



GRETCHEN WHITMER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF CORRECTIONS  
LANSING

HEIDI E. WASHINGTON  
DIRECTOR

November 17, 2022

**Jamie Meade, #232516** 1-106-B  
Macomb Correctional Facility (MRF)  
34625 26 Mile Road  
New Haven, Michigan 48048

Dear Jamie Meade:

This letter is to notify you that the Michigan Parole Board received your *Application for Pardon or Commutation of Sentence* on October 7, 2022. Your petition is currently under review. When the Parole Board has finished reviewing your application, it will make a recommendation to the Governor on the merit of the petition.

Sincerely,

Michigan Parole Board

MPB/cvw



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Sincerely,

Michigan Parole Board

MPB/cvw



**October 6, 2022**

Jamie Meade  
Macomb CF  
34625 26-Mile Road,  
Lenox TWP, MI 48048

**RE: Enclose Documents**

Hey Jamie,

Please see included a copy of your 2022 Commutation Application that was submitted to the Michigan Parole Board on Wednesday, October 5, 2022.

I'll setup a phone call with you here soon.

If you have any questions, please contact me at any time.

Regards,  
Fidelis Law, PLLC

  
**Christian P. Wiesenberg (P83574)**

915 N. Michigan Avenue – 208,  
Howell, MI 48843  
(734)210-1844

WiesenbergC@FidelisLawPLLC.com

# **FIDELIS LAW, PLLC**

## **COMMUTATION**



**FOR**

**JAMIE MEADE**

**[MDOC # 232516]**

**FILED ON:**



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**I. 2022 COMMUTATION APPLICATION**



GRETCHEN WHITMER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF CORRECTIONS  
LANSING

HEIDI E. WASHINGTON  
DIRECTOR

**OFFICE OF THE PAROLE BOARD**

Attached is the Application for Pardon or Commutation -- Current Michigan Prisoner you requested. If you choose to apply for a pardon or commutation, you should complete this Application **and submit one copy of it and all supporting documentation to the Office of the Parole Board.**

As required by Michigan law, upon review of the Application packet, the Parole Board (the Board) will determine if the Application has "Merit" and take one of the following actions:

1. If the Board determines that the Application **has merit**, the Judge and Prosecutor in the sentencing county will be asked for their position on the Application. If neither objects to the Application, a Public Hearing on the Application will be held. After the Public Hearing, the Board will send the Application, a transcript of the Public Hearing and its determination of merit to the Governor's Office for a final decision.
2. If the Board determines that the Application **does not have merit**, the Application with the determination of No Merit will be sent directly to the Governor's Office for a final decision.

According to Administrative Rule 791.7760(2), the Board can accept an application only one time every two years. The Governor's Office will notify the applicant once a final decision has been made.

Sincerely,

MICHIGAN PAROLE BOARD

Pardons and Commutations Coordinator

Attachments

## **DIRECTIONS FOR FILING AN APPLICATION FOR PARDON OR COMMUTATION OF SENTENCE**

1. A pardon or a commutation of sentence is a matter of clemency – it is not a right. Please understand what it is you are requesting:

**Pardon** – The Governor uses his or her executive clemency powers to forgive a person convicted of a crime. A pardon removes the conviction and the associated penalty from the books.

**Commutation of Sentence** – The Governor uses his or her executive clemency powers to reduce a criminal sentence. This is not the same as a pardon, which wipes out the conviction.

2. The Parole Board (PB) is not required to act upon an application which is substantially identical to one that was previously denied within the last two years. The two year time period is measured from the date the previous application was received at the Office of the PB. If you file a substantially identical application within that time period, it will be returned to you.
3. Respond to every question. Be sure to list every crime for which you are requesting clemency. Be specific, detailed, and most important – be accurate. Be direct in your answers, but give enough information for the PB to understand your case. Type or print each response so that it is clearly understandable and legible. If there is not enough room on the form for your answers, you may attach additional sheets to complete your answer. If you do so, be sure to identify the question(s) you are answering on the attached sheets.
4. If your answers are incomplete, unclear, or unresponsive to the question asked, the application will be returned to you to properly complete and resubmit. This will delay consideration, so be direct, accurate, and complete in your answers.
5. When responding to question no. 3, give the facts of the crime and clearly describe the extent of your participation or your role in the offense.
6. Your answers to question no. 4 and no. 5 should demonstrate to the PB what insight you have gained into your past criminal mindset and behavior. Your answers should explain how you have changed and what you have accomplished during your incarceration to bring about that change. Clearly describe why you are not a risk to the community. If you are requesting clemency due to a serious health issue, identify your diagnosis, prognosis, and the manner in which the condition is debilitating or affects your daily activity.
7. Please give as much detail as possible in your answer to question no. 6. List what plans you have made for life in the community and be specific. Let the PB know where you will live, what support systems you have, what programs you have looked into in the community, how you will support yourself, and generally what activities you will be involved in which will reduce the likelihood of future criminal behavior.
8. Additional documentation is not required but may be provided if it is relevant and clearly serves the purpose of verifying or adding additional information to your response. If you have filed prior applications with the same documents attached, please do not resubmit them. Instead, request that the PB review the documents you submitted with a previous application and provide a document list.

**MICHIGAN DEPARTMENT OF CORRECTIONS  
OFFICE OF THE PAROLE BOARD**

CFJ-515  
7/11

**APPLICATION FOR PARDON OR COMMUTATION OF SENTENCE  
(CURRENT MICHIGAN PRISONER ONLY)**

I hereby petition, as provided by law, for a pardon or commutation of sentence for the following conviction(s) in the State of Michigan and submit the following information in support of this petition:

1. Name: Jamie L. Meade Number: A232516 Location: Macomb Correctional Facility

Date of Birth: August 14, 1973 U.S. Citizen? ☒ Yes ☐ NO

2. Michigan conviction(s) for which you are requesting a pardon or commutation of sentence:

Crime Title and Type (Misdemeanor or Felony)	Date	Court and Location	Judge	Sentence
1. 1st Degree Murder; MCL 750.316	7/19/1993	3rd Circuit Court for Wayne County, MI	Hon. Finch, Sharon	Life without the eligibility for parole
2.				
3.				
4.				

3. Briefly describe the circumstances of the crime(s) for which you are requesting a pardon or commutation:

See "Supplement"

4. Provide a brief statement explaining why you are requesting a pardon or commutation:

See "Supplement"

5. Provide a brief statement explaining why you should be granted a pardon or commutation:

See "Supplement"

6. What are your home and job placement plans in the event you are released?

See "Supplement"

**SIGNATURE MUST BE NOTARIZED EXCEPT IF SUBMITTED BY A PRISONER**

Note: If this application is not signed by the applicant personally, it is signed by Christian P. Wiesenberg (P83574)

(Name)

Attorney

, for the following reason: Submission on behalf of

(Relationship)

Jamie Meade

Submitted by: [Signature]

(Signature)

Date: Oct. 5, 2022

**Notary:**

On this 5<sup>th</sup> day of October, 2022, the petitioner, Christian Wiesenberg personally appeared before me, known to me to be the person who signed the foregoing petition, and who made an oath that he or she had read the foregoing application by him/her subscribed and knew the contents thereof to be true of his/her own knowledge, except those matters therein stated to be on information or belief, and as to those matters he/she believes to be true.

DANIELLE MACFARLAN  
Notary Public, State of Michigan  
County of Washtenaw

My Commission Expires 10-09-2023

Acting in the County of Washtenaw

[Signature]  
Notary Public

WASHTENAW MI  
County State

My Commission Expires on 10/09/2023

**IF SUBMITTED BY PRISONER, STAFF MUST VERIFY PRISONER'S IDENTITY BELOW**

Staff Signature

Staff Title/Classification

Date

**INSTRUCTIONS:**

1. Submit the application and any supporting documentation. The application must have the signature of the applicant (or the person applying for the applicant) and, unless the applicant is a prisoner, the Notary's stamp and signature.
2. Complete all items and questions fully, using additional sheets as necessary.
3. Mail the application and any supporting documentation to:

Michigan Department of Corrections  
Office of the Parole Board  
Pardons and Commutations Coordinator  
Post Office Box 30003  
Lansing, Michigan 48909

**SUPPLEMENT FOR JAMIE MEADE'S APPLICATION FOR COMMUTATION**

Name: Jamie Meade

MDOC # 232516

Location: Macomb Correctional Facility

Date of Birth: 8/14/1973

Please read the following responses to questions 3, 4, 5 and 6.

**#3: Briefly describe the circumstances of the crime(s) for which you are requesting a pardon or commutation:**

On the evening of January 8, 1993, my co-defendants, Brian Barkley, Chris Chirillo, Chris Long, Carlton Johnson and I had been drinking and smoking at a party that took place at the Knights of Columbus Hall in River Rouge, Michigan. We left the party in the early morning of January 9, 1993.

After we left the party, I wanted to smoke more marijuana. That's when we decided to go to victim, Jason Thompson, home. When we arrived at Jason's, I asked him if he would give me marijuana and I would repay him the next day. Jason would not give me marijuana without being paid. I then told Jason that we would get money and come back; Jason told us to call him after we got the money.

We left Jason's and went to Chris Long's apartment to gather up money. While we were at Chris's apartment, we grabbed as much money as we could. While searching for the money, we grabbed the shotgun used in the incident and that shotgun accidentally discharged inside Chris's apartment. While we were thinking of ways to get the rest of the money for Jason, we decided to just take the marijuana from Jason because he would not give it to us on credit. I called Jason and told him we were on our way.

We arrived at Jason's home for a second time. I exited the car and so did Brian Barkley. As we approached Jason's home, Brian was concealing the shotgun under his coat. Our plan was to act like we were purchasing the marijuana from Jason, Brian would then brandish the shotgun on Jason, and we would take the marijuana and leave.

Jason let us in through the side-door. Jason led us down to his basement to where his bedroom was located. Evelyn Blyth was laying on Jason's bed. I stood at the end of the bed talking with Jason about our evening and about the marijuana. I was holding onto one bag of marijuana in one hand and money in the other while Jason weighed out the second bag of marijuana. As we stood there watching Jason weighing out the second bag, I was waiting for Brian to pull out the shotgun to initiate the plan.



As I waited, I hear the shotgun discharge from behind me and I see Jason get shot as he stood in front of me. As soon as all this happened, I grabbed the marijuana and ran out of Jason's home to the car we arrived in. I was not sure if Jason was right behind me or not.

Once I got into the car, I told Chris Long, Chris Chirillo and Carlton Johnson that Brian shot Jason. Brian got into the car moments later and he said that he also shot Evelyn Blyth. We drove to the river and disposed of the shogun. I asked Brian why he shot Jason and he said he did not mean to. Brian explained that after he shot Jason, he got scared and shot Evelyn because she witnessed what had happened.

**#4: Provide a brief statement explaining why you are requesting a pardon or commutation:**

I am requesting a commutation for four reasons. First, the only type of relief I can receive is by clemency through the Governor since I was sentenced to a mandatory life sentence without the opportunity for parole.

Second, my sentencing judge, Hon. Sharon Tevis Finch, stated on record that "fundamental fairness" was not served in my case and that my "sentence was unjust" due to the plea deal accepted by my co-defendant, Brian Brinkley (See "Judge Finch Letter of Support").

Third, I am asking for mercy. At the time of this incident, I was 19 years old. I was young, irresponsible, immature, and did not fully understand the consequences of my actions. Now that I am much older, I realize why my actions that night was wrong. I understand why my actions during that time of life was not healthy. I wish to show the public that I have been rehabilitated and can do good for those who I have harmed and for the rest of the community. I pray for an opportunity to earn a second chance of life outside of incarceration.

Lastly, Current developmental brain science and recidivism data shows that a person who has been convicted and sentenced for a violence offence, like me, is not likely to reoffend after serving as many years as I have.

I just want it to be known that I do not wish to avoid the penalties placed on me by the State of Michigan. That I do not wish to make Jason Thompson and Evelyn Blyth's family suffer any more. I want to show the Thompson's and Blyth's how sorry I am for my participation in their loved ones deaths, and that I will do everything in my power to make amends with them and the public.

**#5: Provide a brief statement explaining why you should be granted a pardon or commutation:**

I want to start this section by apologizing again to Jason Thompson and Evelyn Blyth's families for their losses because of this situation. I now understand every element of why I was wrong to even place myself and others in that situation.



