Remarks to the Michigan House Judiciary Committee
By Velia Koppenhoefer Regarding Support of Efren Paredes, Jr. and
House Bills 4806-4809 * August 27, 2013

My name is Velia Koppenhoefer, and I am the mother of Efren Paredes, Jr. Efren is one of the juveniles who was sentenced to mandatory life without parole in 1989 as a juvenile in Michigan. He was 15-years-old at the time of his arrest and he has been imprisoned over 24 years.

Efren received two life without parole sentences for a single homicide and a life sentence for armed robbery as a result of his conviction. The armed robbery sentencing guidelines were 3 to 8 years. Efren had no prior juvenile record of any kind.

I am often reminded by Efren's statement that, "Youth of color sentenced to die in prison are collateral damage in the fierce crosswinds of failed public policies." This statement can be made no more salient and evident by the fact that 72% of the juveniles sentenced to life without parole in Michigan are children of color.

Like so many other counties in the state, Berrien County has a long shameful history of racism towards people of color. This stain is evidenced by the large number of minority arrests and citizens that fill its county jail.

Berrien County aggressively targets youth of color to receive its most punitive sentences. The culture of racism that pervades its courts infects every level of the justice process resulting in a denial of due process and unfair sentences.

Efren earned his GED at age 16, has participated in college classes, and has earned a Doctor of Religious Philosophy degree and various vocational certificates during his incarceration. He has also participated in numerous self-help and therapeutic programs and been active in various cultural and civic organizations.

Throughout his imprisonment Efren has worked to improve living conditions both individually and while serving as a member of the Warden's Forum at various prisons he has been housed over a dozen times. He has also fostered a culture of calmness and worked to facilitate better relations between prisoners of different races, cultures and religions.

Efren has made presentations to college students at University of Southern California, University of Michigan, Michigan State University, University of Chicago, and the University of Oregon via phone regarding the importance of staying out of trouble and value of pursuing their education. He has also presented workshops to students on campuses and in high schools about the need to end the cycle of violence that is devastating our communities.

On numerous occasions Efren has appeared on radio stations across the nation, including in Toronto, Ontario (Canada), to discuss the issue of juvenile crime prevention, myriad social justice issues, and to raise funds for important causes (e.g., to purchase computer equipment for an elementary school classroom, to sustain a Summer-long camp for underprivileged children, to increase breast cancer

awareness, etc.). Articles about Efren have appeared on numerous web sites and blogs, including being aired on National Public Radio (NPR).

His release is supported by current and former MDOC employees, legal scholars, professors, community leaders, churches and others. The Berkeley City Council passed a resolution supporting Efren's release and condemning his sentence as a human rights violation.

Efren has demonstrated a long record of accomplishments, particularly in light of being surrounded by a culture of negativity in the prison setting since his incarceration at a very young age. The fact that he has excelled and evolved into the person he is today is an exceptional achievement. It is a testament to his resilience and capacity for continued growth and development.

If released, Efren has employment opportunities awaiting him, secure and stable home placement, and vast family and community support which can help him access important resources. These are all elements necessary to successfully completing the terms of his parole.

I also ask that you strongly advocate for the section in the bills that provides judges with discretion to sentence juvenile offenders to a term of years rather than limiting them solely to the options of LWOP or parolable life.

Only providing mandatory sentencing options of LWOP or parolable life is contrary to the spirit of individualized sentencing. It shackles judges by stripping them of the discretion to sentence offenders on a case-by-case basis and abandons the concept of redemption.

No psychological professional has the capacity to predict what a juvenile will be like a year from now, let alone a decade from now. Any teacher, parent or rational adult knows this reality. This is one of several reasons it is better for judges to impose sentences on juveniles that allow the Parole Board to determine when juvenile offenders are ready to be released later in life.

In negotiations regarding the House and Senate bills I urge you to support the sensible proposed minimum term of years required to be served for prisoners to receive parole consideration in House Bill 4809 (i.e., 15 years).

Conversely, I ask you to reject the proposed minimum term of years required to be served for parole consideration of 45 years in Senate Bill 319 as an inhumane, excessive and ill-conceived policy.

I believe it would be fiscally responsible to also allow all prisoners sentenced to mandatory life without parole when they were juveniles to be treated as parolable lifers and considered for release by the Parole Board every two years after serving the required minimum term of years to become parole eligible.

This should occur absent the need for a public hearing if a prisoner elects to not be resentenced as a large cost-saving measure to taxpayers. Resentencing should, however, remain an option for these prisoners if they wish to pursue it.

I strongly oppose discarding the lives of juveniles and condemning them to die by a slow form of death-by-incarceration. To deny juveniles a second chance is to reject their humanity and extinguished all possibility of hope for their futures.

I pray that you will see yourself as a guardian not of an ideological position or office but of a system of law which acknowledges the inevitable need for change of direction reflecting experience and seasoned judgment.

Passage of these bills will not release a single prisoner. It will only provide a meaningful opportunity for release consideration for individuals who demonstrate personal growth; rehabilitation and that they would pose no danger to society if released.

It will cost the State of Michigan over $2 million to incarcerate each juvenile prisoner sentenced to LWOP for their entire lifetime. To incarcerate the 350 prisoners currently serving LWOP for their lifetimes will cost over $700 million, an average of $10.5 million per year.

The vast amounts of money and resources being spent to incarcerate juvenile offenders could be invested in early childcare and K-12 education, with an emphasis on crime prevention rather than focusing entirely on the symptoms of crime. Our current approach to incarcerating young people is ineffective and unsustainable.

In the "Spirit of Youth and the City Streets," Jane Addams, the Nobel Prize winning social worker and crusader for the juvenile court, emphasized that youth above all, is about possibility and that "we may either smother the divine fire of youth or we may feed it."

As a mother, daughter, employee of the public school system for nearly 20 years, and citizen of conscience, I categorically reject mandatory life without parole sentences because they smother the divine fire of youth. They are an expression of despair that ignores the evolving standards of decency in a civilized society. It is intolerable to basic fairness and should shock the general conscience of society today.

I ask that you turn to your informed conscience and support the sentencing reforms proposed in these bills.

Sincerely,

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