDED TO ME AND TO ALL OF THOSE WHO ARE IN PRISON SERVING LONG SENTENCES.

YOU SEE, MOST INDIVIDUALS IN PRISON FEEL AS IF THEY HAVE BEEN ABANDONED BY SOCIETY EVEN THOUGH WE ARE THE ONES THAT ABANDONED SOCIETY. THIS WILL SHOW THEM THE PATIENCE, COMPASSION, EMPATHY AND LOVE THAT MICHIGANDERS HAVE FOR ONE ANOTHER, THAT IN MICHIGAN WE DON'T JUST THROW PEOPLE AWAY NO MATTER WHAT THEY HAVE DONE. THAT WE BELIEVE IN REDEMPTION AND ULTIMATELY A 2ND CHANCE.

NOW, I DON'T BELIEVE THAT ANYONE DESERVES A 2ND CHANCE AT REDEMPTION, BUT I DO BELIEVE THAT EVERYONE SHOULD BE AFFORDED THE OPPORTUNITY TO EARN A 2ND CHANCE FROM THOSE THEY HAVE WRONGED. A 2ND LOOK SHOULD HAVE MORE TO DO WITH EACH INDIVIDUAL FROM THE TIME OF THEIR INCARCERATION UP TO A NUMBER OF YEARS AFTER AND LESS TO DO WITH AN INDIVIDUALS CONDUCT BEFORE THEIR INCARCERATION. BECAUSE OF OUR CONDUCT BEFORE OUR INCARCERATION WE DON'T DESERVE A 2ND LOOK OR A 2ND CHANCE, BUT THROUGH OUR CONDUCT AFTER OUR INCARCERATION WE SHOULD HAVE THE OPPORTUNITY TO EARN THAT 2ND LOOK AND HOPEFULLY A 2ND CHANCE AT LIFE. WE NEED TO PLACE OUR FOCUS ON WHO WE ARE NOW AND NOT WHO WE WERE THEN. EVERYONE HAS A PAST WITH LESS FAVORABLE OUTCOMES, BAD DECISIONS AND THINGS WE ARE NOT PROUD OF. SOME OF US CAN INSTANTLY LEARN FROM THOSE MISTAKES, OTHERS IT MAY TAKE 5, 10, 20 OR MORE YEARS TO LEARN. SO INSTEAD OF LOSING ALL HOPE FOR THEIR FUTURES, WITH A 2ND LOOK PLACED BEFORE THEM IT WILL GIVE THOSE INDIVIDUALS SOMETHING TO STRIVE FOR OVER THEIR YEARS OF INCARCERATION. EITHER WAY IT WILL GIVE THEM THE OPPORTUNITY TO PRESENT THEIR OWN CASE BEFORE A JUDGE AND TO THOSE THEY HAVE WRONGED. WE CAN NEVER TRULY BE FORGIVEN FOR OUR CRIMES UNTIL WE HAVE FORGIVEN OURSELVES FOR OUR BAD DECISIONS, THEN WE MUST DO ALL WE CAN TO PROVE OUR WORTH TO THOSE WE HAVE WRONGED. I BELIEVE THAT THIS BILL MAY BE THE LAST CHANCE FOR MYSELF AND FOR MANY OTHERS TO HAVE A CHANCE TO BE REDEEMED. WHAT A 2ND LOOK WOULD MEAN FOR ME AND MY FAMILY, I WOULD SAY EVERYTHING. IT WOULD MEAN A WHOLENESS THAT HAS BEEN MISSING FOR SO VERY LONG. IT WOULD MEAN A LOOK AT A FUTURE THAT WE BELIEVED WOULD NEVER BE POSSIBLE. A CHANCE TO MAKE THINGS RIGHT AFTER SO MANY YEARS OF IT BEING WRONG. I DO BELIEVE IN APPROACHING ALL THINGS WITH PATIENCE, COMPASSION, EMPATHY AND LOVE, AND I KNOW THAT COMING FROM THOSE 4 THINGS ONLY GOOD RESULTS WILL COME ABOUT. I LOOK FORWARD TO BEING A PART OF A SOCIETY THAT I HAD FORSAKEN IN THE PAST. I KNOW THAT I WONT WASTE ONE SINGLE SECOND OF ONE SINGLE DAY DOING ALL I CAN TO PROVE MYSELF TO SOCIETY, I OWE THAT TO MY LOVED ONES AND EVEN MORE TO MY VICTIMS, DIRECTLY AND INDIRECTLY. MY PLANS FOR A SUCCESSFUL FUTURE IN SOCIETY, I HOPE TO START A NON-PROFIT WHERE WE WILL TRAIN DOGS TO BE EMOTIONAL SUPPORT ANIMALS FOR THE VICTIMS OF CRIME. FOR MY PREPARATION FOR THIS I HAVE BEEN A DOG TRAINER IN PRISON FOR OVER THE PAST 10 YEARS. I CAN SAY IT IS MY PASSION.

SO AS RESPONSIBLE MICHIGANDERS LETS NOT LEAVE ANYONE BEHIND AND LETS PASS THE 2ND LOOK BILL AND THEN WE CAN ALL MOVE FORWARD AS ONE UNIFIED STATE THAT DEALS IN PATIENCE, COMPASSION, EMPATHY AND LOVE WHILE LEAVING BEHIND OUR VENGEANCE, HATRED AND PAIN. THANK YOU FOR YOUR TIME AND FOR THE OPPORTUNITY TO EXPRESS MYSELF ON THE 2ND LOOK FOR ALL OF US.

SINCERELY,

SCOTT LEE PICKERD





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From: JASON ARMOUR
Date: 3/12/2024 8:12:33 PM
To: Cozine Welch

Attachments:

Name: Jason Darnell Armour Age of Offense: 21

Number: #228160 County of Case: Wayne

D.O.B: 10/11/1969. Judge: Thomas Jackson (retired)

Criminal Case Synopsis:

On March 8, 1992, "Cheng's Garden" located at 18141 W. McNichols in Detroit, Michigan was robbed and during the course of the robbery Mr. Steven Cheng was shot and killed as a result of a single gunshot wound. Myself, Marlow Dupree, Derrick Walton, Tony Dupree and Lloyd Hicks were charged with this senseless crime. Myself, Mr. Hicks and Ms. Dupree were found guilty.

Mitigating Factors:

I was born and raised in Detroit Michigan, where drugs and violence was the norm. I am the youngest of seven siblings raised in a two-parent home. At the age of 10, my father died from health issues. After his death, I became depressed and experiencing low self-esteem. At the age of 13, one of my brothers was murdered and died in front of me. Due to my low self-esteem, I dropped out of school and began my bad decision making in my choices of friends. At the time of my arrest, I was a 21 years old, with an undeveloped sense of social responsibility and a lack of maturity. Prior to my arrest, I never had so much as a traffic ticket. No prior adult or juvenile record.

Growth & Development:

I spent over the last 3 decades of incarceration, by furthering my education and participating in programs. I am a Prisoner Observation Aide, also a positive role model to the youth by volunteering as a Mentor under the guidance of Psychological Service at Colton Correctional Facility. I am Chance for Life Core Member using my life as an example of what can happen by hanging around the wrong people and making bad decisions as an end result such as mind.

I now understand the true value for life and respect for others. Experiencing the deaths of my father and the murder of my two brothers, has given me insight into what victim's the family has endured and connected me to empathy and remorse. I have used this time in prison as an opportunity to better myself, while maintaining the support of my family and friends whom I talk to daily. I have only received two institutional misconducts in almost 32 years of my incarceration. I have gone on to participate in and complete a number of programs available. For example, I completed a Vocational Trade in Food Technology, Personal Finance, then went on to participate in a number of Awareness and Community Planning, Developing and Managing Volunteers. Also, volunteering my time and energy with such worthy causes as the American Cancer Society, Mentoring and Chance for Life.

However, I found my true love, my true vocation in 2007, when I completed training offered by the famed Michigan Braille Transcribing Fund (MBTF) in Braille transcription. My Braille Vocational journey led me to the Literary Certification by the Library of Congress in 2009. I also received my certification in Mathematics Braille by the Library of Congress in 2015. Also becoming a top Tactile Graphics Artist which led me to become the Graphics Arts Coordinator at MBTF. In 2018, I received a Statement of Proficiency in Unified English Braille (UEB) from the Library of Congress, in which led me to become the UEB math instructor. In October 2018, I did a live workshop via satellite in Detroit at the Book Cadillac hotel, teaching UEB math. I went on to do seven more live workshops. I am also on the UEB math committee and I serve as the Vice Chair over the Tactical Graphics Arts Committee for the National Braille Association. I recently prepared and presented a live workshop via satellite in Knoxville TN, teaching on how to reproduce tactile graphics. I am the first prisoner to be invited by the Executive Director and the President of the National Braille Association to serve on the Online Learning committee.