I respectfully request for my commutation application to be granted by the Parole Board and Governor because I am a changed man. I know how this sounds but I believe my actions while incarcerated prove this. First, I am now a man of God. I am the first, and only, incarcerated individual who has been allowed to participate divinity classes through the Chicago Theological Seminary. When I complete this program, I will graduate with a Master's in Divinity. Once I receive this honorable degree, I can then become and ordained minister for the United Church of Christ.

Second, modern developmental brain science states that "the brain of an 18- to 21-year-old functions in ways that are similar to that of a 16- to 17-year-old." (See, "Steinberg Affidavit," pg. 16). At the time of my offense, I was 19 years old. I grew up in a lower socioeconomic status area and was subject to physical and environmental trauma. I don't say this as an excuse, but to create understanding. I accept responsibility for my participating in the crime. At that age, I was not thinking right. I was more concentrated on my reputation amongst my peers, and the rewards I gained by my negative actions. Like Prof. Steinberg states in his affidavit, "arrests for property crime and for violent crime increase between 10 and 19 years, peak in the late teens and early 20's, and decline thereafter, most dramatically after 25." (See "Steinberg Affidavit," pg. 17).

Lastly, due to my age at the time of the offense, I can assure that I am no longer a dangerous and violent person that I once was when I was younger. I accept the fact that at the age of 19 I was immature and sought rewards to compensate for what was lacking in my life. At 19-years old, my character was not where it needed to be in order to be a productive person in society. Although, after 29-years of incarceration and taking a lot of time to reflect on who I was, where I was going, and who I am today, that my character has changed and that I want to prove that I can, and will, contribute positively to society. To cite Dr. Lawrence Steinberg, "[w]e know that, in many respects, individuals between 18 and 21 are more neurobiologically similar to younger teenagers than had previously been thought; their character has not yet been fully formed (as those brain regions most determinant of character are the last to mature), they remain amenable to change, and they are able to profit from rehabilitation." (See "Steinberg Affidavit," pg. 6).

**#6: What are your home and job placement plans in the event you are released?**

In the event I am given the opportunity for release based on a commutation, I would like to have my home placement at one of the following locations:

Pauline Thompson  
Relationship: Mother  
Address: 60 Abbott Street, River Rouge, Michigan 48218  
Phone: (313)744-8954

Chance for Life – Housing Program

Relationship: Religious Affiliates

Address: 12850 Plymouth Road, Detroit, Michigan 48227

Phone: (313)784-9209

Website: <https://chanceforlifeonline.org>

MADE Institute

Relationship: Incarcerated Individual Support Network

Address: 503 E. Garland Street, Flint, Michigan 48503

Phone: (810)835-8304

Website: <https://madeinstitute.org>

In the event I am given the opportunity for release based on a commutation, my plans for employment are:

Fidelis Law, PLLC

Role: Legal Assistant

Address: 915 N. Michigan Avenue – Ste. 208, Howell, MI 48843

Phone: (734)210-1844

Email: [WiesenbergC@FidelisLawPLLC.com](mailto:WiesenbergC@FidelisLawPLLC.com)

Additionally, please see the included Re-Entry Plan prepared by the State Appellate Defender's Office (SADO) by Jose Burgos, re-entry specialist.

#### **CONCLUSION/RELIEF REQUESTED:**

I respectfully request that I, Jamie Meade, my application for commutation for my listed offense be granted. While considering my application, please take into account (i) my role in the offense; (ii) my age at the time of the offense; (iii) my accomplishments over the last 29-years while incarcerated; (iv) current developmental brain science opinion and data; and (v) the support network I have available to ensure my success.

If granted my commutation, I would respectfully request that my sentence be commuted to 30 to 60 years term of incarceration. I am willing to be placed on parole subject to the parole boards jurisdiction, terms, and length of parole.

## **II. INTRODUCTION**

Jamie Meade, MDOC # 232516, is currently incarcerated at Macomb Correctional Facility. Mr. Meade is serving a life sentence without the possibility of parole for a conviction of First Degree Murder following a jury trial. As of the time of filing this application, Mr. Meade has been incarcerated for 29-years.

Mr. Meade admits the faults of his actions and involvement in the crime. He understands that his involvement as an aider and abettor was worthy of punishment. At the time of the offense, Mr. Meade was only 19 years old. In light of current developmental brain science, it is highly likely that Mr. Meade is likely to rehabilitate and not reoffend any type of criminal offense, especially after serving 29-years of incarceration.

For the purposes of this commutation, Mr. Meade respectfully requests the Michigan Parole Board and Governor Whitmer to consider commuting his life sentence to allow him a second chance at life outside of incarceration.

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### **III. LETTERS OF SUPPORT**

TO: PAROLE BOARD, STATE OF MICHIGAN

FROM: SHARON TEVIS FINCH, SENTENCING JUDGE  
CIRCUIT JUDGE, THIRD CIRCUIT COURT, MICHIGAN (RETIRED)  
1300 Broadway, Suite 800  
Detroit, MI 48226  
313-204-2154  
sfin2000@aol.com

RE: JAMIE L. MEADE, #A232516  
APPLICATION FOR PARDON OR COMMUTATION OF SENTENCE

DATE: 8/7/2022

TO THE PAROLE BOARD:

I am writing in support of the Application for Pardon or Commutation of Sentence of Jamie L. Meade, #A232516. I was the Trial and Sentencing Judge on his case in 1993 in the Wayne County Circuit Court, 3<sup>rd</sup> Judicial Circuit. I retired from the bench in 2000. I have never forgotten this case because the outcome troubled me. The law was served, but fundamental fairness was not. Mr. Meade went to prison when he was 19 years old. He is now 48 years old. He has been in prison for 29 years.

This is the only time I have ever written to the Parole Board on behalf of an inmate. Mr. Meade's case was very unusual, and in my opinion, the sentence, though mandatory, was unjust. I had no choice in sentence under the law for the crime of Felony Murder. Felony Murder is a crime which occurs when someone is participating in a felony and another person dies, whether or not the defendant does the killing himself. In this case, Mr. Meade did not do the killing.)

Mr. Meade was young, and acted stupidly and impulsively. A young man was fatally shot and a young woman injured. Mr. Meade was NOT the "triggerman". The shooter, who testified that he shot accidentally first (the killing) and a second time in fear (the injury,) was convicted of a lesser offense and was sentenced to only 12 years in prison, though it was he who actually did the killing. Mr. Meade was convicted of Felony Murder (which I believe was a just conviction under the law though not in equity) and sentenced to life without parole. (As I recall, if he had any prior offenses, they were minor juvenile matters.)

I have been told that Mr. Meade's file (which I have not seen and am not entitled to see) may have an error in it, and may indicate in some document(s) that HE actually shot the gun and killed the victim. He did not. The "triggerman" was someone else, who has been out of prison for almost 17 years. If that error does exist in the file, it should be corrected, since it may be influencing your decision. PLEASE CHECK THIS OUT BEFORE YOU DECIDE THIS APPLICATION.

Since his conviction, Mr. Meade has achieved educational and in-house community service accomplishments beyond that of any inmate I have ever seen in my 25 years on the bench. He lists all this in his Application. He obtained a Bachelor's Degree in Interdisciplinary Studies with Concentrations in Criminal Justice and Legal Studies. He is currently pursuing a Master of Divinity in an online program from the Chicago Theological Seminary (CTS) through a unique collaboration between MDOC and CTS. His goals are to mentor troubled youth as an ordained minister, complete law school, earn a Ph.D., and teach criminology at the university level. Certainly few would understand these social challenges more.

In the last two years, he was admitted to divinity school on a scholarship and is studying long-distance to be a minister. In the midst of this COVID time, he maintains a B average, which I find impressive under his circumstances. Covid has prevented him from seeing his mother for over 2

years. She is getting older and this is a great hardship to them both.

He is remorseful, has taken responsibility and apologized to the living victim and the family of the deceased victim. He has had no misconducts for many years in prison. He has become an educated adult. He has never had a wife, a child, a home of his own. He worries about his mother, who is getting older, and wants to be able to support her so she doesn't have to work.

It is ironic that, considering the direction Mr. Meade was heading at age 19 when this crime was committed, he probably would never have achieved this level of education, focus, and aspiration in later life absent the crime and sentence. But life is like that. Things happen, and things --and people -- change. I think the time has come to change the sentence, though a judge would have no power to do so. Only you can perform this miracle for him.

At this point, he has served 29 years in prison. I believe that is more than sufficient for this crime, and I ask that his Application be granted. If I were sentencing today, had discretion, and was not bound by the mandatory sentence, I probably would have sentenced him to no more than his co-defendant, who was convicted of the lesser offense, and Mr. Meade would have walked out of prison 17 years ago. I was bound by the felony murder law. The Parole Board and the Governor, however, are not so bound, and you can right this injustice by recommending commutation.

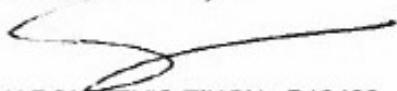
Thank you for your consideration. I hope that you, the Parole Board and Governor, can see your way toward giving this now 48 year old man the second chance which he so richly deserves.

HE HAS PAID HIS DEBT TO SOCIETY. HE IS A CHANGED PERSON. HE CAN DO GOOD IN THE WORLD. I believe he should be given a chance to live a responsible adult life "on the outside." I hope you agree.

If you have any questions, please feel free to contact me.

Thank you for your consideration.

Respectfully submitted,



SHARON TEVIS FINCH P13420  
CIRCUIT JUDGE, THIRD CIRCUIT COURT OF MICHIGAN (RETIRED)



30 April 2022

Regarding the Immanuel Scholarship

Dear Friends:

I am writing to endorse the application of Jamie L. Meade for a grant through the Immanuel Scholarship Fund.

Jamie has been connected to Peoples Church for nearly seven years, a member for three years. The congregation has been enthusiastically supportive of his vocational discernment and move toward ministry. I worked with him through the process in Covenant Association of the Michigan Conference, where he now is a Member in Discernment. I also helped get him enrolled at Chicago Theological Seminary, and with CTS devised the scholarship there for a pilot program for incarcerated divinity students — the first of its kind in the nation, to our knowledge.

I have known Jamie about 8 years, the entire length of my tenure here. In that time I have come to know a man who is introspective and desirous of using his intellect and heart for the well-being of others. Among my favorite stories is that, when he and other inmates were applying for undergraduate scholarships through a foundation some years ago, they insisted they all be funded or no one would accept the student aid. It is all too rare for folks to be so attuned to the well-being of the people around them, to feel that sort of community, especially in such adverse circumstances.

I am moved by Jamie's positive attitude and commitment to serve in ways that contribute to the common good. He seems to find joy where joy is hard to come by. To the degree he is allowed, he works inside to ease the burdens of his fellow inmates. Outside, he is persistent in seeking resources and connections, aligning people and energy to change a really bad system, to change the minds of those who have opportunities to make a difference. He was instrumental recently in organizing a rally in Lansing to call attention to the need for sentencing reform.

Jamie's faith background is long ago and under-developed; his discernment work with the Committee on Ministry and academic work with CTS are providing him the means to discover that life can be and who he is. Incarcerated his entire adult life, Jamie knows first-hand the pain of oppression and captivity. "Let my people go" rings true; Jesus' call to free those who are bound would be his life's work. Can there be any more tangible manifestation of the gospel message?

I'm further impressed by Jamie's ability to communicate in compelling ways. While his faith is under development, his writing is strong. In person he is passionate and well-informed. His essays on various aspects of our criminal justice system have been shared among our congregation members and in our church newsletter, and the congregation tells me they appreciate both his perspective and his willingness to teach them. In his various college courses, he has excelled, making high marks and learning for the love of it.

I find him to be studious, gracious, kind and well-tempered.

I believe this educational path will provide grace to Jamie and grace to the church as he moves through the process and is allowed to serve.

I hope you will act affirmatively on his application for financial support through the Immanuel Scholarship.

Thank you.

A handwritten signature in black ink, appearing to read "Deborah", with a long, sweeping flourish extending upwards and to the right.

