



5/22/2017

The Honorable Mike Kowall
Majority Floor Leader, Michigan Senate
P.O. Box 30036
Lansing, MI 48909-7536

Re: Drug Sentencing Reform

Dear Leader Kowall:

We and our organizations represent concerned citizens, taxpayers, and people of faith who believe in the fundamental American values of individualized justice, treating men and women with dignity and value, proportionality of punishment, and respect for liberty and due process. We also believe in building and protecting families and communities, and giving the opportunity of a second chance to those who have paid their debt. In recognition of these values, we write to express our support for repeal of life without parole provisions in Michigan's drug sentencing laws, and support parole eligibility for those currently serving life without parole for drug offenses.

In 2002, the Michigan legislature repealed most of your state's mandatory minimum drug sentencing laws, including the so-called "650-Lifer" law, which had been in place since the 1970's. At the time, Michigan's laws were among the most punitive of their kind in the country. However, decades of incarcerating thousands for low-level drug crimes resulted not in safer communities, but expansive correctional budgets and high recidivism rates. Of the reforms, then Livingston County prosecutor and President of the Prosecuting Attorneys Association of Michigan, David Morse, said it best: "The time had come to make the change. The idea of stiff severe penalties for drug kingpins was a problem because we weren't getting those kingpins. We were getting people who were carrying on behalf of kingpins."

Michigan's repeal of 650-Lifer and other mandatory minimum sentencing laws were the right move. Since 2003, Michigan has released thousands who have committed low-level drug offences from prison, saving tens of millions in unnecessary corrections costs. Most importantly, Michigan's communities were made safer: the overall crime rate fell nearly 40% between 2003 and 2015.

Michigan's experience with sentencing reform provided a model that many states have since followed. Over the last 15 years dozens of states – including New York, Florida, Georgia, South Carolina, Mississippi, Oklahoma, North Dakota, Montana, and Iowa – have either reformed or repealed mandatory minimum drug laws similar to

those referenced in these bills. They have all seen the same kinds of benefits Michigan achieved with its earlier reforms.

The time has come to take the next step toward reform. Despite the remarkable impact of earlier reform, Michigan law still requires a mandatory sentence of life without parole upon a second conviction for possessing as little as 50 grams of certain illegal drugs. This anachronistic provision is an outlier relative to other states, and it subjects those who commit low-level drug crime – many of whom are battling addiction – to the kinds of harsh sentences the legislature rightfully rejected for most similar cases in 2002.

Reforms to these one-size-fits-all sentencing laws will help restore proportionality of punishment, judicial discretion, and consistency of policy to drug sentencing in Michigan. The legislature was right to take the first step toward reform in 2002. Fifteen years later, we respectfully request that the legislature finish the job.

Sincerely,

Grover Norquist,
President, **Americans for Tax Reform**

Adam Brandon,
President, **FreedomWorks**

Pat Nolan,
Director, Center for Criminal Justice Reform, **American Conservative Union Foundation**

Craig DeRoche,
Senior Vice President, Advocacy & Public Policy, **Prison Fellowship**

Holly Harris,
Executive Director, **U.S. Justice Action Network**

Marc Levin,
Policy Director, **Right on Crime; Texas Public Policy Foundation**

Lauren Krisai,
Director of Criminal Justice Reform, **Reason Foundation**

Greg Newburn,
State Policy Director, **Families Against Mandatory Minimums**