These rare skills along with my new living a pro-social lifestyle gives the State of Michigan reasonable assurance I am no longer a risk to re-offend. I have Critical Thinking skills from Chance for Life to make better decisions, reduce my risk factors by controlling my anger, impulse control, selecting more pro-social friends and associates, how to problem-solve without violence through my CFL Mediation Training and working towards short-term goals. I am better equip at thinking things through, self-managing my lifestyle and asking for help if need be. My desire is to return to society and become a law abiding citizen and live a productive life.

What People Say About him now:

He is a God fearing man, that loves his family. They would go on to say that, I am Remorseful and Empathic, A leader, Patient and

Humble. More importantly, he is A great teacher and loves to help others.

Sincerely,

Jason Armour

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# SADO

State Appellate Defender Office and Criminal Defense Resource Center

## Spotlight on: Raymond C. Walen, Jr

From the February 2024 Criminal Defense Newsletter



**You have been incarcerated since the early 1980s. What do you want people to know about the person you are today, and how have you changed over the years?**

When I came to the Reception Center in Jackson, the classification report noted that I had several tickets in the county jail and described me as a “rebellious, resentful, non-conforming individual” who suffered from “lack of a well integrated identity with adequate long range plans.” It emphasized my “association with dyssocial peers.” Indeed, between the ages of 17 and 27 I identified with a peer group that led to run-ins with the law nearly every year. Since I’ve been in prison, my primary and reference groups have changed, due in large part to educational and work opportunities.

I was lucky enough to attend Northern Michigan University when I was in the Marquette Branch Prison and Jackson College and Spring Arbor University when I was in the State Prison of Southern Michigan (SPSM) in Jackson. I later earned mechanic certifications for automobile, motorcycle, and heavy-duty truck repair. In June 2018, I was accepted into the Calvin Prison Initiative Program operated by Calvin University at the Handlon Correctional Facility (MTU) in Ionia. I graduated in May 2023 with a Bachelor of Arts degree. Now I work as a tutor at the Hope-Western Prison Education Program operated by Hope College and Western Theological Seminary at the Muskegon Correctional Facility (MCF). But the biggest influence on my life and outlook was the experience of working for 21 years for Prison Legal Services of Michigan, Inc. (PLSM), a private non-profit law firm with offices inside certain Michigan prisons, including SPSM. About five years into my prison sentence, attorney Sandra Girard hired me as a paralegal. Because our clients saw what we did 24 hours a day,

working for PLSM required that we be on our best behavior lest the office lose its credibility. This led to a big change in my primary and reference groups. As I interacted with clients, lawyers, and court staff, I began to see myself as something other than a "criminal," and I like to think that others did too. My friends in prison were now people who tried to do the right thing rather than seeking notoriety. I realized that, even in prison, people know right from wrong and respect those who do the right thing.

**What's the importance or impact of sharing your story? Is sharing helpful to you? To others?**

I hope to convey that people can and do change. It is helpful and hopeful to me because I see others changing. On the other hand, I know that many will never be reached until it's time because when I was young there was nothing anyone could tell me, although many tried.

**You were one of the plaintiffs who initially filed and prosecuted *Cain, et al. v MDOC*, and you worked on the case as a paralegal after Prison Legal Services got involved. In your opinion, what is the most impactful change from the Cain litigation?**

The most impactful areas of change are classification, access to courts, and property. In terms of classification, although the MDOC annually screens everyone to determine their proper security classification level, at the time we filed *Cain*, according to a report by Michigan's Auditor General, fewer than 25% of those in prison were placed at the level to which they screened. That has changed; now most people in prison seem to be placed in the level to which they screen. Shortly before we filed *Cain*, MDOC followed a national trend and opened a Level 6 "Supermax" prison, supposedly to house the "worst of the worst." Yet when our experts interviewed men there and reviewed their files, they learned that many had been diagnosed with a serious mental illness either before or during incarceration. It turned out that they weren't incorrigible, just untreated. The settlement set up a working group to reach a resolution of how to deal with Level 6; the group came to a consensus that Level 6 should be abandoned, and it was.

In terms of property, at the time we filed *Cain* only those who worked on the yard crew were issued long johns, winter hats, and gloves. The resolution involved a change in MDOC policy under which everyone now gets those items. The settlement also allowed those of us who can afford it to continue to buy our own winter coats and gloves, items the MDOC wanted to forbid.

On access to courts, the minimum law library collection expanded, the legal writer program was expanded state-wide, legal property protections are now in MDOC policy, and those of us who had typewriters may keep them and those who need one may buy one.

But the more things change, the more they stay the same. For example, under the settlement in *Cain* we could buy typewriters with a memory that held 50 pages of text. This made both editing and printing multiple copies much easier. But the settlement expired in 2005 and, since 2009, the only typewriter we are allowed to buy has only a one-line correction memory and costs \$360. The

settlement set the price of photocopies at \$0.05 per page, leaving the MDOC about a 25% profit margin. When it expired, they raised the price to \$0.10 per page, increasing their margin to about 300%.

MDOC policy<sup>1</sup> requires that each law library contain the current edition of Michigan Court Rules. Yet MTU had only a 2020 edition until earlier this year. When I arrived at MCF in June 2023, the law library had the 2021 edition of Michigan Rules of Court – State. When the library committee of the Warden’s Forum<sup>2</sup> asked in August 2023 that this be brought up to date, the reply was: “Per policy the law library shall be inventoried every 6 months. This has been done.” A 2023 edition of Michigan Rules of Court – State was finally received on November 22, 2023.

The “legal writers” receive a minimal amount of training, so the skill level varies widely, and that is compounded by the lack of substantive supervision. For example, while the pleadings they prepare are sent to a law firm to be reviewed, there is no attorney review of the source documents on which they are based, and from a LEXIS search it appears that the firm does not have a criminal post-conviction, federal habeas corpus, or civil rights practice, causing one to wonder what is the point of paying that firm nearly \$300,000 this year?

The only “personal” winter coat we are allowed to buy is manufactured by Michigan State Industries; with no hood or drawstring, it is not suitable for Michigan winters, and the gloves now sold to us provide little protection below 50°F.

And while the expansion of the Residential Treatment Program (RTP) helps to keep those with functional/behavioral concerns in a better setting than segregation, my five years at MTU – where about half of the population is in RTP – suggests that there is a long way to go to get some of the custody staff on board with that whole concept.

**Are there any legal resources not available to people in Michigan prisons that you think would be helpful to have?**

Yes. Books, forms with instructions, help from knowledgeable people, and access to Michigan’s Freedom of Information Act.

More than a century ago the United States Supreme Court described the right of access to courts as “the alternative of force.”<sup>3</sup> But for those in prison, the Court later limited the constitutionally protected right of access to courts to fact and conditions of confinement;<sup>4</sup> it ignored that they are just the tip of the iceberg. People in prison have the same kinds of legal problems as people outside of prison, including divorce, parental rights, visitation, custody, support, personal injury lawsuits, bankruptcy, deportation, and SSI and veterans’ benefits. Yet the MDOC provides no resources in these areas, our law libraries have few if any books on these subjects, and there is little chance of those in prison getting reliable assistance with them.

Many people in prison, provided with the right forms and a little help, can prepare and file papers in court. For more than thirty years, PLSM provided forms in many of these areas but, since it closed in 2008, there is no reliable source for these forms and instructions. The "legal writer" program provides limited assistance in the areas of fact and conditions of confinement only to those who are unable to read or write or are in segregation. Any other people who think they have a claim but are not eligible for that assistance need "the opportunity to consult with a person of good common sense and experience"<sup>5</sup> to determine "whether a colorable claim exists."<sup>6</sup>

In the context of criminal cases, new evidence of one's innocence is the key to getting help from one of the conviction integrity units or innocence clinics. In 1994, Michigan's legislature barred the incarcerated from receiving information under Michigan's Freedom of Information Act. The only way to get information from the government agencies involved in a case is to have someone outside of prison make the FOIA request. But in most cases the bureaucracy is too complicated for even the most well-intentioned family members and friends to negotiate, even if they have the time, and few in prison have the money to hire a private investigator or a lawyer to do it. In conditions of confinement cases, FOIA is fundamental for those seeking systemic changes to show that a problem in prison is widespread or that their injury was due to deliberate state action rather than a random and unauthorized<sup>7</sup> or negligent<sup>8</sup> act.

House Bill 4427 will not help with these problems as it only allows those in prison to request and receive a very limited class of records, i.e., those that are not exempt under Section 13 of FOIA, and that meet two additional conditions. First, the requested record must contain "1 or more specific references to the incarcerated individual or the individual's minor child with whom the individual has not been denied parenting time ... and the record is otherwise accessible to the individual by law." Second, the requested record must be "related to the arrest or prosecution of the incarcerated individual or the individual's minor child..."