Rev. Deborah DeMars Conrad, EdD  
Senior Minister



Gov. Gretchen Whitmer  
P.O Box 30013  
Lansing, MI 48909

**RE: Jamie Meade MDOC No. 232516**

Dear Governor Whitmer,

02/21/2021

My name is Jose Burgos and I write this letter in regards to my dear friend Jamie Meade MDOC No. 232516 who has been incarcerated since 1993 serving a life without parole sentence as an accessory to a felony murder. Jamie never possessed the weapon that was used in the commission of this crime and the actual shooter only received a 12-year sentence. Since his incarceration Jamie has been able to obtain college degrees and continues to further his education. Jamie and I became friends while I myself was serving a juvenile life without parole sentence. During our time at various prisons Jamie always displayed a positive attitude and always accepted responsibility for his role in what took place that landed him in prison. Education was always the topic of conversation with Jamie. He was always talking about getting a paper turned in or having to finish reading a book for some up-coming test, it's just the way Jamie did his time. Since my release I have been able to accomplish many things such as landing a job as a re-entry specialist with the State Appellate Defenders Office and even being appointed to the Michigan Committee on Juvenile Justice. As a reentry specialist I get to match our clients up with the resources they will need upon release from incarceration and these are the very same resources I will provide Mr. Meade if given an opportunity to be released. I will personally help Mr. Meade with transportation, job placement, clothing and any of his day to day tasks to ensure a smooth transition back into society. As a citizen of the State of Michigan and a personal friend of Mr. Jamie Meade I fully support the grant of his commutation of sentence and immediate release. There's no doubt in my mind that Mr. Meade can, and will be an asset to society and I urge you Governor to do what is right in this case, to grant his commutation and give Mr. Meade the second chance at life he has earned. Thank you very much in advance.

Submitted BY:

Jose Burgos  
28 W. Woodward  
Ecorse, MI 48229  
313-926-1216  
Lifeafter27life@gmail.com



## Letter in support of Jamie Meade

To Whom it May Concern,

My name is Alexandra Bailey and I lead strategy for the Campaign to End Life Imprisonment at The Sentencing Project. Established in 1986, The Sentencing Project works for a fair and effective U.S. criminal justice system by promoting reforms in sentencing policy and addressing unjust disparities and practices. We are grateful for the opportunity to submit testimony endorsing the parole of Jamie Meade ( #232516).

I have come to know Jamie well through my work in Michigan, and I have spent countless hours in conversation with him as he works tirelessly from prison to make his home state a better and more just place. Jamie is a poster child for the human capacity to be more than the worst thing they have ever done, to take responsibility, and to turn things around.

Jamie is exceptional. His accomplishments speak for themselves, but to name only a few, he is currently working on a MDiv from the Chicago Theological Seminary as well as an MBA from Adam State University. He is a role model for those inside and outside of the prison; his disciplinary record has been spotless for many years, every therapeutic program available to him has been taken advantage of, and prior to earning a place at a top university he excelled in vocational programs.

I recently spoke with the professors of The Chicago Theological Seminary regarding their admission of Jamie to their program, and I asked why they have gone to the trouble of redesigning their program to accommodate Jamie. They told me that they have rarely seen a candidate that more exemplifies the values of their institution, or whose academic discipline would enable them to meet their workload with ease.

The sentence that Jamie is serving is no longer fitting. He poses no threat to public safety and committing crimes past age 40 is uncommon, even among those who have committed a series of violent offenses. The impulse to engage in crime, including violent crime, is highly correlated with age, and by one's early 40s even those who have committed a series of violent offenses are extremely less likely to recidivate. Jamie was a very young man at the time of his offense, but if you look without bias at the Jamie of today it is clear that he now understands how to live a life of service and principle.

His mother, who I have gotten to know, is waiting for him. He will return to a world of support that will allow him to be a productive member of society.

---

I humbly ask that he be paroled. He will reenter society as a well educated man prepared to heal his community, lead young people to a better path, and serve his faith in a pastoral role. Jamie deserves a second chance.

Sincerely,

Alexandra Bailey

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CHICAGO  
THEOLOGICAL  
SEMINARY



February 19<sup>th</sup>, 2021

Governor Gretchen Whitmer  
P.O. Box 30013  
Lansing, Michigan 48909

Dear Governor Whitmer,

I am writing on behalf of Jamie L. Meade, #A232516, to lend my voice to his application for pardon or commutation of sentence.

I began correspondence with Jamie Meade two years ago after being introduced to him through Rev. Deborah Conrad, Senior Minister of Woodside Church of Flint. I quickly became deeply impressed at Jamie's ability to take responsibility for his actions, his educational accomplishments as well as his consistent actions to better his life and the lives of others.

Jamie's efforts have inspired me to advocate for his admission to Chicago Theological Seminary (CTS) to pursue our Master of Divinity program. Jamie is now officially enrolled in our MDiv program and has completed his first second. Rev. Conrad and the congregation she serves have committed to assisting with fundraising efforts to support Jamie. The presence of Jamie at CTS is a tremendous asset to our student body. Many of our students preparing for ministry will be working as chaplains in various aspects of our criminal justice system. The ability for students to learn from Jamie is be invaluable. And the communal life of CTS is deeply enriched.

Prior to joining the faculty of CRS, I spent 10 years as a local pastor. I have witnessed up close the challenges persons who are incarcerated face in changing their life. Jamie has a committed social support system and is deeply motivated. I believe Jamie is and will continue to be a success story that will touch the lives of many if released.

And as you can imagine, I am deeply concerned for Jamie's life given our current pandemic. Our seminary is dedicated to producing leadership that will help shape society to be more just and more merciful. I humbly ask that you join us in this work by offering grace and mercy to Jamie.

If you have any questions or concerns please feel free to reach me at 773.896.2486 or [christophe.ringer@ctsichicago.edu](mailto:christophe.ringer@ctsichicago.edu).

Sincerely,

Rev. Christophe D. Ringer, Ph.D.  
Assistant Professor of Theological Ethics and Society  
Chicago Theological Seminary



Re: Letter of Support for Jaime Meade, MDOC #232516

Greetings,

I am a faculty member in the Criminology and Criminal Justice Studies program at the University of Michigan-Dearborn. My teaching and research areas of expertise are education, corrections, and public policy. I am a consultant that has worked nationally on criminal justice issues, including contracts with the U.S. Department of Justice. I have visited over 100 correctional facilities throughout the United States/Europe and have worked with thousands of incarcerated and formerly incarcerated individuals for over 20 years to help them become law-abiding and productive citizens. My passion for these issues arose from my own contact with the criminal justice system as a youth.

In 1997, at the age of 18, I made the biggest mistake of my life and initiated a violent confrontation with law enforcement during a traffic stop. After an exchange of gunfire and a high-speed chase, I was captured the following day and charged with the attempted murder of a police officer, among seven other felony charges, and was facing life in prison. Ultimately, I would receive a sentence of 19 years. Inside prison, I was able to receive vocational training and take several different college level course modules through computers and textbooks. Success empowered me to find other higher education opportunities and helped structure my parole release around attending college the following year, where I'd begin my path toward earning my Associate of Applied Science and Bachelor of Arts degrees with honors.

Despite my degrees, I still struggled to find employment because of the serious nature of my criminal convictions. I was unwilling to give up and return to my previous life because of the transformation I had undergone; I was lucky that people were also not willing to give up on me. Today, I have a Master of Public Administration degree and I am ABD for a Doctorate of Education at the University of Michigan and employed as a professor. Teaching provides me the opportunity to give back to my community and give students a real-world perspective on how our criminal justice system does and should function. None of this would have been possible had I not been given an opportunity by a parole board and received an education that gave me the knowledge, confidence, work ethic, and leadership skills required to overcome many of the barriers to reentry that still, unfortunately, meet many people when they are released from prison.

As an aspiring and published criminologist, I believe that my personal and professional experiences give me a good frame of reference to discuss some of the mitigating factors to consider the parole eligibility of Jamie Meade who was convicted in 1993 of aiding and abetting felony (robbery) murder in Michigan, Jamie was sentenced to life without the possibility of parole (LWOP). Jamie was not the triggerman and did not possess a weapon during the robbery. The principal defendant who committed the crime was found guilty of a lesser offense and sentenced to 12 years in prison. Jamie has been in prison for over 27 years, 15 years more than the person who committed the crime.

While Jamie's criminal actions that day were certainly serious and in dire need of being addressed by the court system, I feel as though he was given an excessive sentence. I respectfully request that he be given an opportunity to improve upon himself as I did after release from prison and placed upon parole. Jamie was a teenager during the commission of this crime and his co-defendant received a dramatically reduced sentence for the same incident. In theory, parole should be given to individuals who demonstrate remorse for their crimes, have apparent rehabilitative qualities, and are no longer a threat to public safety. In my professional opinion, Jamie exceeds the threshold test for all three of these requirements and should be given thoughtful consideration for parole. I have been in contact with for over a year and watched him evolve through correspondence. I have also worked with many clients who did time with Jamie in prison and all speak very highly of him and his assistance in their transformation.

The relationship between age and crime is one of the most solid within the field of criminology. It is understood that crime increases throughout adolescence and then peaks at age 17 (slightly earlier for property crime than for violent crime) and then begins to decrease over the life course moving forward. This trend has, over the years, withstood stringent testing and examination across time periods and maintains consistent results regardless of race/ethnicity, education level, or income (see for example: Farrington 1986; Braithwaite 1989; Hirschi and Gottfredson 1993; Moffitt 1993; Piquero et al. 2003). For example the violence that I expressed in my youth was very time locked to that youthful period of development and has since been buried and eliminated once I matured and was taken away from my family and community that was extremely violent.

According to the Rand Corporation's report on the Relationship Between Correctional Education Programs and Recidivism there is a dramatic decrease in the return rate of contact with the criminal justice system for inmates involved in education. After examining the higher-quality research studies, on average, inmates who participated in correctional education programs had 43 percent lower odds of recidivating than inmates who did not. Jamie has participated in post-secondary educational programs for many years and is the first of my knowledge who is currently pursuing a graduate level degree in the MDOC. These educational programs will be extremely beneficial for his community reintegration process. His program involvement also dramatically reduces his rate of recidivism. In all honesty, if you calculate his current age and educational involvement from a criminological lens then Jamie has nearly a zero percentage of likelihood of re-offending in society. He has a well-structured environment prepared for him with family and various organizations and I will personally assist him in his reentry process.

Overall, I would highly recommend that you consider Jamie to be given the opportunity for parole through the Michigan Department of Corrections. Please give Jamie the chance I was given many years ago to grow and give back to his community. If you have any questions, please feel free to contact me at your earliest convenience.

Respectfully,



Aaron T. Kinzel

University of Michigan-Dearborn

Criminology and Criminal Justice Studies

[atkinzel@umich.edu](mailto:atkinzel@umich.edu)

(616) 304-1460

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#### **IV. PREVIOUS COMMUTATION APPLICATIONS**

Ap 30 2020

CFJ-515  
7/11

MICHIGAN DEPARTMENT OF CORRECTIONS  
OFFICE OF THE PAROLE BOARD

APPLICATION FOR PARDON OR COMMUTATION OF SENTENCE  
(CURRENT MICHIGAN PRISONERS ONLY)

I hereby petition, as provided by law, for a pardon or commutation of sentence for the following conviction(s) in the State of Michigan and submit the following information in support of this petition:

1. Name: Jamie L. Meade Number: A232516 Location: MRF  
Date of Birth: August 14, 1973 U.S. Citizen? ☒ Yes ☐ NO
2. Michigan conviction(s) for which you are requesting a pardon or commutation of sentence:

Crime Title and Type (Misdemeanor or Felony)	Date	Court and Location	Judge	Sentence
1st Degree Felony Murder 1-MCL 750.316(b) (Felony)	07/19/93	Wayne County Circuit Court 3rd Judicial Circuit Court	Hon. Sharon Tevis Finch	Life without the possibility of Parole
2.				
3.				
4.				

3. Briefly describe the circumstances of the crime(s) for which you are requesting a pardon or commutation:

On January 9, 1993, I, along with 4 people, agreed to rob Jason Thompson of marijuana. We retrieved a firearm from one of the participants' house and drove to Jason's house. Once inside Jason's house, I was discussing with Jason the sale of marijuana. Without any announcement of a robbery, Brian shot Jason; I immediately ran out of the house with a bag of marijuana. Brian then shot Evelyn. Jason died and Evelyn survived. I participated in a robbery that resulted in a death. I was found guilty of Felony murder. Brian was found guilty of a lesser included offense and sentenced to 12 years.

