Prosecuting Attorneys Association of Michigan

Press Release

Prosecuting Attorneys Association of Michigan
Statement on Juvenile Life without Parole and "productivity credit" legislation pending in the lame duck Michigan House.

December 17, 2024

The officers of the Prosecuting Attorneys Association of Michigan issued the following statement Tuesday morning, ahead of a week that could see the Michigan House vote on legislation that would end truth in sentencing for many violent crimes in Michigan and deprive crime victims of the certainty they have relied on for generations.

PAAM President J Dee Brooks comments "As prosecutors, we often speak with crime victims and hear over and over again that they want justice, which includes certainty in sentencing. Currently, when a defendant is sentenced, a victim will know exactly what minimum prison term that person will serve. But this week, victims face the possibility that the Michigan legislature will pass two bill packages that would undermine certainty and justice for victims of some of the most horrific crimes in Michigan." Brooks noted that prisoners already have the opportunity for parole once they serve their minimum sentence. Over 90% of state prisoners participate in programing to have a chance at parole.

The first package, House Bills 4160-4164, would eliminate the possibility of life in prison without the possibility of parole for juveniles who commit first degree murder, instead allowing them to be paroled after serving just twenty years in prison. Kent County Prosecutor and PAAM President-Elect Chris Becker says victims in his community have already experienced what happens when this possibility is eliminated. "Federico Cruz was resentenced under the U.S. Supreme Court limiting life sentences for juveniles. Cruz was convicted of beheading another teenager in Kent County in 1996. Now he'll be out in a little over six years. Passage of these bills means other communities in Michigan could wake up to the same reality of having someone convicted of a horribly violent crime back on the streets in short order."

PAAM Vice President and Oakland County Prosecutor Karen McDonald notes, "Under the JLWOP bills, the Oxford shooter could be out of prison and back in our community before he turns 40. The Judge who sentenced him heard days of testimony and made the right decision to give him life without parole. These bills would have a tremendous

impact on all of the victims, their families, and the entire community. Such a monumental change in the law should not be passed hastily, without the opportunity for public discussion and debate."

The second bill package, Senate Bills 861-864, would eliminate truth in sentencing for many violent crimes by allowing prisoners to earn productivity credits. Past PAAM President and Kalamazoo County Prosecutor Jeff Getting says the pending "productivity credit" legislation disrespects victims who have relied on Michigan's truth in sentencing law for decades. "Providing certainty to the victims of violent crime is imperative to their trust in the criminal justice system and their sense of security," Getting said. "Any legislation that would take away the certainty of a minimum sentence imposed by a judge is an attack on truth in sentencing." The bill package would allow prisoners to earn up to twenty percent credit off from their sentences for crimes such as second-degree murder, armed robbery, kidnapping and carjacking.

PAAM Secretary Treasurer and Calhoun County Prosecutor David Gilbert says the debate this week should be about crime victims. "Who speaks for victims this week and every week? Your prosecutors," Gilbert said. "Legislation that seeks to "reform" sentencing or change the certainty victims have relied on in Michigan for decades deserves to be discussed in an open and transparent way. Survivors of crimes like child abuse or elder abuse, crimes like armed robbery, deserve to be heard, and not silenced at the Capitol in the middle of the night when the backers of these bills hope no one is watching."