So even if this bill passes, if you are trying to make a conditions of confinement case that requires proof that adverse conditions affect more than just you, you won't be able to do it through FOIA. And if you're person A who was wrongfully convicted, it appears that you will not be able to get a record showing that person B told police that persons C and D committed the crime – or any lab reports, photos, or any other type of potentially exculpatory evidence, because those records will almost never refer specifically to you. The solution to these problems is simply to repeal the 1994 amendments to FOIA--MCL 15.231(2) and 15.232(g)-without adding any other hurdles.

### **What kind of issues do older people in prison face and how can folks on the outside help them?**

Older people in prison face the same issues with aging as older people outside of prison—reduction in activities of daily living, declining health, and loss of contact with others as their families and friends age. In addition, like people outside of prison, if they are perceived as being alone, they may fall prey to exploitation by others. These problems are exacerbated by rules that have the effect of limiting contact with family and friends. For example, when in 2009 the MDOC prohibited people in

prison from writing to one another except for co-plaintiffs or plaintiffs and witnesses in filed court cases, one man said, "I've been locked up more than thirty years, my family is all dead, the only friends I have are in prison. Who am I supposed to write to?"<sup>9</sup>

Prisons have always isolated us from society, but the trend is to more isolation. For example, while we have an e-mail service through jpay.com, many older people outside of prison don't use this kind of technology. We are limited to buying twenty stamps every two weeks. We're limited to calling twenty different phone numbers per quarter. Visiting lists—for those who can get visits—are limited to ten people other than immediate family; and nieces, nephews, and in-laws are not counted as immediate family. Physical visiting restrictions also serve to isolate people in prison. For example, before COVID the MCF visiting room was set up to handle between twelve to twenty groups of visitors at a time. When COVID hit, in-person visits were eliminated in favor of video visits. People wishing to visit us on video had to sign up online. My 90-plus year-old mother wasn't tech-savvy enough to set that up, so one of my siblings had to make the arrangements. A lot of older people don't have that kind of help. Since COVID passed, the COVID protocols here have been eliminated – except for visiting: in-person visiting has been restored, but now it limited to eight groups of visitors-far fewer than before – and those wanting to visit have to sign up online.

We face a \$5 co-pay on health care in most situations. Most prison jobs pay about \$20 per month so the co-pay is about a week's pay, and for older people who can't work, the co-pay is placed as an institutional debt on their account and collected from any money that happens to come in. Michigan's prisons have the highest percentage of people over 50, and nearly half of the intake population needs immediate follow-up for health or mental health issues.<sup>10</sup>

In addition to encouraging legislators and the executive to change the practices I described above, there are three ways people on the outside can help. Encourage Governor Whitmer to direct the Parole Board to send her candidates for commutation and grant commutations of older people who have served long sentences. Encourage your legislators to pass the Second Look bills, Senate Bills 321-325 and House Bills 4556-4560. And people can attend and watch what goes on in the courts and at Parole Board hearings. According to Jocelyn Simonson, "court watchers" in New York, Philadelphia, Los Angeles, and Baton Rouge report what social scientists call the observer effect—that they are changing the proceedings just by being there because "[p]eople change their behavior when they know they're being watched," as the observers' presence makes "the silent argument that those accused of crimes are people, too."<sup>11</sup>

### **What are some misconceptions people on the outside have about prisons and the people in them?**

In many cases, the difference between people in prison and those outside comes down to life chances and choices. Many people in prison have not had what sociologists would call great life chances. For example, I talked with one man who after his release told me he was making \$1,000 a week as a painter. He said, "If I had known it was this easy to make money legally, I never would

have become a criminal." All people have made bad choices—most don't lead to prison—but making bad choices doesn't necessarily mean they're bad people.

It's also important to understand that most people in Michigan's prisons aren't the young, healthy, muscle-bound thugs commonly portrayed in the popular media. To the contrary, a 2019 Michigan House Fiscal Agency Analysis reported, "[a]mong the states, Michigan has the highest percentage of prisoners older than 50," with 49% of the intake population requiring immediate supplemental medical follow-ups having come to prison with various health or mental health issues.<sup>12</sup>

The most positive features of people I've met in prison are hope, resilience, and personal strengths despite having been subjected to a very negative environment. Hopefulness survives in most here despite the situation: hope for contact with family and friends, for release, and for a better life both in and out of prison. Beyond that, people are resilient. More than half the men I've met in prison survived the foster care system as children, something I can't begin to imagine; most have overcome terrible experiences to become pretty good people who in the past made some bad decisions. Everyone here has strengths; unfortunately, most have had to come to prison to recognize them. Some of the most creative and talented people I've known are those I met in prison: artists, musicians, carpenters, mechanics, plumbers, appliance repairmen, you name it. And they had no idea they could do these things until they came to prison.

**What are some things every trial lawyer should know or do when their clients are sentenced to prison? What are some things every appellate lawyer should know when working with incarcerated clients?**

Four things: get all the information you can on the case, encourage people to start preparing for release the day they get to prison, remember that their situation is one you probably will never fully understand, and read *Pleading Out: How Plea Bargaining Creates a Permanent Criminal Class*, by Dan Canon (Basic Books, 2023).<sup>13</sup>

Your clients will tell you what they know; the government will tell you what they think you need to know; and there is always more. Do NOT rely solely on what you or a prior lawyer got on discovery. At both trial and appellate levels, use private investigators and experts and make FOIA requests to every agency and laboratory that might have been involved in the case. The prosecution has far more resources than you do: the whole police machinery. FOIA will help you get the parts of their investigation you didn't get on discovery (yes, that happens), and your investigators can talk to witnesses to put that information in context and ask questions that their investigators didn't. Read the report of the Michigan Forensic Science Task Force, and have an expert look at every potentially contested part of the case—you can bet the other side has! And even if your client tells a story that sounds absolutely crazy, follow up on it. One private investigator told the story of a client who claimed he was in a lineup in front of a chalkboard on which an arrow had been drawn pointing down at him. A photo of the lineup that had not been provided to trial counsel showed this to be true and he got a new trial.

Encourage people to start NOW to prepare for release even if it is potentially years away. The Reception Center will evaluate them and make recommendations that may include work, school, counseling, or all three. Tell them to be persistent in trying to get into all recommended programs and get them done! Fulfilling these recommendations and avoiding tickets will help to determine whether their parole guidelines score is high probability, average, or low probability. Nobody with a low probability score ever got a parole. Encourage clients to get into any other programs they can—AA, NA, Celebrate Recovery, NLA, church programs, trades programs, and college programs. Former federal warden Chuck Montgomery wrote the best book on the importance of programming, *Beyond Incarceration*. While I disagree with some of his ideas—we have different perspectives—I fully support his argument that, because more than 95% of those in prison will be returned to society, we must look “beyond incarceration” to help people develop the skills and worldview that will help them to make it in society without coming back to prison.

Remember that we in prison live in a world that you will never fully understand until you live or work in a prison every day, and many of us do not fully understand your world, so please do not discount your clients’ feelings or perceptions. Keep in mind that people in seemingly hopeless situations often vent their frustration with the system on those who are trying to help them because there is no other safe place to vent them, so don’t be discouraged by complaints, personal attacks, sharp language, grievances, or lawsuits. Those may be more a reflection of the hopelessness people feel than the quality of your work. Be a non-anxious presence. Address your clients’ questions and concerns honestly and promptly. Remember that they have nobody else to rely on but you. If you read this paragraph and think, *I’m not a social worker*, then ask yourself whether you’re seeing yourself and your clients as simply pawns in what Alan Dershowitz called “the justice game,” and if so whether you’re really ready to do this work.

Join the Prisons & Corrections Section of the State Bar, MI-CURE, Citizens for Prison Reform,<sup>14</sup> Criminal Defense Attorneys of Michigan (CDAM), the National Lawyers Guild (NLG), and the National Association of Criminal Defense Lawyers (NACDL) and make a point to interact with other members. This will help you stay aware of the resources available and issues in prisons. CPR and the Prisons & Corrections Section have liaisons in the MDOC who can help you cut through the red tape if your client is having problems. And subscribe to *Prison Legal News*, *Criminal Legal News*,<sup>15</sup> and the *Abolitionist*.<sup>16</sup> Other sources of information for clients include AFSC’s Michigan Criminal Justice Program,<sup>17</sup> the Michigan Coalition to End Mass Incarceration,<sup>18</sup> Safe and Just Michigan,<sup>19</sup> and Humanity for Prisoners.<sup>20</sup>

### **You have done a lot of writing over the years. Why is writing important to you?**

The physical barriers that surround prisons—walls, bars, and fences—are as much to keep people out as to keep people in. No recording devices are allowed in prison, no cameras, no cell phones, so there are no other ways than writing to let the public know what we experience here. I believe it is vitally important to give people in prison a voice. UCLA law professor Sharon Dolovich has observed: “There is in the United States no branch of democratic government in which people in custody are regarded or treated as human beings entitled to respect and protection from harm.”<sup>21</sup> Psychiatrist

Terry Kupers pointed out that litigation is one way of giving those in prison a voice.<sup>22</sup> The limitations and restrictions imposed by the state and federal Prison Litigation Reform Acts now make litigation less likely.<sup>23</sup> The only way we have a voice is to write. And so I do.