4. Provide a brief statement explaining why you are requesting a pardon or commutation:

I'm requesting a commutation for four reasons: first, because I have a life sentence, clemency by the Governor reducing my sentence is the only avenue I have to be parole eligible; second, according to my Trial and Sentencing Judge, Sharon Tevis Finch, "fundamental fairness" was not served in my case and my "sentence was unjust" (see Attached Letters); third, I'm asking for mercy and an opportunity to earn a second chance at life outside of prison; and, fourth, with COVID-19 spreading throughout the prison system, I'm afraid of contracting the disease and dying alone in a cell. (Please see other support letters by Craig A. Daly, Rev. Deborah Conrad, EdD, Brad Bushman, PhD, Carol Kraemer, and Laura Evfingec)



5. Provide a brief statement explaining why you should be granted a pardon or commutation:

I'm sorry. I've hurt many people in my life, from the victims to their family to my family to the community I grew up in. I'm deeply remorseful for the pain I caused so many. I should be granted a commutation because I'm now a man of God, I'm not a danger to society, I will not commit a crime, I'm rehabilitated, I'm formally educated, I'm mature, I'm insightful, I'm empathetic, I'm sympathetic, and I will serve my community. I should also be granted a commutation because my trial and sentencing Judge, Sharon Tevis Finch, said, "fundamental fairness" was not served in my case, and that my sentence was unfair because my culpability did not rise to the level deserving a life sentence.

6. What are your home and job placement plans in the event you are released?

My home placement plan is to live with my mother Pauline Thompson at 60 Abbott St., River Rouge, MI 48218. If released, I plan to finish the Online Master of Divinity degree at the Chicago Theological Seminary and become an ordained minister for the United Church of Christ. I plan to work part time with Justin Cagle at the K2/KM Plant Services, 17100 Southfield Road, Allen Park, MI 49101.

**SIGNATURE MUST BE NOTARIZED EXCEPT IF SUBMITTED BY A PRISONER**

Note: If this application is not signed by the applicant personally, it is signed by \_\_\_\_\_ (Name)

\_\_\_\_\_, for the following reason: \_\_\_\_\_  
(Relationship)

Submitted by: Jamie Meade  
(Signature)

Date: April 20, 2020

**Notary:**

On this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, the petitioner, \_\_\_\_\_ personally appeared before me, known to me to be the person who signed the foregoing petition, and who made an oath that he or she had read the foregoing application by him/her subscribed and knew the contents thereof to be true of his/her own knowledge, except those matters therein stated to be on information or belief, and as to those matters he/she believes to be true.

\_\_\_\_\_  
Notary Public

\_\_\_\_\_  
County State

My Commission Expires on \_\_\_\_\_

**IF SUBMITTED BY PRISONER, STAFF MUST VERIFY PRISONER'S IDENTITY BELOW**

% Appleton  
Staff Signature

E-4  
Staff Title/Classification

4-20-2020  
Date

**INSTRUCTIONS:**

1. Submit the application and any supporting documentation. The application must have the signature of the applicant (or the person applying for the applicant) and, unless the applicant is a prisoner, the Notary's stamp and signature.
2. Complete all items and questions fully, using additional sheets as necessary.
3. Mail the application and any supporting documentation to:  
Michigan Department of Corrections  
Office of the Parole Board  
Pardons and Commutations Coordinator  
Post Office Box 30003  
Lansing, Michigan 48909



Jamie L. Meade #A232516  
Muskegon Correctional Facility  
2400 S. Sheridan Drive  
Muskegon, Michigan 49442

January 2, 2018

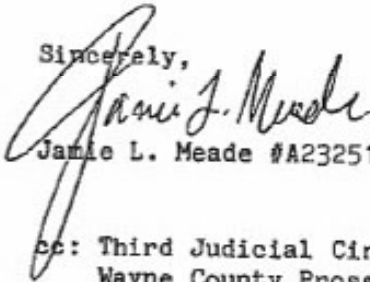
Office of the Parole Board  
Pardons and Commutations Coordinator  
Michigan Department of Corrections  
P.O. Box 30003  
Lansing, Michigan 48909

Dear Pardons and Commutations Coordinator:

Enclosed is my Application For Pardon Or Commutation of Sentence for filing. My Parole Board file contains copies of all documents supporting my request for Commutation. I'm not asking for immediate release. I'm asking for a sentence reduction so I may have an opportunity to earn a second chance at life outside of prison in the near future. Please file accordingly.

Thank you for your time and consideration in this matter.

Sincerely,



Jamie L. Meade #A232516

cc: Third Judicial Circuit Court  
Wayne County Prosecutor's Office

**Chance For Life Core Member  
Commutation Application**

**Mr. JAMIE L. MEADE  
#A232516**



**CFL/Inside**

January 2, 2018

MICHIGAN DEPARTMENT OF CORRECTIONS  
OFFICE OF THE PAROLE BOARDAPPLICATION FOR PARDON OR COMMUTATION OF SENTENCE  
(CURRENT MICHIGAN PRISONERS ONLY)

I hereby petition, as provided by law, for a pardon or commutation of sentence for the following conviction(s) in the State of Michigan and submit the following information in support of this petition:

1. Name: JAMIE L. MEADE Number: A232516 Location: MCF  
Date of Birth: AUGUST 14, 1973 U.S. Citizen? ☒ Yes ☐ NO

2. Michigan conviction(s) for which you are requesting a pardon or commutation of sentence:

Crime Title and Type (Misdemeanor or Felony)	Date	Court and Location	Judge	Sentence
First Degree Felony 1. Murder (MCL 750.316) (Fel)	07/19/93	Wayne County Circuit Court 3rd Judicial Circuit, Detroit	Honorable Sharon Finch	Mandatory Life Without The Possibility Of Parole
2.				
3.				
4.				

3. Briefly describe the circumstances of the crime(s) for which you are requesting a pardon or commutation:

(SEE ATTACHMENT PAGE 2)

4. Provide a brief statement explaining why you are requesting a pardon or commutation:

(SEE ATTACHMENT PAGE 3)

5. Provide a brief statement explaining why you should be granted a pardon or commutation:  
(SEE ATTACHMENT PAGE 4)

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6. What are your home and job placement plans in the event you are released?  
(SEE ATTACHMENT PAGE 4)

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**SIGNATURE MUST BE NOTARIZED EXCEPT IF SUBMITTED BY A PRISONER**

Note: If this application is not signed by the applicant personally, it is signed by \_\_\_\_\_, (Name)  
\_\_\_\_\_, for the following reason: \_\_\_\_\_  
(Relationship)

Submitted by: Janis L Meade Date: January 2, 2018  
(Signature)

**Notary:**

On this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, the petitioner, \_\_\_\_\_ personally appeared before me, known to me to be the person who signed the foregoing petition, and who made an oath that he or she had read the foregoing application by him/her subscribed and knew the contents thereof to be true of his/her own knowledge, except those matters therein stated to be on information or belief, and as to those matters he/she believes to be true.

\_\_\_\_\_  
Notary Public

\_\_\_\_\_  
County State

My Commission Expires on \_\_\_\_\_

**IF SUBMITTED BY PRISONER, STAFF MUST VERIFY PRISONER'S IDENTITY BELOW**

L. V. Bloom PC 11 1/2/18  
Staff Signature Staff Title/Classification Date

**INSTRUCTIONS:**

1. Submit the application and any supporting documentation. The application must have the signature of the applicant (or the person applying for the applicant) and, unless the applicant is a prisoner, the Notary's stamp and signature.
2. Complete all items and questions fully, using additional sheets as necessary.
3. Mail the application and any supporting documentation to:  
Michigan Department of Corrections  
Office of the Parole Board  
Pardons and Commutations Coordinator  
Post Office Box 30003  
Lansing, Michigan 48909

MICHIGAN DEPARTMENT OF CORRECTIONS  
OFFICE OF THE PAROLE BOARD

APPLICATION FOR PARDON OR COMMUTATION OF SENTENCE

NAME: Jamie L. Meade

MDOC INMATE NO.: A232516

DATE OF BIRTH: August 14, 1973

CITIZENSHIP: United States

CURRENT LOCATION: Muskegon Correctional Facility

WAYNE COUNTY CIRCUIT COURT FILE NO.: 93-001540-02

TRIAL JUDGE: Honorable Sharon Tevis Finch

TRIAL PROSECUTOR: Robert Hood

TRIAL DEFENSE ATTORNEY: Steven Fishman

DATE OF OFFENSE: January 9, 1993

CONVICTIONS AND SENTENCES: Count 1: First Degree Felony Murder (MCL 750.316), Life Without Parole; Count 2: Accessory After The Fact (MCL 750.505-B), 3 to 5 years concurrent with Count 1; and Count 3: Felony Firearm (MCL 750.227B-A), 2 years consecutive to Count 1.

DATE OF SENTENCE: August 5, 1993

INTRODUCTION

I'm a forty-four year old inmate who is currently housed at the Muskegon Correctional Facility (MCF) in Muskegon, Michigan. On July 19, 1993, I was convicted of aiding and abetting First Degree Felony Murder, Accessory After the Fact, and Felony Firearm. Robbery served as the predicate offense for the felony-murder conviction.

My jury trial was conducted in Wayne County Circuit Court before the Honorable Sharon Tevis Finch. On August 5, 1993, I was sentenced to life without parole, 3 to 5 years, and a mandatory 2 years for Felony Murder, Accessory After the Fact, and Felony Firearm.

I've been incarcerated for 25 years. I'm extremely remorseful for my crimes, especially the death of Jason Thomson and injury to Evelyn Blythe, and

I deeply regret the pain and suffering my crimes caused Jason, Evelyn, Jason's family, Evelyn's family, my family, and the community. During my incarceration, I've come to accept responsibility for my crimes, participated in rehabilitative programming, educational programming, work, and community service and I've become a productive and responsible individual. I'm currently pursuing a Master of Business Administration (MBA) Degree at Adams State University in Colorado. I received my Bachelor's Degree in Criminal Justice and Legal Studies May 2015. Because I have a very low predictive recidivism rate, I don't present a danger to society, and I will not commit another crime, I'm a great candidate for a commutation.

#### CIRCUMSTANCES OF THE CRIME

The circumstances that resulted in my charges and convictions was my participation in a robbery that resulted in the shooting death of Jason Thomson and shooting of Evelyn Blythe. On the evening of January 8, 1993, I was drinking, getting high, and partying. I went to a party at the K of C Hall in River Rouge. I left the party in the early morning hours of January 9, 1993, with co-defendant Brian Barkley, Chris Chirillo, Chris Long, and Carlton Johnson. I wanted some marijuana so we headed to Jason's house. I asked Jason if he would give me some weed until the next day. He said he couldn't do it because he needed the money. I told Jason I would get all the money and come back. He told me to call first.

We left and went to Chris Long's apartment to get some more money. While at the apartment, Brian shot a hole in the wall. We left the apartment. Brian brought the shotgun with us. On the way to the store, we decided to take Jason's weed because he wouldn't give us credit. I called Jason to tell him we were on our way.

At Jason's I exited the car with Brian. Brian was carrying the gun



under his coat. The plan was to act like we were there to purchase weed. Brian would pull the gun out and tell Jason we're taking your weed. We would take the weed and leave.

Jason let us in the side door. We went down to the basement to his bedroom. Evelyn was laying in the bed. I was standing at the end of the bed talking to Jason about the party and about the weed. I had one bag in my hand while Jason was weighing the other bag. I had the money in my other hand as a ploy for the robbery. I was waiting for Brian to pull out the gun and tell Jason to give us the weed. The gun fired from behind me shooting Jason in front of me. I ran out of the house with the weed.

Once I got in the car I told Chris Long, Chris Chirillo, and Carlton Johnson that Brian shot Jason. Brian got in the car and said he also shot Evelyn. We went to the river to get rid of the gun. I asked Brian why he shot Jason and he said he didn't mean to. He said he got scared after shooting Jason, so he shot Evelyn.

### REASONS FOR REQUESTING PARDON OR COMMUTATION

I'm requesting a commutation (reduction in sentence and punishment) because

- I was a teenager when I committed my crimes. I was immature, extremely impulsive, and impetuous. I lacked foresight: I didn't contemplate the natural and probable consequences of participating in a robbery, nor did I consider my actions were creating a very high risk of death or great bodily harm knowing that death or such harm was a likely result;
- I received a mandatory life without parole (LWOP) sentence for aiding and abetting felony murder while the principal defendant was convicted of a lesser included offense and sentenced to 12 years in prison;
- The four goals of corrections (i.e., incapacitation, deterrence, retribution, and rehabilitation) have been achieved; and
- I do not have any legal remedies left to appeal my conviction and sentence.

