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Incarceration with a different type of sentence requires introspection and reimagination. Here in Michigan, incarcerated persons are under some of the most rigid and rehabilitative defying sentences in the country.

Currently, M.D.O.C. incarcerated persons serve 120% of their sentence in the wake of the repeal of good time and disciplinary credits. In their place has been the enactment of truth-in-sentence, which at its heights congested the M.D.O.C. at 51,000 inmates, making it more repressive, violent, and antagonizing where there has been no incentive to repent and reform.

In January, the attorneys of Record in *People v Manning*, filed a Motion for Reconsideration. The Manning case pertains to extending the protections of Miller (the juvenile lifers' law) to 18 year olds. This April, attorneys filed a Notice of Supplemental Authority in the Michigan Supreme Court, citing *In re Pers. Restraint of Monschke*, No. 96772-5, No. 96773-3. A case out of Washington State, wherein the State's Supreme Court ruled Miller applies to 18-20 year-olds.

The Monschke ruling is important to Manning because part of its denial pointed to the fact that there was no state Supreme Court that applied the protections of Miller to 18 year-olds. Now armed with precedent of a state that has applied the protections to 18-20 year-olds, Michigan prisoners have "another" argument--persuasive in nature--in addition to seeking to get the expert testimony on record that the Michigan Supreme Court signaled it needed to rule favorably in the matter.

The Monschke case also revealed other areas of arguable merit for resentencing. First, the Michigan Statute (MCL 768.25), defining who is a juvenile and entitled to a discretionary sentence based on the arbitrary bright line (under 18) should be ruled unconstitutional. The Washington State Supreme Court ruled their state's legislative statute unconstitutional pursuant to the state's constitutional protection against cruel punishment when it comes to who constitutes an "adult" for the purposes of mandatory life without parole sentences, because *Miller v Alabama*, guarantees individualized sentences that consider mitigating qualities of youth. Resentencing then is appropriate considering the fact that bright lines shift over time pursuant to the evolving standard of decency that mark the progress of a maturing society.

Secondly, resentencing is appropriate because the "age of majority" was set at 21 until 1942, when Congress lowered the age to 18 to register more men for WWII. Then in 1971, Congress lowered the voting age to 18. States followed defining minors as under 18, and majority as 18 and older and that bright line distinction has remained for many purposes since then.

Lastly, although the Washington State Supreme Court decision is persuasive precedent, Miller did not flow from a tally of legislative enactments across the country, nor did it scrutinize or rely in the same way on legislative enactments. Hence, how many state courts, legislative bodies, and/or executive offices that apply Miller to late adolescents for resentencing purposes is not that pertinent. What is pertinent is do 18-20 year-olds' exhibit transient characteristics of youth similar to 17 year-olds. The scientific community says there is no difference, and support their conclusion by pointing to the fact that society for many purposes distinguishes youths and adulthood at the brightline age of 21.

Approximately 700 18 to 20 years-olds have been reimagining their experience of imprisonment now that relief is insight. The prospective of release after decades of sheer warehousing has allowed us to reflect on our incarceration in light of a different type of sentence.

I wonder how much exuberant I would have been knowing that one day I would be a returning citizen. How less antisocial I would have been, violent, disruptive, and disparaging. I wonder how much more would I have been health-conscious, respectable, humble, and courteous. I fret at the fact that I was not inspired to pursue secondary post education, a vocation trade certification, or interpersonal communication skill. Knowing that I would be resentenced one day, perhaps, would have afforded me a better relationship with my family, maybe I would not have loss dear friends and associates at the prospect of never being released from prison.

Resentencing allows me to reimagine my self-worth, importance, and dignity. I can dream of release now rather than dread nightmares of dying in prison. I can now reimagine the former concepts of my life that could not anticipate the little things ever again like taking out the trash, rubbing my mother's feet, taking my grandchildren to a baseball game, going to a grocery store, paying taxes, voting, or getting married.

While reimaging Michigan's life without parole sentences and truth-in-sentence mandates, I cannot get too optimistic. After all, this is Michigan, which has the worse criminal justice system, use of executive commuting authorities, and parole board policies in the north!