For example, I wrote about the markup on our store goods.<sup>24</sup> Part of the markup goes to the Prisoner Benefit Funds, but the lion's share goes to the State of Michigan. This amounts to about a 40% tax on our purchases, on top of which we are charged a 6% sales tax on any non-food items. So every time inflation goes up, the markup we pay gets inflated, too. When this began in FY 1990-1991, the rate averaged \$21 per person per year, about a month's pay in prison. This year they are charging more than \$3.46 million, which comes to an average rate of about \$107 per person – about 5 months' pay in here – to cover the wages of 33 state employees.<sup>25</sup> Adding insult to injury is that our prison wages have not seen an increase since 1991, and in fact over the last few years the pay rate for many jobs has been cut. So they have put the highest tax rate on those least able to pay or oppose it.

I've written about many other problems I see in prisons, including failures in the health care and mental health care systems,<sup>26</sup> how changes in the disciplinary system make it easier to charge and convict people in prison for misconduct,<sup>27</sup> the extortionate rates charged for phone calls from prison,<sup>28</sup> how some prison mailrooms reflexively reject mail if the person in the mailroom doesn't like the topic,<sup>29</sup> and the state's bungling of the COVID pandemic, which resulted in the deaths of more than 150 people in prison.<sup>30</sup>

But my writing isn't only critical. I give credit where credit is due. When the Michigan Supreme Court adopted a "mailbox rule" for filings by those in prison,<sup>31</sup> new rules for administrative appeals,<sup>32</sup> and tolled filing deadlines for those in prisons on "outbreak status" due to COVID,<sup>33</sup> I duly credited them. And when in 2018 I got to Handlon Correctional Facility for the Calvin Prison Initiative and saw what that was like, I did not hesitate to praise the MDOC for allowing Calvin University to come into the prison.<sup>34</sup>

**You received degrees in 2021 (Associate's) and 2023 (Bachelor's) from the Calvin University Prison Initiative-congratulations! Can you tell readers a little bit about that program? What did you study? Do you have plans for additional study?**

I wrote about the Calvin Prison Initiative for the Bar's Prisons & Corrections Section.<sup>35</sup> Former MDOC Director Daniel Heyns was instrumental in helping to get the program started, and current MDOC Director Heidi Washington is also a strong supporter of it: she is the most program-oriented director in my 40+ years' experience, especially in terms of college, vocational, and reentry programs.

Calvin provides a traditional liberal arts program. At the time I went, they offered a major in Faith & Community Leadership and a minor in Social Work. Now they are offering a double major Faith & Community Leadership and Human Services. They know that most students here have been out of school for many years, and they make every attempt to help students succeed, including offering remedial math and English grammar classes, a computer skills workshop, as well as other activities



that are offered at the Knollcrest Campus in Grand Rapids: academic advising, tutoring, rhetoric center, library services, writers' club, theology club, restorative justice club, and choir.

When I began at Calvin, CPI Director Cioffi promised us not only a degree but a resume as well. Consistent with this vision, a few weeks after I graduated from Calvin, four other graduates and I were transferred to Muskegon to join four previous graduates working as tutors in the Hope Western Prison Education Program (HWPEP), a four-year college program sponsored by Hope College and Western Theological Seminary in Holland MI. The accredited program is in its third year; it offers a bachelor's degree with a major in Faith, Leadership & Service. Because it is not yet eligible for Penn grants, the HWPEP program is funded entirely by private donations. Like Calvin, Hope has committed many resources to help students succeed. These include academic advising, tutoring, and library services, as well as a writing workshop during winter break. A weekly Homeroom offers training in mindfulness, listening, self-and social-awareness, and how to integrate learning in everyday life. At the 2023 Fall Convocation, a choir of students from all three cohorts sang Hope's alma mater for the guests, and a professor has donated a Yamaha Clavinova to the music program. Much like my experience at PLSM many years ago, the people who come into the prisons to provide all of college programs strive to help students develop an identity as something other than "criminals" and to give marginalized people a sense of belonging to a greater community. This improves the atmosphere in the prisons and gives everyone a better chance of success on release. Thanks to you all.

**Kathy Swedlow, CDRC Manager and Editor**

### Endnotes

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- <sup>14</sup> P.O. Box 80414, Lansing, MI 48908; 269-349-0606; or info@micpr.org.
- <sup>15</sup> Both organizations can be contacted at P.O. Box 1151, Lake Worth Beach, FL 33460, or online at <https://www.prisonlegalnews.org/> and <https://www.criminallegalnews.org/>.
- <sup>16</sup> P.O. Box 22780, Oakland, CA 94609-2301; <https://criticalresistance.org/abolitionist/>.
- <sup>17</sup> 124 Pearl Street, Suite 607, Ypsilanti, MI 48197; 734-216-4764; or nholbrook@afsc.org and pmartel@afsc.org.
- <sup>18</sup> 3810 Packard Drive, Suite 200, Ann Arbor, MI 48108; or mail@mi-cemi.org.
- <sup>19</sup> 119 Pere Marquette Drive, Suite 2A, Lansing, MI 48912; 517-482-7783; or info@safe&justmi.org.
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# Lansing State Journal

**VIEWPOINTS | Opinion** *This piece expresses the views of its author(s), separate from those of this publication.*

## Michigan needs 'Second Look' legislation, I'm just one example of why

**Susan Brown, guest writer**

Published 10:00 p.m. ET Dec 18, 2021

I am a mother. I am a survivor of domestic violence. I am a renowned international artist. And along with countless others, I'm serving life without parole because of Michigan's inhumane sentencing laws.

The story of how I got here is deeply painful. Years ago I was married to a man who was mercilessly verbally and mentally abusive to me and my children. I wanted to press through the anguish to keep our family together, but then his behavior escalated. I had no choice but to leave to protect our child.

A year later, I had moved on and was 30 weeks pregnant with another man's child. My estranged husband was enraged and, in a volatile verbal exchange, stabbed me in my stomach. He then raped me. I fought back to defend myself. In a blur, I ended up in the hospital, with my child devastatingly born prematurely. I then learned that, while it was never my intention, my ex-husband died.

My first trial ended in a mistrial. Then, in a second trial that included vastly altered testimony, contradictory witnesses and denial of defense witnesses, I was found guilty of first-degree murder and sentenced to life without parole.

In prison, I have learned to heal my pain, manage conflict and improve my thinking processes. I also now understand how important communicating my needs are — and I've found I am worthy of speaking my truth. I have done everything possible to be better than who I entered prison as. It is my merciful plea that I have an opportunity to return to society. I hope to show my transformation as an accomplished commissioned artist, mother and daughter.

Unfortunately, Michigan's criminal legal system is incredibly abusive. By law, judges are required to hand out extreme sentences for certain crimes. And there is no chance to reconsider and change those sentences over time. As a result, one-in-seven incarcerated

people in the state are serving a life sentence. Many of these people are fellow mothers and survivors.

A large number of incarcerated people are paying for mistakes made at an incredibly young age. Indeed, roughly 40 percent of incarcerated Michiganders were under 26 years old at the time of their offense. That's despite an abundance of research that shows the human brain is not fully developed until age 25.

Our prisons are also full of older people who bear no risk to public safety. Indeed, nearly four in ten of the people serving life in Michigan are 55 or older — one of the highest rates in the entire country.

State legislators need to give people — many of whom have experienced unthinkable trauma — a chance at the freedom and healing we all deserve as human beings. Fortunately, some lawmakers — like Sens. Jeff Irwin, Stephanie Chang and Erika Geiss — have advocated for "Second Look" legislation. Second Look allows the courts to reevaluate incarcerated people's sentences after they have served a certain amount of time in prison, providing an opportunity for another chance. It's gaining momentum nationwide. Michigan should be next in line.

Let me be clear: Our current criminal justice system is anything but just. I had to endure and try to comprehend a system that did not allow me to share the entirety of my story, let alone present any evidence of the abuse I survived. I was a mother with postpartum depression attempting to work through frustration, fear and crushing emotions to fight against my presumed guilt. Put simply, that is not what justice looks like. Like so many others, I was railroaded by a broken, antiquated criminal justice system that should be helping people like me.