I'm asking the Parole Board to GRANT ME MERCY by taking interest in me (i.e. my case), by granting me a Public Hearing, and by recommending to the Governor.

my sentence be reduced to 30 to 60 years, so I may have an opportunity to earn a second chance at life outside of prison.

### REASONS PARDON OR COMMUTATION SHOULD BE GRANTED

I should be granted a commutation (reduction in sentence and punishment) because

- I'm truly sorry and extremely remorseful for my crimes, especially the death of Jason Thompson and injury of Evelyn Blythe, and I deeply regret the pain and suffering I caused Jason, Evelyn, Jason's family, Evelyn's family, my family, and the community;
- I'm fully rehabilitated and formally educated;
- I'm no longer a danger to society and will never commit another crime;
- I have corrected and overcome my criminogenic needs;
- I've served twenty-five years for aiding and abetting the crime;
- I have good prison conduct; and
- I have a very low predictive recidivism rate.

### HOME PLACEMENT, ACADEMIC, EMPLOYMENT, AND TRANSPORTATION PLANS

#### HOME PLACEMENT PLANS

My home placement plans are to live with Joy Johnson. I'll be living in a middle-class community. Joy agrees to allow me to live at her home for as long as I need to. She also agrees to help me financially and with transportation. My home placement address is

Joy [REDACTED]  
[REDACTED]  
Gibraltar, Michigan 48173  
Phone: [REDACTED]

My secondary and tertiary home placement options are my mother Pauline Thompson's home and my step-brother Timmy Lytle's home.

Pauline [REDACTED]  
[REDACTED]  
Michigan 48218  
Phone: [REDACTED]



Timmy [REDACTED]  
[REDACTED]

Lincoln Park, Michigan 48146

Phone: [REDACTED]

Additionally, I have the option of structured housing through the Chance For Life Organization's Housing Program or the Lifeline Prison Ministries' Housing Program.

Jessica Taylor  
Housing Program  
Chance For Life  
New Hope Baptist Church  
12850 Plymouth Road  
Detroit, Michigan 48227  
Phone: (313) 784-9209

Larry Gudith  
Housing Program  
Lifeline Prison Ministries  
P.O. Box 252763  
West Bloomfield, Michigan 48325  
Phone: (248) 250-4043

#### ACADEMIC PLANS

Upon release I plan to apply to law school at Wayne State University.

#### EMPLOYMENT PLANS

With a BA in Criminal Justice and Legal Studies, I'm employable as a Paralegal, Mediator, Arbitrator, Negotiator, and Victim Advocate. My plan is to work part-time while earning a Juris Doctorate. Once I complete my JD, I can practice law while earning a PhD. I currently have a job offering doing environmental cleanup.

Justin [REDACTED]  
[REDACTED]  
[REDACTED]

Allen Park, Michigan 49101

Phone: [REDACTED]

I can also obtain employment through the Chance For Life Organization's Employment Program or the Lifeline Prison Ministries' Employment Program.

#### TRANSPORTATION PLANS

My family and friends will provide me with transportation. I also plan to use the bus, Uber, and Lyft for transportation. Additionally, Chance For Life and Lifeline Prison Ministries will help me with transportation.

#### SUPPORT FOR RELEASE

I have family, friends, and professionals who will assist me in making a successful transition from being incarcerated to being a productive member of society. My Parole Board file contains letters supporting my release from Senator Coleman A. Young II, Carol J. Kraemer, director of the Davis-Putter Scholarship Fund, and Ohio State University Professor Brad J. Bushman. In addition, I have the support of Tom Adams, Jessica Taylor, and the staff at the Chance For Life Organization and the support of Larry Gudith and the staff at Lifeline Prison Ministries.

#### RELIEF REQUESTED

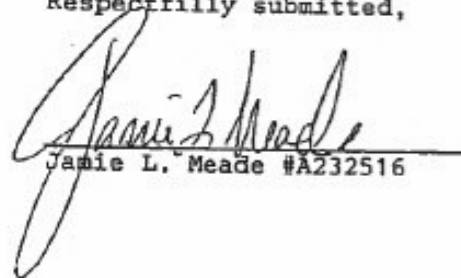
I respectfully request that I be granted a pardon or commutation considering (a) my age and immaturity when I committed the crime; (b) I'm rehabilitated, educated, and no longer a threat to society and I would never commit another crime; (c) I've expressed remorse for Jason, Evelyn, and their families and I've accepted responsibility for the crime; (d) I've served twenty-five years for aiding and abetting the crime while the principal defendant was sentenced to 12 years; (e) I have an extremely low predictive recidivism rate; (f) I've demonstrated good behavior and made positive contributions while incarcerated; (g) I have future plans to contribute to society through active employment and community involvement; and (h) the immense support I have from family, friends, and professionals.

I respectfully request my sentence of life without parole be commuted to a 30 to 60 year sentence. I agree to a 2-year "Intensive Parole" (i.e., GPS

Tethering with the condition I can only leave my home placement for school and work) and an additional 4 years of regular parole with a condition I complete a Juris Doctorate and a PhD from a regionally accredited university.

DATED: January 2, 2018

Respectfully submitted,



Jamie L. Meade #A232516

## **V. EMPLOYMENT FOR JAMIE MEADE**

Fidelis Law, PLLC

Role: Legal Assistant

Address: 915 N. Michigan Avenue – Ste. 208, Howell, MI 48843

Phone: (734)210-1844

Email: [WiesenbergC@FidelisLawPLLC.com](mailto:WiesenbergC@FidelisLawPLLC.com)

### **Responsibilities:**

As the legal assistant, it will be my job to assist the attorney with legal research, legal drafting, client communications, and any other responsibility placed upon me by the attorney. It is my goal to mainly focus on appellate relief for defendants since I can empathize what they are going through. Because of my empathy, I will be able to better serve this demographic.

This section is in support of Question 6 of my 2022 Commutation Application.

Please see the "Comprehensive Re-Entry Plan" prepared by Jose Burgos, re-entry specialist with the State Appellate Defenders Office.

## **VI. HOME PLACEMENT FOR JAMIE MEADE**

Option 1: [REDACTED] Michigan 48218

- Owner: [REDACTED]
- Relationship: Mother
- Phone: [REDACTED]

Option 2: [REDACTED], Michigan 48227

- Owner: Chance for Life – Housing Program
- Relationship: Religious Affiliations
- Phone: [REDACTED]
- Website: <https://www.chanceforlifeonline.org>

Option 3: [REDACTED], Flint, Michigan 48503

- Owner: M.A.D.E. Institute
- Relationship: Incarcerated Individual Support Network
- Phone: [REDACTED]
- Website: <https://www.madeinstitute.org>

Option 4: [REDACTED] Michigan 48146

- Owner: [REDACTED]
- Relationship: Step-brother
- Phone: [REDACTED]

This section is in support of Question 6 of my 2022 Commutation Application.

## **VII. SUPPORT NETWORK FOR JAMIE MEADE**

My support network is comprised of members within the criminal justice reform community including but not limited to:

- (1) Jose Burgos, friend and re-entry specialist with the State Appellate Defender's office, who can offer re-entry mentorship and assistance.
- (2) Marjorie Gold, a friend and former board member of the Adolescent Redemption Project (TARP), who can offer emotional and moral support.
- (3) Timmy Lytle, stepbrother, who can offer transportation, financial, emotional support and possible housing.
- (4) Former 3<sup>rd</sup> Circuit Court Judge, Sharon Tevis Finch, who can offer re-entry support, emotional support and guidance.
- (5) Rev. Christophe D. Ringer, Ph.D., Assistant Professor of Theological Ethics and Society with the Chicago Theological Seminary, who can offer spiritual guidance, emotion and moral support, and continued educational support.
- (6) Alexandria Bailey, friend and employee with the Sentencing Project, who can offer employment guidance and opportunities, emotion and moral support, and a lending hand.

Please see the "Comprehensive Re-Entry Plan" prepared by Jose Burgos, re-entry specialist with the State Appellate Defenders Office.

## **VIII. HEALTHCARE FOR JAMIE MEADE**

### **Health Insurance**

Mr. Meade will be provided instructions on applying for health insurance through Blue Cross Blue Shield under the "Qualifying Life Event" which would require documentation from the Michigan Department of Corrections indicating Mr. Silva has been released from incarceration.

In the event Mr. Meade is unable to obtain Blue Cross Blue Shield, he will also be provided with information relating to his medical benefits from the Michigan Department of Corrections Health Services staff.

Additionally, Mr. Meade can be connected with Healthcare Solutions Teams, a healthcare network that assist individuals with setting up and securing health insurance.

### **Health Care Services**

Mr. Meade will be advised on the healthcare networks that accept his health insurance. To start, Mr. Meade will be directed to visit Henry Ford Hospital – Wyandotte – where they accept all types of healthcare insurance. Otherwise, Mr. Meade may choose the health care network once he has been provided health insurance.

### **Mental Health Services**

In addition to his support network, Mr. Meade has been given information to attend Hope Network located at 175 N. Groesbeck Highway, Mt. Clemens, MI 48043. Hope Network offers in-person and virtual attendance to their mental health sessions.

Please see the "Comprehensive Re-Entry Plan" prepared by Jose Burgos, re-entry specialist with the State Appellate Defenders Office.



## **IX. REQUIRED DOCUMENTATION FOR JAMIE MEADE**

An issue a parolee faces is obtaining a valid Michigan Identification card due to losing their birth certificate and/or social security card. If, Mr. Meade's required documentation is not documented with the Michigan Department of Corrections Record Office, Mr. Meade has been given the following instruction to obtain said required documentation.

Birth Certificate – Mr. Silva may visit [www.VitalChek.com](http://www.VitalChek.com) to order online a copy of his birth certificate. Or Mr. Meade may mail in an application requesting a certified birth certificate to the Michigan Department of Health and Human Services. **(MDHHS Application attached).**

Social Security Card – Mr. Meade has been advised that he may request a replacement SSN card (if lost) by completing Social Security Administration form SS-5 and SSA-3288 and providing the completed original forms to his facility. That his facility will then send the completed original forms to the CFA Central Records Section in Jackson, MI. That after his forms have been reviewed and accepted, his SSN card will be provided to his facility so it may be placed in Mr. Meade's file with the Record Office which will be available upon release.

Michigan Identification Card – Once Mr. Meade is in possession of his birth certificate and/or his SSN card, he will be able to make an appointment at a Michigan Secretary of State branch to receive a Michigan Identification card which will remain on his person until he completes the requirements to obtain a Michigan driver's license.

Please see the "Comprehensive Re-Entry Plan" prepared by Jose Burgos, re-entry specialist with the State Appellate Defenders Office.

# APPLICATION FOR A CERTIFIED COPY — MICHIGAN BIRTH RECORD

Michigan Department of Health and Human Services

## PART 1 - APPLICANT'S INFORMATION

Applicant's  
Name \_\_\_\_\_

Mailing Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Daytime Phone w/area code - **Required:** \_\_\_\_\_ Other Phone w/area code: \_\_\_\_\_

## PART 2 - CERTIFICATION OF INFORMATION PROVIDED

By signing this application, I understand that I am agreeing to pay for a search of the State of Michigan Vital Records. This does not guarantee that a record will be found.

Falsifying an application for a vital record and/or assuming the identity of another person is subject to criminal penalties (MCL 333.2894(b) and 445.65).

