National Organization of Victims of Juvenile Lifers

NOVJL

www.teenkillers.org

August 27, 2013

Michigan Legislators -

We who have had family members murdered by teens are profoundly concerned about your work to bring your state into compliance with the Supreme Court ruling in *Miller v. Alabama*. The reason our organization exists is because we had no choice - we had to try to make sure the *facts* of these crimes are *truthfully told* in the face of staggering amounts of monies being spent in support of those who murdered our family members. These advocates have demonstrated repeatedly their willingness to lie about, and minimize, the crimes and the culpability of the offenders. We are quite sincerely sympathetic to the cause of criminal justice reform, and we understand that going forward Michigan will appropriately be giving options to judges in these cases. But there are some important points we ask you - in the names of our murdered loved ones - to consider seriously:

- The United States Supreme Court has repeatedly and consistently affirmed the constitutionality of natural life sentences for juvenile offenders. You do not have to do anything else in Michigan but create, going forward, an option for these offenders in addition to natural life, so that Courts have some choices at sentencing.

- Claims by the advocates for the offenders that the *Miller* ruling applies retroactively are not at all legally settled - quite the contrary. Most jurisdictions nationally (all the detail is at our website) have found, in line with long standing legal Supreme Court precedent in *Teague,* that this kind of ruling *cannot be applied retroactively*. That ruling acknowledged there is no way to "go back in time" and re-create Due Process of Law. Evidence has been lost, witnesses gone, records not retained. Had we all known that parole release might be offered one day, things would have been different - we could have planned for this. But a natural life sentence is different from any other. The books were closed on these cases, often long ago. Due Process would be impossible - for us, and for the State.

- Well-funded advocates for these offenders, who we have repeatedly reached out to and asked for dialogue, information, any kind of support for our families, have ignored and vilified us, and knowingly lied about the facts of these crimes. Imagine if it was your child that was murdered - then a multi-million dollar Foundation-backed advocate for the killer campaigned for his release, refused to talk to you, launched a high-profile media propaganda campaign misrepresenting how your child really died, and excused the offender, painting him as somehow the real victim here.

- The advocates have repeatedly misrepresented the "brain" argument. On our website, under "Myths and Facts" there is significant scholarly refutation of their wrongful application of the frontal lobe development argument. In short, our brains develop all our lives, and there is nothing in the brain science that excuses a 17 or 16 year old from not being culpable for a pre-meditated murder.

Many of us could be in danger by what offender advocates propose. For Michigan there would be extremely costly legal procedures, with not much difference in terms of the time served for most of these offenders. Instead, we urge you to acknowledge the Constitutional "fix" already in place for any cases of over-sentencing that might exist in Michigan - gubernatorial clemency. We as victims families ask for one thing - please grant us LEGAL FINALITY. We deserve, at the very least, to not have to spend the rest of our lives facing over and over again those who murdered our family members.

Gratefully,

Jennifer Bishop-Jenkins

President, NOVJL