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In prison, I have found my purpose in creating an unusual kind of art. I take materials most view as insignificant, useless and discarded ... and transform them into unique forms of beauty. For me, the practice is deeply spiritual and symbolic. Just as these supposedly insignificant, useless and discarded materials can be shaped into something beautiful, so too should incarcerated people have a chance to reform their lives.

Before prison, I never had any negative interaction with law enforcement. I was a positive light in my community, just as I strive to be behind the barbed wire. I volunteer, mentor young people and assist the elderly. Before the pandemic, I facilitated communication, conflict resolution and mediation groups. I do my best to be available to anyone in need. I believe these are attributes that will yield even greater if given the opportunity.

We can't afford to be complacent about outdated harmful sentencing laws. We're simply asking for dignity and humanity. Give us a second chance.

*Susan Brown is an artist and has been incarcerated at Women Huron Valley Facility since 2003.*



# My friend is dying in prison in Michigan. Please let her go free.

by Lawanda Hollister  
June 1, 2022

“

*Lawanda Hollister, Contributor*

We need to adopt “second-look” policies that would allow sentencing judges to reconsider long sentences after a period of positive time in prison. We need to pressure our governor and our legislature to do better by all of us. As we do this work together, the governor must use her clemency powers to let Theresa free.

**The Michigan Daily**

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Quote card by Opinion.

I learned that Theresa Dunlap was very ill a couple of months ago. I responded to her terminal cancer diagnosis with tears and silence. I did not want to talk about the reality of her sickness. The thought of her having to leave this world while still trapped behind barbed wire and locked doors was too much to speak about.

But love is stronger than grief.

I remember landing at Women's Huron Valley Correctional Facility 36 years ago and getting to know Theresa from the get-go. She took me under her wing. She helped me learn how to survive prison. When someone asked me who Theresa's "kids" inside were, I said: "all of us."

She was always walking. She was spry and energetic, full of life and creativity.

I was just 18 when I met her; I was sentenced to a 40- to 60-year sentence at age 17. She was 31 when we met and had been sentenced to life without parole at age 20 for first-degree murder. We both had young sons we left behind. She had already been in prison for 13 years when I arrived young, naive and vulnerable.

She walked the track every day and held her head high. She taught me that I could hold my head high, too.

I was released on parole from Women's Huron Valley at the beginning of the COVID-19 pandemic in May 2020 after serving 34 years. At this time, people in Michigan and around the country were calling for elderly and sick people in prison to be released through any avenues possible.

Commutations by the governor are one way people sentenced to death by incarceration can receive the gift of freedom. But here in Michigan, throughout COVID-19, Gov. Gretchen Whitmer has barely used that power to help long-serving elderly or sick people. We lost more than 150 people in prison to the virus, and almost every one of them was over 50 and serving a life or long sentence.

Theresa managed to dodge the wrath of COVID-19, but another deadly diagnosis befell her in the midst of the pandemic. In November 2021, she bent over to get her footlocker and thought she pulled her hamstring. But the strained hamstring did not get better. She tried to be seen by medical providers for the ailment, but medical care in prisons is overburdened and slow. Her supervisor at work, where she had been a dedicated — albeit low-paid — and trusted secretary for 13 years, implored medical providers to see Theresa because "she was not walking right."

The pulled hamstring turned out to be a terminal diagnosis. In December, she was diagnosed with stage four metastatic lung cancer. Her remaining days became hampered by illness.



In Michigan, we have no roads to speedy release for people serving life or long years who need emergency relief to go home and die (or be really sick) with their loved ones. So without a major change, Theresa – a woman who has served decades in prison and bears no risk to public safety – will die behind bars.

We can't keep going on this way. Ultimately, people who practice forgiveness in their daily lives and believe in compassion and second chances know 20 years is a long time to be locked up. This is also validated by data: research shows that people age out of crime.

Releasing people is also in the best interest of the community. So many people who have been to prison, including myself, have the love of community, the good sense to not harm others and resounding lessons to share about how to live peacefully in the middle of the hardest of circumstances.

Theresa always turned the corners of the track with more than her head held high: She held her head up and showed me that I was worthy, dignified and of value. I am asking Gov. Whitmer to use her clemency powers quickly so that Theresa can go home to be with her son and daughter-in-law in her last days.

I am also asking all of us to stand in solidarity with policies that free people who are ready to come home and be productive citizens, as well as elderly citizens who need care in their final days. We need to adopt “second-look” policies that would allow sentencing judges to reconsider long sentences after a period of positive time in prison. We need to pressure our governor and our legislature to do better by all of us. As we do this work together, the governor must use her clemency powers to let Theresa free.

I learned how to walk proud, survive the greatest struggles and be a solid and good person from people like Theresa. She deserves freedom in her final days.

*Lawanda Hollister was incarcerated for decades at Huron Valley Women's Correctional Facility, located right next to Ann Arbor.*



**COLUMNS | Opinion** *This piece expresses the views of its author(s), separate from those of this publication.*

# My Take: Your childhood mistakes should not define who you become as an adult

**Chuck Warpehoski** Michigan Collaborative to End Mass Incarceration

Published 12:15 a.m. ET June 11, 2022

Growing up in the 1990s, I absorbed all of the vengeful “tough on crime” rhetoric of the era.

I thought people who had done harm had no hope of redemption. I believed “lock them up and throw away the key” was a wise policy.

I was wrong.

The chance to work with Danny Jones forever changed me. Danny served 23 years of a juvenile life without parole sentence for homicide.

Life without parole means the government has decided you cannot be redeemed.

That’s how Michigan judged Danny when he was 17 years old. That judgment stood until a supreme court case allowed him to be resentenced, when a judge saw what I have come to know — we can change.

In prison, Danny mentored other incarcerated men and mediated conflicts. Since coming home, Danny continues to give back as a mentor, a friend and an advocate. As I see Danny’s impact, I can say without a doubt we are safer and better off with Danny home.

Danny isn’t the exception. Many resentenced juvenile lifers are, like Danny, now giving back. Their success shows Michigan’s sentencing practices are stuck in the failed draconian policies of the past. We need to do better. Here’s how:

- 1. End juvenile life without parole.** Yes, young people can make terrible decisions and cause tremendous harm. That doesn’t mean they are hopeless. But when the government says, “no chance for parole,” it is saying, “no hope for redemption.” Danny is an example people can change, and he is now active in the Campaign for the Fair Sentencing of Youth’s efforts to repeal Michigan’s juvenile life without parole sentences.
- 2. Incentive rehabilitation** by allowing people in prison to earn Good Time credits, a means of reducing their prison sentences. Not only does Good Time encourage people in prison to make responsible choices, it also makes prisons safer for people working and living there alike.

Michigan is just one of six states not to allow people to earn reductions in their prison sentence. This could happen through Good Time legislation, or Michigan United's ballot initiative gathering hundreds of thousands of signatures from Michiganders eager for change.

**3. Create mechanisms for review and relief** for people who have been in prison for decades. The American Friends Service Committee Michigan Criminal Justice Project is promoting review for people who have served long sentences, especially those who committed crimes as young people (before their brains finished developing) and our elders who have had years to grow.

People can change. Plain and simple, people — especially young people still struggling to find who they are and want to be — can change. But when our prisons and legal system do not incentivize or recognize change, they make change less likely, undermine accountability, and deprive our communities of people like Danny who could give so much back. We all make mistakes, and we all deserve to hope that if we do, we can be redeemed.

— *Chuck Warpehoski is the program director at Michigan Collaborative to End Mass Incarceration (MI-CEMI). MI-CEMI brings together the nonprofits, faith-based groups, and community leaders working to improve the current criminal legal system so they can do together what none of them can do alone.*

# **My Son's 14-Year Old Killer Deserved a Second Chance**

By Ronald Simpson-Bey

My only son, Ronald D. Simpson III, was murdered on Father's Day 13 years ago. Ronald was 21. His killer was a 14-year-old boy.

We were devastated, as any parents would have been. Despite this, my son's mother and I did not want our son's killer to spend the rest of his life in prison. We don't believe in the concept of an eye for an eye. We also did not want to compound an already bad situation by taking another child away from his family and our community forever.

We recognize that even though he committed a horrible crime, the boy who killed our son was still a child. We wanted him to be processed in the juvenile system, which was set up specifically for children. We wanted him tried there and held there after his conviction to prepare him for release. The judge granted our wishes. The young teen was sentenced in juvenile court and told that he would be released at age 21 if he met the requirements of the court and demonstrated his rehabilitation. He succeeded and was released.