► **Applicant's Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_  
Current valid Government-issued photo ID required (see back for Alternative Documents)

## PART 3 - PURPOSE FOR REQUESTING THE RECORD

## PART 4 - ELIGIBILITY-Select the category that qualifies YOU to request/receive this Michigan birth record per MCL 333.2882

- |   |  |
|---|--|
| <ul style="list-style-type: none"><li><input type="checkbox"/> Person named on the record</li><li><input type="checkbox"/> Parent named on the record<br/>Note: If adopted, only adoptive parents are eligible</li><li><input type="checkbox"/> Legal guardian of the person named on the record<br/>(Copy of court documented guardianship papers required)</li><li><input type="checkbox"/> Licensed attorney representing subject of the record<br/>(Letter on official letterhead required: <u>Must</u> provide state bar number and the name of the person you represent along with client's identification)</li></ul> | <ul style="list-style-type: none"><li><input type="checkbox"/> Heir of the deceased person named on the record, and<ul style="list-style-type: none"><li>• Relationship to decedent: _____</li><li>• Decedent's name at time of death: _____</li><li>• State where death occurred: _____</li><li>• Date of death (Year): _____</li></ul>If not a Michigan death, must provide death certificate</li><li><input type="checkbox"/> Court of competent jurisdiction (Court order &amp; fee required)</li><li><input type="checkbox"/> Birth record is at least 100 years old (no photo ID required)</li></ul> |
|---|--|

## PART 5 - INFORMATION NEEDED TO FIND BIRTH RECORD BEING REQUESTED

Date of Birth (mm, dd, year) _____	Sex <input type="checkbox"/> Male <input type="checkbox"/> Female	Place of Birth (hospital, city, county) _____
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<p><b>Please include first, middle, and last names below:</b></p> <p>Full Name At Birth _____</p> <p>Parent/Mother's Birth Name: _____</p> <p>Parent/Father's Birth Name: _____</p>	<p>Is the person named on the record adopted? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Full Name <u>After</u> Adoption: _____</p> <p>Adopted Parent/Mother's Birth Name: _____</p> <p>Adopted Parent/Father's Birth Name: _____</p>
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If the individual's current name is different from their birth name on the record, provide info (required)

- ☐ Marriage: Place of Marriage (state) \_\_\_\_\_ Date of Marriage \_\_\_\_\_
- ☐ Court Ordered New Legal Name (court order must be provided)
- First \_\_\_\_\_ Middle \_\_\_\_\_ Last \_\_\_\_\_

## PART 6 - FEES Includes one certified copy or no-find letter

<b>Base Fee: Includes One Year Search</b>		
Age 64 and Under	\$34.00	\$
<b>Or Senior Citizen (Age 65+) Reduced Fee</b>		
<i>(Must be requesting own birth record)</i>		
	\$14.00	\$
Additional Copies (Each) _____	x \$16.00	\$
Additional Years Search, # yrs _____	x \$12.00	\$
<i>(when exact year unknown)</i>		
Years you want searched: _____		
Expedited "RUSH" Service (additional)	\$12.00	\$
Payment to "State of Michigan" TOTAL		\$

This Section For Accounting Use Only

Is your request complete? Don't forget a copy of your ID!

## APPLY ONLINE OR BY PHONE

**ONLINE:** [www.michigan.gov/vitalrecords](http://www.michigan.gov/vitalrecords)  
**PHONE:** 866-443-9897

Online and phone orders are serviced by VitalChek. All orders received by this method are considered rush service and processed in approximately two-weeks. There is an additional \$12.50 VitalChek processing fee. There is an optional UPS overnight delivery fee of \$19.75, and you should receive the record in 2-3 business days.

**PAYMENT:** A credit card is required for online and phone order requests.

*VitalChek is the ONLY approved online and phone service provider for the State of Michigan.*

## PROCESSING TIMES FOR MAIL REQUESTS

**REGULAR SEARCH:** The processing time for a regular request will be approximately 5 weeks, depending on the volume of requests received.

**EXPEDITED (RUSH) SEARCH:** The processing time for a "rush" request will be approximately 2 weeks, depending on the volume of requests received.

**APOSTILLES:** Applying the apostille at the Secretary of State's Office of the Great Seal for any request takes an additional 2-3 weeks after processing in Vital Records is completed. For more information on obtaining an apostille on your own behalf, visit: <https://www.michigan.gov/sos/elections/great-seal/great-seal>

**ADDITIONAL INFORMATION:** If you find that the processing times listed do not meet your needs, please visit [www.michigan.gov/vitalrecords](http://www.michigan.gov/vitalrecords) or call our Eligibility Unit at 517-335-8666 and speak with a customer service representative. They may be able to offer additional help to meet your individual situation.

## MAIL APPLICATION TO

**REGULAR MAIL TO:**  
Vital Records Requests  
PO Box 30721  
Lansing MI 48909

**RUSH MAIL TO:**  
Vital Records RUSH  
PO Box 30721  
Lansing MI 48909

The Michigan Department of Health and Human Services (MDHHS) does not discriminate against any individual or group because of race, religion, age, national origin, color, height, weight, marital status, genetic information, sex, sexual orientation, gender identity or expression, political beliefs or disability.

## IDENTIFICATION REQUIREMENTS FOR APPLYING BY MAIL FOR MICHIGAN BIRTH RECORD

**\* Please Send Copies - Not Original Documents \***  
*MDHHS is not responsible for lost or non-returned items*

To request a certified birth record, a current valid, government issued identification is required in order to establish eligibility. To protect you and the community from identity theft, we require a copy of the applicant's government issued identification to be presented along with the application and fees.

### Tier 1 Documentation that establishes identity by itself.

- ✓ U.S. or Foreign Passport
- ✓ U.S. Passport Card
- ✓ U.S. or U.S. Territories Driver's License or Identification Card
- ✓ U.S. Military Identification Card with both picture and signature
- ✓ Other U.S. or U.S. Territories issued document that meets the following criteria: Document must be unexpired. Document must contain a photograph and at least the following information: name, date of birth, date of expiration, signature, and address.

### -OR-

**Tier 2 Documentation** must include all documentation in one of the categories below:

- ✓ Any of the documents in Tier 1 that expired within the past 5 years and any one document from Tier 3 issued within the past year.
- ✓ Employment identification with photo, accompanied with a pay stub or W 2 form issued within the past year.
- ✓ Student identification with photo, accompanied by a current report card or other proof of current school enrollment. Both documents must be for the same institution.
- ✓ Department of Corrections identification card accompanied by probation or discharge papers issued within the past year.
- ✓ If an inmate is currently incarcerated, a Department of Corrections identification card, accompanied by a verification of incarceration issued within the past year.

### -OR-

**Tier 3 Documentation** must include at least three alternative documents of different types from the list below, one must have been issued within the past year.

- ✓ Any of the documents in Tier 1 expired more than 5 years.
- ✓ Social Security Card (must be signed)
- ✓ Marriage or Divorce certificate
- ✓ Your child's birth certificate
- ✓ IRS form W-2
- ✓ Paycheck stub
- ✓ Bank statement
- ✓ Voter registration
- ✓ Motor vehicle registration
- ✓ Health insurance card
- ✓ Utility Bill
- ✓ Doctor/hospital/dentist bill
- ✓ Religious/community organization documents, baptismal certificate
- ✓ Military DD-214 discharge paper or equivalent
- ✓ School records
- ✓ Letter/benefit statement from a government agency, like SSA or IRS
- ✓ Land or rental agreement
- ✓ Military ID with either a picture or signature.
- ✓ Other documents that establish identity to a degree equivalent to those listed above.

## **X. EDUCATION AND ACHIVEMENTS OF JAMIE MEADE**

G.E.D. – obtained in 1992 prior to incarceration.

Chicago Theological Seminary – currently has 19-credit hours towards his Master's in Divinity.

B.A. in Criminal Justice and Legal Studies – courses offered while incarcerated at M.D.O.C. and obtained in 2015.

Food Management Technology Certification – program offered through M.D.O.C. and obtained in 1997.

Paralegal Assistant Certification – program offered by Blackstone and obtained in 1999 while at M.D.O.C.

Please see the "Comprehensive Re-Entry Plan" prepared by Jose Burgos, re-entry specialist with the State Appellate Defenders Office.

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## **XI. ADDITIONAL RESOURCES**

## COMPREHENSIVE REENTRY PLAN

<b>Jamie Meade</b>	<b>MDOC #: 232516</b>	<b>DOB: 8/14/1973</b>
<b>Age: 48</b>	<b>Years Served: 29</b>	<b>County of Conviction: Wayne</b>
<b>Attorney: Christian Wiesenberg</b>	<b>Current Facility: Macomb Correctional Facility</b>	<b>Date of CRP: 6/21/2022</b>



### Housing

Placement Contact	Address	Status
<b>Primary: Pauline Thompson</b>	[REDACTED] River Rouge, MI 48218 [REDACTED]	Ms. Thompson has confirmed that she will be providing Mr. Meade who is her son with housing. Ms. Thompson owns this home which Mr. Meade will have full access to.



### Employment

Placement or Program	Contact Person	Details/Status
<b>Fidelis Law PLLC</b>	<b>Christian Wiesenberg</b> [REDACTED] Howell, MI 48843 [REDACTED]	Mr. Wiesenberg has offered to give Mr. Meade employment as paralegal working 40 hours a week. Pay scale will be determined upon start of employment.



### Support Network and Community Reintegration

Name, Agency, Relationship	Support Details
<b>Pauline Thompson (Mother)</b> [REDACTED] River Rouge, MI 48218 [REDACTED]	Ms. Thompson will be providing housing, clothing, financial, transportation and moral support.
<b>Jose Burgos (Friend)</b> [REDACTED] Ecorse, MI 48229 Phone: [REDACTED]	Mr. Burgos will be providing mentorship and reentry assistance.



<p>[REDACTED] Weaverville, NC 28787 Phone: [REDACTED]</p>	<p>Ms. Gold plans on providing Mr. Meade with emotional and moral support. If Mr. Meade decides to relocate to North Carolina Ms. Gold could provide housing, transportation and financial help.</p>
<p>[REDACTED] (stepbrother) [REDACTED] Lincoln Park, MI 48146 Phone: [REDACTED]</p>	<p>Mr. Lytle has the capacity to offer Mr. Meade housing, transportation, financial and emotional support.</p>



## Education

Achievements	
Food Management Technology	— 1997
Paralegal Assistant (Blackstone)	— 1999
Bachelors (Criminal Justice & Legal Studies)	— 2015
Mr. Meade has obtained his GED through the MDOC.	
Goals	
Mr. Meade has indicated that he wishes to complete his Master of Divinity at Chicago Theological Seminary. He would also like to pursue a Juris Doctorate program and eventually a Ph. D program.	



## Health Needs

Area	Contact/Resource Provider	Details/Status
Health Care Benefits	Medicaid	Prior to his release Mr. Meade will receive information relating to his medical benefits from MDOC (Michigan Department of Corrections Health Services Staff.
Health Care Services	<p>Henry Ford Wyandotte 2333 Biddle Ave. Wyandotte, MI 48192 Phone: (734) 246-6000</p> <p>Hours: 7 A.M to 4 PM</p>	Mr. Meade will be able to obtain a primary caregiver at Henry Ford Wyandotte where they accept Medicaid.

<b>Mental/ Behavioral Health Services</b>	<b>Wise Mind PLLC</b> 127 N. Washington St. Ypsilanti, MI 48197 Phone: (734) 682-5544  Hours: 9 AM to 5 PM	Mr. Meade has never been diagnosed with any type of mental health issues, if he ever needs mental health services, he can contact Wise Mind PLLC. They provide mental health services for the formerly incarcerated.
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## Basic Needs

Needs/Items	Details/Providers
<b>Clothing</b>	Mr. Meade will be provided clothing from his mother Pauline Thompson.
<b>Budgeting and Finance</b>	The City of Detroit currently operates the (FEC) Financial Empowerment Center which offers professional, one-on-one financial counseling as a free service to enable residents to address their financial challenges, needs, and plan for their futures. They can assist Mr. Meade with such things as building his savings, create budget plan and any other financial questions or concerns he may have. To schedule an appointment Mr. Meade can call (313) 322-6222 or schedule online at: <a href="https://detroitmi.gov/departments/departments-neighborhoods/financial-empowerment-center-fec">https://detroitmi.gov/departments/departments-neighborhoods/financial-empowerment-center-fec</a>
<b>SNAP Benefits</b>	Michigan Health and Human Services 25637 Ecorse, Rd. Taylor, Michigan 48180  Upon his release Mr. Meade can visit his local Health and Human services office where they will provide him with a case worker as well start the process of obtaining his snap benefits.
<b>Cell Phone</b>	Cell phone will be provided by Ms. Thompson.
<b>Technological Literacy</b>	Mr. Meade may take advantage of free computer classes through the Detroit Public Library (Main Branch) including Introduction to Computers, Using Assistive Technology, Basic Computer Schools, Microsoft Office, Typing Tutor, and Email Essentials. Classes are offered on various days of the week. Updated monthly schedule available at: <a href="http://www.detroitpubliclibrary.org/services/computerclasses">www.detroitpubliclibrary.org/services/computerclasses</a>



## Transportation

Options/Contact	Details and Status
<b>Primary: Pauline Thompson (Mother)</b>	Ms. Thompson had confirmed that she will be providing Mr. Meade transportation until he is able to obtain a vehicle and valid drivers license of his own.
<b>Secondary: MDOT (Public Transportation)</b>	Upon release, Mr. Meade will be able to request bus passes for public transportation from his parole agent when needed.



