



June 17, 2025

The Honorable Representative Sarah Lightner
Michigan House Committee on Judiciary
Anderson House Office Building
Lansing, MI 48933

Dear Chairperson Lightner and Members of the Committee:

The Sentencing Project, a national research and advocacy organization, opposes three resentencing bills, [HB 4506](#), [HB 4507](#), and [HB 4508](#), that seek to undermine the Michigan Supreme Court's recent decisions finding mandatory life without parole sentences for young people under 21 unconstitutional. The Sentencing Project urges this legislature to **oppose HB 4506, HB 4507, and HB 4508 and instead support HB 4211**, which focuses on providing re-entry services for individuals found eligible for resentencing and eventual release under the Court's decisions.

Legislators Should Not Undermine Protections for Emerging Adults

The recent Michigan Supreme Court's decisions recognize that mandatory life sentences without parole for young adults is "grossly disproportionate punishment." In *People v. Parks*, the court held that "because of the dynamic neurological changes that late adolescents undergo as their brains develop over time and essentially rewire themselves, automatic condemnation to die in prison at 18 is beyond severity—it is cruelty."¹ Further, in *People v. Taylor* and *People v. Czarnecki*, the court found that 19- and 20-year-olds share with 18-year-olds "the same mitigating characteristics of late-adolescent brain development" that distinguish children from adults for sentencing purposes and render automatic life-without-parole sentences grossly disproportionate.²

This legislature should heed the Michigan Supreme Court's research-based findings. Bills that limit the impact of the court's ruling by allowing prosecutors to circumvent the protections against extreme mandatory sentencing, including mandatory life without parole (LWOP) sentences, for

¹ *People v. Parks*, No. 16208 (2022), at 26, [https://www.courts.michigan.gov/4a21a7/siteassets/case-documents/opinions-orders/msc-term-opinions-\(manually-curated\)/21-22/parks-op.pdf](https://www.courts.michigan.gov/4a21a7/siteassets/case-documents/opinions-orders/msc-term-opinions-(manually-curated)/21-22/parks-op.pdf).

² *People v. Taylor*, No. 166428 & *People v. Czarnecki*, No. 166654 (2025), at 2; https://www.courts.michigan.gov/siteassets/case-documents/uploads/opinions/final/sct/166428_133_01.pdf?emci=1e9e9ad3-351a-f011-8b3d-0022482a9fb7&emdi=ce6a6119-cb1a-f011-8b3d-0022482a9fb7&ceid=1019789.

emerging adults will not only harm the young adults forced to serve extreme sentences but also undermine community safety.

Research Demonstrates Emerging Adults Change and Mature

A 2019 National Academy of Sciences (NAS) report found that emerging adults are more likely to engage in risky, impulsive, and sometimes criminal behavior because their brains are not yet fully developed.³ Further, research finds that young adults naturally grow out of this impulsivity. The NAS report explains: “most late adolescents will naturally grow out of this phase and fundamentally change their behavior, including through neurological growth that enhances their capacity for reasoned decision-making under stress and future-looking orientation, and are uniquely amenable to rehabilitation.”⁴ Sentences that preclude review, including LWOP, should never be imposed on individuals whose brains are still developing and maturing, as these sentences fail to take into consideration young adults’ capacity for growth, rehabilitation, and change as they age.

Brain science research makes clear that emerging adults are capable of remarkable growth and rehabilitation as their brains continue to develop. If HB 4506, HB 4507, HB 4508, and other bills that allow for excessive mandatory sentencing for emerging adults are enacted, young adults will be barred from having an opportunity for individualized sentence review. The legislature should recognize what the science shows and the Michigan Supreme Court recognized by ensuring that all people under the age of 21 have an opportunity for a court to review their specific circumstances in determining their appropriate sentence.

Mandatory Extreme Sentences for Young Adults Undermine Community Safety

The reestablishment of mandatory prison sentences by the provisions of HB 4506, HB 4507, and HB 4508, ignores the reality that young adults age out of crime and no longer pose a risk to community safety that requires a life or other extreme sentence. Dozens of studies find that the typical ages at which people are most likely to engage in violence climb from the late teenage years to one’s twenties before dramatically falling throughout one’s mid-to late-twenties.⁵ After this age, the commission of crimes typically declines steadily.⁶ Further, recidivism among young adults who have

³ National Academies of Sciences, Engineering, and Medicine. (2019). *The promise of adolescence: Realizing opportunity for all youth*. National Academies Press. <https://doi.org/10.17226/25388>.

⁴ *Brief of Amici Curiae Neuroscientists, Psychologists, and Criminal Justice Scholars in Support Defendant-Appellant Sheldon Mattis and Affirmance*. <https://jlc.org/sites/default/files/attachments/2022-12/2022.12.16%20Neuroscientists%2C%20Psychologists%20%26%20Crim.%20Just.%20Scholars%20Amicus.pdf> page 2.

⁵ The “age-crime” curve refers to the rapidly declining likelihood to commit crime, including violent crime, with age. Farrington, D., Loeber, R., and Howell, J. (2012). *Young adult offenders*. *Criminology and Public Policy*, 11(4): 729-768.