We were fortunate that we dealt with a prosecutor and judge who were willing to consider our wishes. As evidenced by the growing national support for restorative-justice programs, my family's perspective is certainly not unique. The residents of the communities that are most impacted by both violence committed by young people and extreme sentences often recognize that we don't make our communities safe by creating artificial lines between "victims" and "offenders." We know that many of the children accused of crime have themselves been victims of violence, neglect, poverty, inadequate schools and failing social services. In addition, many of our families are suffering after having lost some members to violent crime and others to jail.

But too often, the voices of poor people and people of color are silenced on these issues. Prosecutors and others in the criminal- and juvenile-justice systems are far more likely to prioritize the perspectives of individuals from wealthier, whiter communities. The only victims who are considered legitimate are those who are in lockstep with prosecutors looking to implement the harshest penalties possible. Victim services, financial resources and other types of support are often meted out accordingly.

Research has proven what many parents already know: Children are still developing and possess tremendous capacity for change. We also know that they do not have the same capacity as adults to resist pressure from peers and adults, think through the long-term consequences of their actions or remove themselves from dangerous situations.

As we approach another Father's Day, I call on parents and other interested people from these communities to insist on having our voices heard. We must insist that police

# **My Son's 14-Year Old Killer Deserved a Second Chance**

By Ronald Simpson-Bey

engage our communities fairly and stop targeting children of color. We must insist on accountability from juries who determine the fate of our young people.

And as states throughout the country reconsider their juvenile sentencing policies, we must insist not only that they eliminate life without parole but also that they replace it with reasonable alternatives that provide young people with a chance to pay for their mistakes and then later have fruitful, fulfilling lives.

Everyone makes mistakes, and all of us—especially children—possess the capacity to change. We are all deserving of forgiveness and a chance to begin anew. This is a basic tenet of virtually every faith tradition, and one of the founding principles of our great democracy.

The child who killed my son is now a young man. I am not in direct contact with him, but we are forever bonded. My son and his sister had a child together, so my grandson is his nephew.

He has grown into a productive man all because he had a second chance, which is all that any of us could want. Together, we can be sure that more young people get the chance they need and deserve.

# MDOC Healthcare Update



March 7, 2024  
House Corrections Subcommittee  
Marti Kay Sherry, Health Services Administrator  
Kyle Kaminski, Offender Success Administrator

## Bureau of Healthcare Services Update



- The MDOC uses a mix of state employees and contractors to provide healthcare at each MDOC facility.
- Prisoner Healthcare costs total >\$325m GF/GP per year or just over \$10,000 per prisoner per year.
- While the prisoner population has declined significantly over the past 7 years, the healthcare needs of the prisoner population have continued to increase, which also results in increased costs.
- Over 11,400 prisoners are currently on a mental health caseload compared to just 4,000 a decade ago.







## Healthcare Staffing

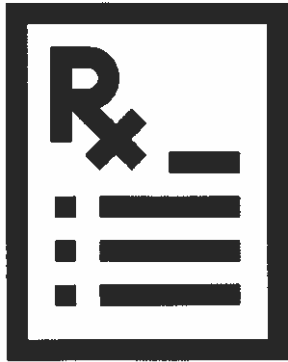
- Healthcare staffing remains a significant challenge for the MDOC and other public providers.
- The Civil Service Commission has approved enhanced pay for key healthcare positions in state service, but the MDOC must continue to use contracts for key positions such as nursing.
- Roughly half of the MDOC's non-supervisory RN and LPN positions are currently vacant, with many being filled by temporary contractors.
- The MDOC remains committed to trying to fill all vacant healthcare positions with career state employees.



## Substance Use Disorder

- Substance use disorder (SUD) is a common factor for many in the corrections system, even if their crimes do not directly relate to substance use.
- The MDOC continues to offer two levels of outpatient SUD programming in addition to behavioral healthcare, which are facilitated by MDOC staff or contractors.
- Roughly 60% of the prisoner population has a recommendation to complete a SUD program. The median active participant in these programs has an ERD of January 2025.
- The Department began expanding the availability of this programming to Level IV at the start of 2024 (previously only available in Levels I and II).





## Medication Assisted Treatment

- The MDOC provides Buprenorphine medication assisted treatment at 10 facilities (ARF, DRF, IBC, ICF, JCF, MBP, MRF, RGC, STF, and WHV).
- These sites provide Buprenorphine and Naltrexone, based on what is most medically appropriate for each patient. The remaining sites currently offer Naltrexone.
- Three additional facilities will begin providing MAT options this year (SLF, MCF, and MTU).
- Just over 900 patients are actively utilizing MAT.
- SUD treatment requires using a variety of tools to address biological, psychological, and socioenvironmental causes of use.
- For some, but not all cases, MAT is the appropriate prescribed approach to address biological factors in the brain that may result in illicit substance use.



## Hepatitis C Treatment

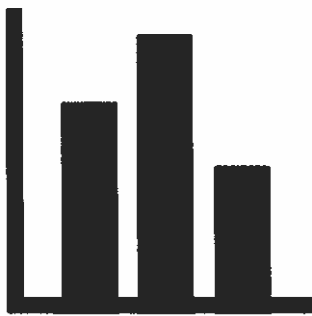
- In 2023, 576 Hepatitis C patients were treated. The current cure rate is 98+%.
- Roughly 140 patients are currently being sequenced for treatment.
- The average cost of treatment is \$15,400.
- 40-45 patients are added to the treatment list monthly from new intakes or disease progression.





## Aging Population

- MDOC is faced with an increasing older prison population with associated healthcare challenges.
- While the median age has only increased 2 years in the past 13 years (37 to 39), the percentage of prisoners 50+ has increased from 17% to 27%.
- Between 2009 and 2022, every age cohort that was less than 55 declined in terms of total count, while every cohort above 55 increased, even as the overall prison population declined significantly.

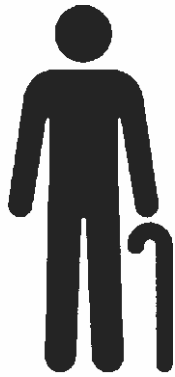


## Current Age Distribution

Current Age	Count
50-54	2,914
55-59	2,914
60-64	1,678
65-69	1,015
70-74	519
75-79	239
80+	97
Total	8,818

Each of these categories increased from 2021 to 2022.





## Challenges Presented by an Aging Prisoner Population

- Currently, over 230 prisoners utilize a permanent wheelchair, while over 500 utilize a wheelchair for distance.
- Costs of care are unique to each prisoner, but older prisoners are more likely to experience age-related conditions such as cancer, Alzheimer's or dementia.
- Aging and medically frail prisoners may require specialized housing at sites such as (TCF, LCF, WCC, or DWHC).



Questions?





3/14/2024

House of Representatives, Committee on Criminal Justice. House Bill 4556.

My name is Ashley Freeman, and I am the wife of Carl Ashley (Prison number: 136985). I write to you to express my support for House Bill 4556, commonly referred to as the "Second Chance Sentencing Act".

Carl was born on July 16, 1952. He was convicted in November 1976 of committing the crime of Felony Murder, and he was sentenced to a term of life without parole. He was 23 years old when he committed the crime of robbery/murder. Carl has been incarcerated for the past 48 years. He is now 71 years old. I have known Carl since October 1995. Carl and I have been married since June 26, 1996. We have three children, seven grandchildren, with another grandchild on the way. Carl is, and has always been, an active husband and father in our marriage.

In 1994, eight letters of support from Deputy Wardens, Business Manager, Classification Directors, Program Secretary, Chaplain, and Recreation Director were placed in Carl's prison files. Each of these corrections staff commended Carl for his integrity, his work ethic, his innovative ideas to assist facility operations to run more smoothly, and his demonstrated integrity working around women in high security areas.

In 1994, a Deputy Warden Elick Shorter called an influential friend of his stating that he wanted to help get Carl out of prison, and wanted to know how to do that. Mr. Shorter was told that as long as Carl had the Life sentence, there was nothing that could be done because the Governor would have to commute Carl's sentence, and "politics" prevented any positive action for Carl, despite his positive achievements.

In 1998, Carl was interviewed by Parole Board Member Ronald Gach. Mr. Gach told Carl that he and two other Parole Board Members wanted to do something for Carl, but couldn't, because of "politics". At that time Carl had served 22 years in prison. Mr. Gach stated that when Carl had served 30 years, they (Parole Board) would "push it". Carl has now served 48 years.

In 2016, the Prison Fellowship Regional Director Mary Engle and Prison Fellowship Facility Manager Charles Hackney, wrote letters of commendation for Carl's work ethics and dedication to the goals of Prison Fellowship. Each of these urged a commutation or parole for Carl.

Carl is currently enrolled as a student with Hope-Western Prison Education Program, at Muskegon Correctional Facility, pursuing a Bachelor's degree in Liberal Arts with a focus on Christian Leadership.

The last misconduct Carl received was in April 1995. This misconduct was for fighting with his roommate because the roommate was stealing from Carl and threatened Carl with further physical harm. It has been 29 years since Carl has received any misconduct.