### Vital Documents

Document	Details and Status
<b>Birth Certificate and Social Security Card</b>	Mr. Meade has indicated that he currently has both his social security card and birth certificate which are currently being stored by the MDOC (Michigan Department of Corrections) and will be given to him upon release.
<b>State ID</b>	Upon his release Mr. Meade will be given a State I.D through the MDOC.

PREPARED BY:

Jose Burgos, Reentry Specialist

Preparer

*Prepared with assistance by Jamie Meade*

Date: 7/1/2022

## DECLARATION OF LAURENCE STEINBERG

I, Laurence Steinberg, declare as follows:

1. My name is Laurence Steinberg. My address is [REDACTED] Philadelphia, Pennsylvania, 19103, USA.
2. I hold the degrees of A.B. in Psychology from Vassar College (Poughkeepsie, New York) and Ph.D. in Human Development and Family Studies from Cornell University (Ithaca, New York).
3. I am a developmental psychologist specializing in adolescence, broadly defined as the second decade of life. Throughout this document, "adolescence" refers to the period of development from age 10 to age 20. Adolescence can be further divided into three phases: early adolescence (10 through 13), middle adolescence (14 through 17) and late adolescence (18 through 20).
4. I am on the faculty at Temple University, in Philadelphia, Pennsylvania, USA, where I am a Distinguished University Professor and the Laura H. Carnell Professor of Psychology. I am a Fellow of the American Psychological Association, the Association for Psychological Science, and the American Academy of Arts and Sciences, and a member of the Society for Research in Child Development and the Society for Research on Adolescence. I was a member of the National Academies' Board on Children, Youth, and Families and chaired the National Academies' Committee on the Science of Adolescence. I was President of the Division of Developmental Psychology of the American Psychological Association and President of the Society for Research on Adolescence.
5. I received my Ph.D. in 1977 and have been continuously engaged in research on adolescent development since that time. I am the author or co-author of approximately 450 scientific articles and 17 books on young people. Prior to my appointment at Temple University, where I have been since 1988, I was on the faculty at the University of Wisconsin—Madison (1983-1988) and the University of California, Irvine (1977-1983). From 1997-2007, I directed the John D. and Catherine T. MacArthur Foundation Research Network on Adolescent Development and Juvenile



Justice, a national multidisciplinary initiative on the implications of research on adolescent development for policy and practice concerning the treatment of juveniles in the legal system. I also have been a member of the MacArthur Foundation Research Network on Law and Neuroscience, a national initiative examining the ways in which neuroscientific research may inform and improve legal policy and practice.

6. Since 1997, I have been engaged in research on the implications of research on adolescent development for legal decisions about the behavior of young people. More specifically, my colleagues and I have been studying whether, to what extent, and in what respects adolescents and adults differ in ways that may inform decisions about the treatment of juveniles under the law.

7. I have been qualified as an expert witness in state courts in Alabama, Alaska, Arizona, Arkansas, California, Colorado, Delaware, Florida, Indiana, Kentucky, Massachusetts, Missouri, Nevada, Oregon, Pennsylvania, and Wisconsin, as well as the U.S. District Courts in the Southern District of New York, the Eastern District of New York, and the District of Connecticut. I have also been deposed as an expert in cases in California, Colorado, Florida, Oregon, Pennsylvania, Rhode Island, and Wisconsin; in U.S. District Courts in the Eastern District of Michigan, the Western District of Washington and the District of Colorado; and in the Military Court of Commission Review in Guantanamo Bay, Cuba. In addition, I was the lead scientific consultant for the American Psychological Association (APA) when the Association filed Amicus Curiae briefs in *Miller v. Alabama*, 567 U.S. 460 (2012); *Graham v. Florida*, 560 U.S. 48 (2011); and *Roper v. Simmons*, 543 U.S. 551 (2005). One of my articles, "Less Guilty by Reason of Adolescence," (co-authored with Elizabeth Scott),<sup>1</sup> was cited in the Court's majority opinion in *Roper* and in *Miller*, as was the APA amicus brief that I helped draft.

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<sup>1</sup> Steinberg, L., & Scott, E. (2003). Less guilty by reason of adolescence: Developmental immaturity, diminished responsibility, and the juvenile death penalty. *American Psychologist*, 58, 1009-1018.

## REFERRAL QUESTION

8. Mr. Christopher Wiesenber, an attorney on the Board of The Adolescent Redemption Project, requested that I outline the current understanding of neurobiological and psychological development during adolescence, the ways in which neurobiological immaturity impacts behavior and psychosocial development during this period, and the basis for and evolution of the understanding of ongoing behavioral development during these years. I have been specifically asked to summarize the state of the scientific literature on brain and psychological development during late adolescence. The scientific question I have been asked to address is whether individuals who are younger than 21 also share the attributes of adolescents that trigger the constitutional protections the Supreme Court has already recognized for those younger than 18.

## OVERVIEW OF ARGUMENT

9. Over the past two decades, considerable scientific evidence has accumulated demonstrating that, compared to adults, adolescents are more impulsive, prone to engage in risky and reckless behavior, motivated more by reward than punishment, and less oriented to the future and more to the present. These characteristics of adolescents are now viewed as normative, driven by processes of brain maturation that are not under the control of young people, and typical of normally developing individuals ages 10 through 20 years old.

10. In several landmark cases decided between 2005 and 2016, the U.S. Supreme Court held that these aspects of juvenile immaturity mitigate criminal responsibility in ways that must be taken into account in sentencing decisions.<sup>2</sup>

11. In the past ten years, additional scientific evidence has accrued indicating that many aspects of psychological and neurobiological immaturity

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<sup>2</sup> Steinberg, L. (2013). The influence of neuroscience on U.S. Supreme Court decisions involving adolescents' criminal culpability. *Nature Reviews Neuroscience*, 14, 513-518.



characteristic of early adolescents and middle adolescents are also characteristic of late adolescents.

12. Although late adolescents are in some ways similar to individuals in their mid-20s, in other ways, and under certain circumstances, they are more like individuals in early and middle adolescence in their behavior, psychological functioning, and brain development. Developmental science therefore does not support the bright-line boundary that is observed in criminal law under which 18-year-olds are categorically deemed to be adults.<sup>3</sup>

13. The recognition that the same sort of psychological and neurobiological immaturity characteristic of juveniles under the age of 18 also describes individuals under 21 suggests that the logic reflected in the U.S. Supreme Court decisions in *Roper*, *Graham*, *Miller*, and in *Montgomery v. Louisiana*, also applies to late adolescents.

#### **BRAIN DEVELOPMENT CONTINUES BEYOND THE TEEN YEARS**

14. For most of the 20<sup>th</sup> century, scientists believed that brain maturation ended sometime during late childhood, a conclusion based on the observation that the brain reached its adult size and volume by age 10. This conclusion began to be challenged in the late 1990s, as a result of research that examined the brain's internal anatomy as well as patterns of brain activity, rather than focusing solely on the brain's external appearance.<sup>4</sup>

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<sup>3</sup> Scott, E., Bonnie, R. & Steinberg, L. (2016). Young adulthood as a transitional legal Category, *Fordham Law Review*, 85, 641-666.

<sup>4</sup> Gogtay, N., et al. (2004). Dynamic mapping of human cortical development during childhood through early adulthood. *Proceedings of the National Academies of Sciences*, 101, 8174-8179; Giedd, J., Blumenthal, J., Jeffries, N., Castellanos, F., Liu, H., Zijdenbos, A., . . . Rapoport, J. (1999). Brain development during childhood and adolescence: a longitudinal MRI study. *Nature Neuroscience*, 2, 861-863; Sowell, E., Thompson, P., Leonard, C., Welcome, S., Kan, E., & Toga, A. (2004). Longitudinal mapping of cortical thickness and brain growth in normal children. *Journal of Neuroscience*, 24, 8223-8231.

15. The advent of functional Magnetic Resonance Imaging (fMRI) permitted scientists and researchers to actually observe the brains of living individuals and examine their responses to various stimuli and activities. The results of this examination demonstrated that key brain systems and structures, especially those involved in self-regulation and higher-order cognition, continue to mature throughout adolescence until at least the age of 21 and likely beyond in some areas of function.<sup>5</sup>

16. In response to these revelations about ongoing brain maturation, researchers began to focus on the ways in which adolescent behavior is more accurately characterized as reflecting psychological and neurobiological immaturity.<sup>6</sup> The results of many of these studies and descriptions of adolescent behavior were used by the United States Supreme Court, first in *Roper v. Simmons*, and later in *Graham v. Florida*, *Miller v. Alabama*, and *Montgomery v. Louisiana*, as the foundation for the high court's conclusions that adolescents prior to the age of majority should not be treated as adults by the criminal justice system, because their brains and resulting behavior cannot be characterized as fully mature and, as a consequence, that their culpability is not comparable to and should not be equated with that of fully mature adults.<sup>7</sup> In addition, the Court noted that because psychological and neurobiological development were still

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<sup>5</sup> Casey, B. J., Tottenham, N., Liston, C., & Durston, S. (2005). Imaging the developing brain: What have we learned about cognitive development? *Trends in Cognitive Science*, 9, 104-110.

<sup>6</sup> Steinberg, L., & Scott, E. (2003). Less guilty by reason of adolescence: Developmental immaturity, diminished responsibility, and the juvenile death penalty. *American Psychologist*, 58, 1009-1018.

<sup>7</sup> The American Psychological Association filed briefs as amicus curiae in *Roper*, *Graham*, and *Miller*, outlining the state of neuropsychological and behavioral research on adolescent brain development and behavior for the Court. See Brief for the American Psychological Association, American Psychiatric Association, and National Association of Social Workers as Amici Curiae in Support of Petitioners, *Miller v. Alabama*, 567 U.S. 460 (2012) (No. 10-9646); Brief for the American Psychological Association, American Psychiatric Association, National Association of Social Workers, and Mental Health America as Amici Curiae Supporting Petitioners, *Graham v. Florida*, 560 U.S. 48 (2010) (No. 08-7412), *Sullivan v. Florida*, 560 U.S. 181 (2010) (No. 08-7621); Brief for the American Psychological Association, and the Missouri Psychological Association as Amici Curiae Supporting Respondent, *Roper v. Simmons*, 543 U.S. 551 (2005) (No. 03-633).

ongoing in adolescence, individuals were still amenable to change and able to profit from rehabilitation.

17. Further study of brain maturation conducted during the past decade has revealed that several aspects of brain development affecting judgment and decision-making are not only ongoing during early and middle adolescence, but continue at least until age 21. As more research confirming this conclusion accumulated, by 2015 the notion that brain maturation continues into late adolescence became widely accepted among neuroscientists.<sup>8</sup> This contemporary view of brain development as ongoing at least until age 21 stands in marked contrast to the view held by scientists as recently as 15 years ago. We now know that, in many respects, **individuals between 18 and 21 are more neurobiologically similar to younger teenagers than had previously been thought**; their character has not yet been fully formed (as those brain regions most determinant of character are the last to mature), they remain amenable to change, and they are able to profit from rehabilitation. **Accordingly, predictions about adolescents' future character and behavior based on assessments made prior to**

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<sup>8</sup> Dosenbach, N., et al. (2011). Prediction of individual brain maturity using fMRI. *Science*, 329, 1358–1361; Fair, D., et al. (2009). Functional brain networks develop from a “local to distributed” organization. *PLoS Computational Biology*, 5, 1–14; Hedman A., van Haren N., Schnack H., Kahn R., & Hulshoff Pol, H. (2012). Human brain changes across the life span: A review of 56 longitudinal magnetic resonance imaging studies. *Human Brain Mapping*, 33, 1987–2002; Pfefferbaum, A., Rohlfing, T., Rosenbloom, M., Chu, W., & Colrain, I. (2013). Variation in longitudinal trajectories of regional brain volumes of healthy men and women (ages 10 to 85 years) measured with atlas-based parcellation of MRI. *NeuroImage*, 65, 176–193; Simmonds, D., Hallquist, M., Asato, M., & Luna, B. (2014). Developmental stages and sex differences of white matter and behavioral development through adolescence: A longitudinal diffusion tensor imaging (DTI) study. *NeuroImage*, 92, 356–368. Somerville, L., Jones, R., & Casey, B.J. (2010). A time of change: behavioral and neural correlates of adolescent sensitivity to appetitive and aversive environmental cues. *Brain & Cognition*, 72, 124–133; Tamnes, C., Herting, M., Goddings, A., Meuwese, R., Blakemore, S., Dahl, R., . . . Mills, K. (2017). Development of the cerebral cortex across adolescence: A multisample study of inter-related longitudinal changes in cortical volume, surface area, and thickness. *Journal of Neuroscience*, 37, 3402–3412; Whitaker, K., Vértes, P., Romero-Garcia, R., Váša, F., Moutoussis, M., Prabhu, G., . . . Bullmore E. (2016). Adolescence is associated with genomically patterned consolidation of the hubs of the human brain connectome. *PNAS*, 113, 9105–9110.