⁶ Farrington, D. (1986). “*Age and crime*.” In Michael Tonry and Norval Morris (eds.), *Crime and Justice: An Annual Review of Research*. Vol. 7. Chicago, Ill.: University of Chicago Press; Piquero, A., Jennings, W., and Barnes, J. (2012). *Violence in criminal careers: A review of the literature from a developmental life course perspective*. *Aggression and Violent Behavior*. Vol 17 (3): 171-179.

been resentenced and released following lengthy sentences is rare.⁷ Keeping people incarcerated who do not pose a risk of harm only results in cruelty against these individuals.

The recent Michigan Supreme Court's decisions recognize this capacity to grow, and the elimination of mandatory LWOP sentencing for people under the age of 21 ensures that emerging and young adults who are convicted are given the opportunity and support for rehabilitation and a second chance.⁸ This legislature should not undermine the court's determination that these sentences violate the Michigan constitution and that individualized sentencing is required by establishing additional extreme mandatory sentences for 18 to 20 year olds.

Re-Entry Support Needed for Community Safety

We applaud this legislature for wanting to take steps following the most recent Michigan Supreme Court decision impacting resentencing for people who are currently incarcerated. Instead of enacting legislation that would perpetuate the mandatory extreme sentencing of young adults, we urge this legislature to focus on creating avenues of support for the people for whom the Court has permitted an opportunity for review of their sentences.

Access to re-entry services is crucial to ensuring successful rehabilitation and reintegration for individuals released from incarceration into their communities.⁹ [HB 4211](#) would expand re-entry services to those released to ensure they are afforded support services similar to those given to parolees, transitional housing for up to one year, and the securing of vital documents such as birth certificates and state identification cards that are instrumental in applying for, obtaining, and maintaining employment.

Michigan would not be the first state to prioritize re-entry support for people who are resentenced. In Washington, following the State Supreme Court's decision in *State v. Blake*, which called for the resentencing of those convicted under the state's statute prohibiting simple possession of a controlled substance, the state legislature took key steps to ensure all individuals within the state who were eligible for release upon resentencing received crucial re-entry and transitional support. The legislature provided funding to process court orders, provided housing vouchers and immediate

⁷ Daftary-Kapur, T., & Zottoli, T. (2020). *Resentencing of juvenile lifers: The Philadelphia experience*. <https://digitalcommons.montclair.edu/justice-studies-facpubs/84>. Research conducted by Montclair University's Tarika DaftaryKapur and Tina Zottoli found that recidivism rates were 1.14% for individuals resentenced and released from original JLWOP sentences in Philadelphia, an area that once housed the largest population of juveniles sentenced to LWOP. See also, Nellis, A., Bishop, B., & Liston, S. (2021). *A New Lease on Life*. The Sentencing Project.

⁸ *People v. Parks*, 987 N.W. 2d 161 (Mich. 2022) (the court held that the state constitution mandates that 18 year olds receive the same individualized sentencing as juveniles, rather than being subject to mandatory life-without-parole sentences like other adults); *People v. Poole*, No. 166813 (Mich. 2025) (the court held that its decision in *People v. Parks* applies retroactively, allowing defendants in cases where the period for direct review had expired when *Parks* was decided are entitled to resentencing); *People v. Taylor*; *People v. Czarnecki*, No. 166428; No. 166654 (Mich. 2025) (the court held that mandatory life-without-parole sentences violate the state constitution's protection against "cruel or unusual" punishment for anyone under age 21 at the time of the offense).

⁹ NCSL, *Successful Reentry: Exploring Funding Models to Support Rehabilitation, Reduce Recidivism*, NCSL (June 2023), <https://www.ncsl.org/civil-and-criminal-justice/the-importance-of-funding-reentry-programs>.

release resources, and staff to assist with transitional planning and resource connection for individuals impacted by the *Blake* decision, legislative changes, and Supreme Court decisions that resulted in others being eligible for resentencing and release.¹⁰

Washington's re-entry support work has been extremely successful. In 2024, the Washington Department of Corrections Resentencing team was able to provide transitional support to 82% of individuals released via resentencing.¹¹ The Resentencing team has been able to help people access housing, employment, peer support, and medical care. This tailored re-entry support for people who were released after believing they would never leave carceral facilities has been crucial for ensuring their successful reintegration. Michigan has the opportunity to follow suit and ensure people released after resentencing have the support they need to succeed upon re-entering the community.

Instead of establishing limitations on the protections created by the Michigan Supreme Court for emerging adults, we urge this legislature to build upon them by creating necessary re-entry support for people who are resentenced. Re-entry services will improve rehabilitation, support reintegration, and significantly decrease recidivism, furthering community safety.

The Sentencing Project asks for a favorable report on HB 4211 and urges this committee to vote no on HB 4506, HB 4507, and HB 4508. Thank you for your consideration of The Sentencing Project's recommendations on these legislative proposals.

Sincerely,

Nicole D. Porter

Nicole D. Porter
Senior Director of Advocacy

¹⁰ Department of Corrections Washington State, *Resentencing: Supporting Individuals Impacted by Resentencing*, <https://www.doc.wa.gov/corrections/justice/resentencing/>, (June 2025).

¹¹ *Resentencing: Transitional Support for Individuals Impacted by Resentencing and Commutation*, Department of Corrections Washington State (May 2025).