Carl has chronic medical issues which has weakened his immune system and he is highly likely to contract a fatal disease such as Covid or RSV. Those medical conditions are: Bladder Cancer, which resulted in chemotherapy and the removal of his bladder. (A Urostomy with Ileal Conduit was created to expel urine directly from his kidneys into a urostomy pouch located on his abdomen); Hypertension, which is being treated with medication; Stage III Kidney Disease, which is being monitored by a Nephrologist. (Carl's Kidney disease has worsened. Lab results of December 2023, show that Carl's kidney disease has went from Stage IIIa to IIIb); Thyroid Disease which is being treated with medication; Chronic Obstructive Pulmonary Disease (COPD) which is being treated with two inhalers; Severe Sleep Apnea, which is being treated with use of a CPAP machine; Osteoporosis, with a high risk of fracture of both hips and wrists (He receives a yearly infusion of Reclast to strengthen his bones).

Carl has filed many Applications for Commutations, all of which have been denied by the Parole Board and the Governor. The passage of the "Second Chance Sentencing Act" would allow Carl to receive a meaningful review of his sentence where politics would not play a role in the decision-making. His many achievements, which have been recognized by corrections staff and volunteers, and not recognized by the Parole Board or Governor, would receive a proper meaningful review by a judge. Passage of this Act would also allow Carl to take his proper place in our family to be even more effective as a husband and father.

For these reasons, I pray that you give due consideration to the Act and pass it out of committee with a favorable recommendation for passage by the House.

I will be in attendance at the scheduled hearing on March 19, 2024. If you need further information or clarification on the above, I am prepared to give that information at the hearing.

Sincerely,

Ashley Freeman, Esq.

2157 Bayham Dr SE

Kentwood MI 49508

850-544-2470

Dear Honorable Representatives, March 15, 2024

Thank you for taking time to consider Second Look Legislation. It is my hope you see the benefit of such legislation, as it would afford men—like my husband—and women the opportunity to prove to a judge and the Michigan Parole Board they are truly reformed. Additionally, this legislation provides men like my husband who have participated in various programs and attained a level of change and growth the opportunity to give back to society rather than taking from it. Please keep in mind that this legislation continues to protect society because of a two layered tier—judge and parole board—in the end it is truly “smart legislation.”

If you have any questions or concerns, please feel free to contact me at [theresadeimel@icloud.com](mailto:theresadeimel@icloud.com) Thank you and have a great day.

Respectfully,

*Theresa Engstrom*



Kristen Austin

207 Oak Grove Street Apt B

Jackson, MI 49203

Thank you for taking the time to listen to my perspective regarding the Second Look Bill. I have been a nurse for over 22 years; when providing any healthcare, one uses evidenced based practice and research sound practices. I support Second Look as the data supports it.

I'm writing today to voice my support for the Second Look Bill, HB 4556-4560 and request this be

In hearing record. There are many advantages in supporting this bill:

First, it makes sense financially as the cost of incarceration is estimated to be approx. \$47,000 a year. A substantial portion of this cost is due to medical expenses particularly in the aging prisoner population. Incarcerated individuals have been considered a vulnerable population for many years and evidence shows that older adults in prison do not receive adequate treatment for their health conditions, I have personally witnessed this as I worked for MDOC for over 5 years. Required co-pays are a deterrent to healthcare when individuals only make cents per day while incarcerated resulting in worsening of health conditions when presenting for healthcare. 88% of incarcerated individuals have active substance use disorder or were incarcerated for a crime involving drugs which MDOC is not currently per recommended practice guidelines. Allowing the release of incarcerated individuals increases the opportunities for proper treatment of chronic medical conditions as well as untreated mental health and substance use disorders.

The social impact of incarceration is widespread. When an individual is incarcerated, the family income is reduced causing strain. The risk for homelessness and poverty has been well documented. Children with absent parents are at a higher risk of incarceration themselves, perpetuating the cycle of incarceration. Allowing the opportunity of early release allows parents to be present and active in family and community life. The opportunity for a Second Look gives individuals hope for life beyond cages, life where they can become a productive member of society, life where they can be present in their family life where they can make a difference. I have attached a letter from an incarcerated loved one who writes about his views on getting a Second Look.

These are commonsense bills that do not increase risk to the public as there would be a review by the judge in addition to the parole board review. Individuals should not be viewed by their biggest mistake.

Thank you for your time,

Kristen Austin



Darlene Marie Peterson

4661 Desmond Beach

Fort Gratiot

Michigan 48059

My name is Darlene Marie Peterson and I'm writing in support of House Bill 4556 Second Chance Sentencing act as a former St. Clair County corrections officer with an incarcerated loved one, I've encountered incarceration in a multitude of ways. I've been on the receiving end of those disheartening mandate calls when I'm trying to enjoy my day off and I've had my son painfully ripped away shortly after his 21st birthday. I've also seen personally firsthand the possible transformation that can happen to a person who is motivated to do so. Brendan Peterson MDOC Number 756668 was a good kid growing up. He was shy and had a hard time expressing his emotions. But he would also help take care of his little brothers and stand up to bullies and support his friends. After high school he went to college and was doing well up until his father was diagnosed with brain cancer. He became more reserved and started using drugs. His freefall concluded in 2009 after he took someone else's life. At 21 years old, as a first-time offender he was sentenced to 25 years in prison. Despite beginning his prison term with very little hope, Brendan made the decision to try and right his wrongs by helping as many people as possible. Out here he has rebuilt damaged relationships with his family and friends, he will become an uncle this summer. He has a strong support system who always keeps him grounded. But he will be fine no matter what, he has a kind heart and an infectious love for life. He has tutored special needs students, trained service dogs and knitted hats, mittens, and scarves for under privileged children in the Saginaw area. Second Chance Sentencing can give many deserving people a second look, you can put them on tether or even house arrest and alleviate some of the cost of incarceration. Michigan has the technology, why not use it? That way people can work and pay taxes while still being monitored. This offers a safe sensible solution to a swelling corrections budget. This bill aims to help those who have been doing the right things when they had nothing to gain from doing them. Prison is a toxic environment that puts obstacles in front of those trying to do what's right. It's unpopular enough and inconvenient. But there are people intrinsically motivated to do what they believe is right, despite society having cast them aside.

Thank you for your time,

Darlene Marie Peterson





3/18/2024

House of Representatives, Committee on Criminal Justice. House Bill 4556.

My name is Marie Baker. My brother is Keith Davis-Bey MDOC number 183446. I am writing regarding House Bill 4556 Second Chance Sentencing Act.

- **Second Chance Sentencing Act gives judges the ability to consider new information in issuing a sentence.**

My brother has been incarcerated for over 38 years. He has maintained his innocence for all of these years. His public defender rushed his trial and encouraged a bench trial. I knew, at that time, that was a terrible mistake. My brother was young and obstinate at the time and trusted his court appointed attorney, who barely called witnesses or cross examined the one state witness, who was hiding from drug dealers in my brother's basement dwelling. My brother has been a model prisoner and has grown tremendously. He is not a threat to anyone. It would be a blessing to us and our family, if the previous judge could take a second look at my brother's character and situation.

- **Second Chance separates those who have rehabilitated themselves from those who still need help**

38 plus years is an extremely long time to be isolated away from your loved ones. This kind of sentence for a person who has redeemed themselves, learned to love themselves and others, who has educated and improved themselves in not only a severe punishment for them, but punishment for the family. My brother is a 62 year old, single, rehabilitated (from crack and cocaine) man with something still left to offer his nieces and nephews and others, in the form of knowledge , spirituality and wisdom. Something he, himself did not have much of as a young man.

- **Second Chance further safeguards society from a reemerging population as parole decisions will potentially be influenced not just by the parole board, but also by prosecutors and judges.** This bill would allow the parole process to really dig deep and make informed decisions based on the data and the person, rather than simple one or two opinions. Additionally, multiple ways of looking at the inmate, would allow a group of experts to make a meaningful and informed decision to deny or approve the release of that individual.

- **Second Chance would decrease the amount of money needed to support the inmates and allow the state to use money they save for more meaningful opportunities such as education, drug treatment and mental health initiatives and affordable housing.** This bill would improve the quality of life for the families of the incarcerated by having them home. (Those who are truly rehabilitated). The youth would have a model of how not to find yourself in these kinds of situations and to learn the impact of being imprisoned and isolated from family . It is so easy for young people to be at the wrong place at the wrong time and get caught up. My family has stood by my brother for all these years and will continue to do so until we take our last breath. Both my parents and one sibling are now deceased. My brother has encouraged and supported his nieces and nephews from the correctional facility.

. I am grateful to God that my brother has not been overtaken by depression and hopelessness. I am grateful for this opportunity to be heard and have hope that this honorable body will see the wisdom and possibility of Second Look.

Thank you for your consideration.

Marie A. Baker

This is in regards to my son Wayne Robert Carter 230125.

I'm writing to ask that my Son gets a chance at Second Look.

He was only 21 yrs old at the time of being convicted and will be 53 on March 30th.

Wayne has made many strides during his incarceration. Many times when I've visited him at any facility he's been at I've gotten compliments from prison staff on how respectful and helpful my Son has been towards Staff and prisoners alike.

Wayne has been in the Dog Training Program for several years and has successfully trained over 20 dogs and is highly respected in his knowledge of training and willingness to help his fellow inmates learn this important job as it is what he would like to continue to do if he were released. At present he is looking into continuing his education on training service dogs as he is passionate about being able to give back towards a good cause.

As I think about the many good qualities that my Son has, there are many! He is kind, caring, thoughtful and loves his family as we love him. I would be grateful to have him come home. I know that he'll be successful and grateful to have this chance at a new and hopeful future.

Thank You for taking the time to consider him for this opportunity I think he's earned. by being an exemplary prisoner and for his loving dedication to his family.

Barbara VanEssen

[email:beve1011@gmail.com](mailto:beve1011@gmail.com)

Cell ph # 616-802-0350



March 17, 2024

Michigan House of Representatives  
Lansing MI 48909

Dear Representatives:

My name is Stacey Casanova and I have been the wife of Roberto Casanova Jr. #241866 for the past 18yrs. My husband is currently incarcerated at the Lakeland Correctional Facility. He has been incarcerated for almost 31 years, since 1994 on a Life Without Parole sentence. I am asking you to consider supporting the Second Look Legislation being presented.

As you are aware there has been recent scientific evidence to support that the male brain doesn't fully develop until 25yrs old. All of the associated risk factors that were outlined in the science were things that my husband experienced throughout his childhood. The science was written as if my husband was the primary test subject.

The introduction of the Second Look Legislation gives individuals like my husband a chance to demonstrate to the courts, his family, the family of his victims and the community at large that he has become a different person than he was at the age of 21. To demonstrate that he has taken his time and made the most of it in an effort to honor his victims and their families.

My husband has completed every program that is offered within the MDOC as well as almost all of the vocational programs available to him. He has sought to further his development and rehabilitation by utilizing outside community resources such as home study programs and correspondence course.

My husband is one of the individuals that the Second Look Legislation was meant for. He is a rehabilitated man. Not only is he smarter and able to manage life stressors better but he is older and more mature. My husband has multiple health issues and has already had surgery on both knees and his lower back. He continues to have issues with these and will probably require more back surgeries and most likely double knee replacements in the near future. He has chronic conditions like asthma, migraines, shoulder and other joint issues and long covid which also negatively impact on his health. All these medical issues are a drain on the MDOC budget and could be better managed in the community.

All of the above mentioned items are why I believe that Second Look Legislation is worth your support. There are men and women in prison right now that have made significant changes and improvements in themselves and have support waiting for them outside prison.

The cost to our society to keep these men and women locked up is not benefitting anyone nor our communities. The funds spent to keep these men and women locked up could be put to better use in our community. I implore you to consider supporting Second Look.

Robert will further improve himself and be a productive member of society along with many other men and women if given the chance that Second Look legislation may offer.

Thank you for your time and efforts to create sensible and effective prison reform including for those serving long sentences with little to no hope of returning to be productive citizens and an active member of our communities and our families. It is greatly appreciated by individuals and families outside those prison walls waiting on their Loved ones to return home.

Sincerely,

Stacey Casanova

[Ldsautumn@hotmail.com](mailto:Ldsautumn@hotmail.com)

517-392-1268

March 17, 2024

Michigan House of Representatives  
Lansing MI 48909

Dear Representatives:

My name is Morgen Booth and I have been with my fiance, Eddie Mesik. #648829 for the past 2.5 yrs. My fiance is currently incarcerated at the Lakeland Correctional Facility. He has been incarcerated for almost 18 years, since 2007 on a Life Without Parole sentence. I am asking you to consider supporting the Second Look Legislation being presented.

As you are aware there has been recent scientific evidence to support that the male brain doesn't fully develop until 25 yrs old. All of the associated risk factors that were outlined in the science were things that my fiance experienced throughout his childhood. The science was written as if my fiance was the primary test subject.

The introduction of the Second Look Legislation gives individuals like my fiance a chance to demonstrate to the courts, his family, the family of his victims and the community at large that he has become a different person than he was at the age of 18. To demonstrate that he has taken his time and made the most of it in an effort to honor his victims and their families.

My fiance has completed every program that is offered within the MDOC as well as almost all of the vocational programs available to him. He has sought to further his development and rehabilitation by mentoring others who attend NA meetings. He has also seeked counseling,

My fiance is one of the individuals that the Second Look Legislation was meant for. He is a rehabilitated man. Not only is he smarter and able to manage life stressors better but he is older and more mature. My fiance has become a positive influence in the lives of my two young boys. He continues to show not only them, but myself and his entire family that he is capable of being a productive member of society.

All of the above mentioned items are why I believe that Second Look Legislation is worth your support. There are men and women in prison right now that have made significant changes and improvements in themselves and have support waiting for them outside prison.

The cost to our society to keep these men and women locked up is not benefitting anyone nor our communities. The funds spent to keep these men and women locked up could be put to better use in our community. I implore you to consider supporting Second Look.

Eddie will further improve himself and be a productive member of society along with many other men and women if given the chance that Second Look legislation may offer.

Thank you for your time and efforts to create sensible and effective prison reform including for those serving long sentences with little to no hope of returning to be productive citizens and an active member of our communities and our families. It is greatly appreciated by individuals and families outside those prison walls waiting on their Loved ones to return home.

Sincerely,

Morgen Booth  
[morgenbooth@gmail.com](mailto:morgenbooth@gmail.com)  
517-395-5939



Hello my name is Eddie Mesik, I am nearly 36 years old and have been in prison for almost half my life for making the worst decision of my life.

I was asked to write what Second Look means to me. I don't have all the words to explain how much it means to me but I will try.

Since coming to prison I have struggled to find ways in which to redeem myself. I have taken all classes I was able to slide into as a lifer, I have helped guys get GED's, I make myself available to men who need a safe place to vent instead of using, I chair the NA meetings on Wednesday and Thursday nights and still I feel like it is not enough. I want, need to keep growing. I have built a relationship and family. The second look would give me an opportunity to go home and show I am a good man, prove I can be the best father to my twins, and a great husband to my wife. I want the opportunity to be a productive member of my community, one who serves and helps when I can. I will be living my life with integrity to honor my victims. This is what second look is to me, a chance to show I am not my worst night, I have changed, and I am still growing. Thank you

Sincerely

Eddie Mesik



Darlene Marie Peterson  
4661 Desmond Beach  
Fort Gratiot  
Michigan 48059

My name is Darlene Marie Peterson and I'm writing in support of House Bill 4556 Second Chance Sentencing act as a former St. Clair County corrections officer with an incarcerated loved one, I've encountered incarceration in a multitude of ways. I've been on the receiving end of those disheartening mandate calls when I'm trying to enjoy my day off and I've had my son painfully ripped away shortly after his 21st birthday. I've also seen personally firsthand the possible transformation that can happen to a person who is motivated to do so. Brendan Peterson MDOC Number 756668 was a good kid growing up. He was shy and had a hard time expressing his emotions. But he would also help take care of his little brothers and stand up to bullies and support his friends. After high school he went to college and was doing well up until his father was diagnosed with brain cancer. He became more reserved and started using drugs. His freefall concluded in 2009 after he took someone else's life. At 21 years old, as a first-time offender he was sentenced to 25 years in prison. Despite beginning his prison term with very little hope, Brendan made the decision to try and right his wrongs by helping as many people as possible. Out here he has rebuilt damaged relationships with his family and friends, he will become an uncle this summer. He has a strong support system who always keeps him grounded. But he will be fine no matter what, he has a kind heart and an infectious love for life. He has tutored special needs students, trained service dogs and knitted hats, mittens, and scarves for under privileged children in the Saginaw area. Second Chance Sentencing can give many deserving people a second look, you can put them on tether or even house arrest and alleviate some of the cost of incarceration. Michigan has the technology, why not use it? That way people can work and pay taxes while still being monitored. This offers a safe sensible solution to a swelling corrections budget. This bill aims to help those who have been doing the right things when they had nothing to gain from doing them. Prison is a toxic environment that puts obstacles in front of those trying to do what's right. It's unpopular enough and inconvenient. But there are people intrinsically motivated to do what they believe is right, despite society having cast them aside.

Thank you for your time,  
Darlene Marie Peterson