**maturation amount to little more than speculation.** The APA's observation in its brief in *Roper* applies to individuals who are 18 as well as to those who are slightly younger: "The absence of proof that assessments of adolescent behavior will remain stable into adulthood invites unreliable . . . sentencing based on faulty appraisals of character and future conduct."<sup>9</sup>

18. Although mental health professionals are able to characterize the functional and behavioral features of an individual adolescent, their ability to reliably predict future character formation, dangerousness, or amenability to rehabilitation is inherently limited. This is true even for adolescents with histories of delinquent behavior, because misconduct diminishes at a high rate between adolescence and adulthood.<sup>10</sup> Thus, mental health professionals' ability to reliably distinguish between the relatively few adolescents who will continue as career criminals and the vast majority of adolescents who will, as adults, "repudiate their reckless experimentation is limited. As a general matter, litigating maturity on a case-by-case basis is likely to be an error-prone undertaking, with the outcomes determined by factors other than psychological immaturity—such as physical appearance or demeanor . . . immaturity is often ignored when the facts of a particular case engender a punitive response; indeed, immaturity is likely to count as mitigating only when the offender otherwise presents a sympathetic case."<sup>11</sup>

19. Although various measures of antisocial character, including widely-used measures of psychopathy, may aid in making short-term predictions of violent behavior in adolescence, "they provide little support for the argument

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<sup>9</sup> Brief for the American Psychological Association, and the Missouri Psychological Association as *Amici Curiae* Supporting Respondent, *Roper v. Simmons*, 543 U.S. 551 (2005) (No. 03-633), p. 24. The APA Amicus brief in *Roper*, for which I was the lead scientific consultant, and which I helped draft, did not address the death penalty for persons aged 18-20 because this issue was not before the court.

<sup>10</sup> Sweeten, G., Piquero, A., & Steinberg, L. (2013). Age and the explanation of crime, revisited. *Journal of Youth and Adolescence*, 42, 921-938.

<sup>11</sup> Scott, E., & Steinberg, L. (2008). *Rethinking juvenile justice*. Cambridge, MA: Harvard University Press, pp. 140-141.

that psychopathy during adolescence is a robust predictor of future violence, particularly violence that occurs beyond late adolescence. . . . Because most adolescents manifest some ‘traits’ and behaviors during this period that may be phenotypically similar to symptoms of psychopathy, adolescence may be the most difficult stage of life in which to detect this personality pattern.”<sup>12</sup>

20. Moreover, research evidence indicates that racial and ethnic biases influence attitudes about the punishment of young offenders. Thus, we should worry that decision-makers may be particularly inclined to discount the mitigating impact of immaturity in minority youths. The integrity and legitimacy of any individualized decision-making process is vulnerable to contamination from racist attitudes or from unconscious racial stereotyping that operates even among those who lack overt prejudice.<sup>13</sup>

#### PSYCHOLOGICAL IMMATURITY IN ADOLESCENCE

21. Research on psychological development during adolescence conducted during the past 15 years also has led scientists to revise longstanding views of this age period. Conclusions drawn from this psychological research parallel those drawn from recent studies of brain development and indicate that **individuals in their late teens and early 20s are less mature than their older counterparts in several important and legally-relevant ways.**<sup>14</sup> The results of these psychological studies, including many

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<sup>12</sup> Edens, J., Skeem, J., Cruse, K., & Cauffman, E. (2001). Assessment of “juvenile psychopathy” and its association with violence: A critical review. *Behavioral Science and the Law*, 19, 53-80.

<sup>13</sup> Graham, S., & Lowery, B. (2004). Priming unconscious racial stereotypes about adolescent offenders. *Law and Human Behavior*, 28, 483-504; Henning, K. (2013). Criminalizing normal adolescent behavior in communities of color: The role of prosecutors in juvenile justice reform. *Cornell Law Review*, 98, 383-462.

<sup>14</sup> Scott, E., Bonnie, R. & Steinberg, L. (2016). Young adulthood as a transitional legal category, *Fordham Law Review*, 85, 641-666 and Steinberg, L. (2014). *Age of opportunity: Lessons from the new science of adolescence*. New York: Houghton Mifflin, Harcourt.



that have been conducted by my research group, have been found not only in the United States, but around the world.<sup>15</sup>

22. First, adolescents are more likely than adults to underestimate the number, seriousness, and likelihood of risks involved in a given situation. When asked to make a decision about a course of action, compared to adults, adolescents have more difficulty identifying the possible costs and benefits of each alternative, underestimate the chances of various negative consequences occurring, and underestimate the degree to which they could be harmed if the negative consequences occurred.<sup>16</sup>

23. Second, adolescents and people in their early 20s are more likely than older individuals to engage in what psychologists call “sensation-seeking,” the pursuit of arousing, rewarding, exciting, or novel experiences. As a consequence of this, young people are more apt to focus on the potential rewards of a given decision than on the potential costs.<sup>17</sup> Other studies have indicated that heightened risk taking among adolescents is due to the greater attention they pay to the potential rewards of a risky

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<sup>15</sup> Duell, N., Steinberg, L., Chein, J., Al-Hassan, S., Bacchini, D., Chang, L., . . . Alampay, L. (2016). Interaction of reward seeking and self-regulation in the prediction of risk taking: A cross-national test of the dual systems model. *Developmental Psychology*, 52, 1593-1605; Duell, N., Steinberg, L., Icenogle, G., Chein, J., Chaudary, N., Di Giunta, L., . . . Chang, L. (2018). Age patterns in risk taking around the world. *Journal of Youth and Adolescence*, 47, 1052-1072. Steinberg, L., Icenogle, G., Shulman, E., Breiner, K., Chein, J., Bacchini, D., . . . Takash, H. (2018). Around the world, adolescence is a time of heightened sensation seeking and immature self-regulation. *Developmental Science*, 21, 1-13.

<sup>16</sup> Grisso, T., Steinberg, L., Woolard, J., Cauffman, E., Scott, E., Graham, S., Lexcen, F., Reppucci, N., & Schwartz, R. (2003). Juveniles' competence to stand trial: A comparison of adolescents' and adults' capacities as trial defendants. *Law and Human Behavior*, 27, 333-363.

<sup>17</sup> Steinberg, L., Albert, D., Cauffman, E., Banich, M., Graham, S., & Woolard, J. (2008). Age differences in sensation seeking and impulsivity as indexed by behavior and self-report: Evidence for a dual systems model. *Developmental Psychology*, 44, 1764-1778.



choice relative to the potential costs. This tendency is especially pronounced among individuals between the ages of 18 and 21.<sup>18</sup>

24. Third, adolescents and individuals in their early 20s are less able than older individuals to control their impulses and consider the future consequences of their actions and decisions. In general, adolescents are more short-sighted and less planful than adults, and they have more difficulty than adults in foreseeing the possible outcomes of their actions and regulating their behavior accordingly. Importantly, significant gains in impulse control continue to occur beyond age 18 and into the early 20s.<sup>19</sup>

25. Fourth, the development of basic cognitive abilities, including memory and logical reasoning, matures before the development of emotional maturity, including the ability to exercise self-control, rein in sensation seeking, properly consider the risks and rewards of alternative courses of action, and resist coercive pressure from others. Thus, a young person who appears to be intellectually mature may also be socially and emotionally immature.<sup>20</sup>

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<sup>18</sup> Cauffman, E., Shulman, E., Steinberg, L., Claus, E., Banich, M., Graham, S., & Woolard, J. (2010). Age differences in affective decision making as indexed by performance on the Iowa Gambling Task. *Developmental Psychology*, 46, 193-207; Steinberg, L., Icenogle, G., Shulman, E., Breiner, K., Chein, J., Bacchini, D., . . . Takash, H. (2018). Around the world, adolescence is a time of heightened sensation seeking and immature self-regulation. *Developmental Science*, 21, 1-13.

<sup>19</sup> Steinberg, L., Graham, S., O'Brien, L., Woolard, J., Cauffman, E., & Banich, M. (2009). Age differences in future orientation and delay discounting. *Child Development*, 80, 28-44; Steinberg, L., Albert, D., Cauffman, E., Banich, M., Graham, S., & Woolard, J. (2008). Age differences in sensation seeking and impulsivity as indexed by behavior and self-report: Evidence for a dual systems model. *Developmental Psychology*, 44, 1764-1778; Steinberg, L., Icenogle, G., Shulman, E., Breiner, K., Chein, J., Bacchini, D., . . . Takash, H. (2018). Around the world, adolescence is a time of heightened sensation seeking and immature self-regulation. *Developmental Science*, 21, 1-13.

<sup>20</sup> Icenogle, G., Steinberg, L., Duell, N., Chein, J., Chang, L., Chaudary, N., . . . Bacchini, D. (2019). Adolescents' cognitive capacity reaches adult levels prior to their psychosocial maturity: Evidence for a "maturity gap" in a multinational sample. *Law and Human Behavior*, 43, 69-85; Steinberg, L., Cauffman, E., Woolard, J., Graham, S., & Banich, M. (2009). Are adolescents less mature than adults? Minors' access to

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26. As a consequence of this gap between intellectual and emotional maturity, the tendencies of adolescents and people in their early 20s, relative to individuals in their mid- or late 20s, to be more focused on rewards, more impulsive, and more myopic are exacerbated when adolescents are making decisions in situations that are emotionally arousing, including those that generate negative emotions, such as fear, threat, anger, or anxiety.<sup>21</sup> Psychologists distinguish between “cold cognition,” which refers to the thinking abilities used under calm circumstances, and “hot cognition,” which refers to the thinking abilities used under emotionally arousing ones. Adolescents’ deficiencies in judgment and self-control, relative to adults, are greater under “hot” circumstances in which emotions are aroused than they are under calmer, “cold” circumstances.<sup>22</sup>

27. Fifth, adolescents’ deficiencies in judgment are exacerbated by the presence of peers, a factor that often arouses emotions. It is well established that a disproportionate amount of adolescent and young adult risk taking occurs in the presence of peers.<sup>23</sup> Scientists believe that this is because, when they are with their peers, young people pay relatively more attention to the potential rewards of a risky

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abortion, the juvenile death penalty, and the alleged APA “flip-flop”. *American Psychologist*, 64, 583-594.

<sup>21</sup> Dreyfuss, M., Caudle, K., Drysdale, A. T., Johnston, N. E., Cohen, A. O., Somerville, L. H., Galvan, A., Tottenham, N., Hare, T. A., & Casey, B. J. (2014). Teens impulsively react rather than retreat from threat. *Developmental Neuroscience*, 36, 220-227.

<sup>22</sup> Cohen, A., Breiner, K., Steinberg, L., Bonnie, R., Scott, E., Taylor-Thompson, K., . . . Casey, B.J. (2016). When is an adolescent an adult? Assessing cognitive control in emotional and non-emotional contexts. *Psychological Science*, 4, 549-562; Steinberg, L. (2014). *Age of opportunity: Lessons From the New Science of Adolescence*. New York: Houghton Mifflin Harcourt; Steinberg, L., Cauffman, E., Woolard, J., Graham, S., & Banich, M. (2009). Are adolescents less mature than adults? Minors’ access to abortion, the juvenile death penalty, and the alleged APA “flip-flop”. *American Psychologist*, 64, 583-594; Steinberg, L., & Icenogle, G. (2019). Using developmental science to distinguish adolescents and adults under the law. *Annual Review of Developmental Psychology*, 1, 21-40.

<sup>23</sup> Albert, D., & Steinberg, L. (2011). Peer influences on adolescent risk behavior. In M. Bardo, D. Fishbein, & R. Milich (Eds.), *Inhibitory control and drug abuse prevention: From research to translation*. (Part 3, pp. 211-226). New York: Springer.

decision than they do when they are alone, and when they are with their peers they are especially drawn to immediate rewards, including both material rewards (e.g., money, drugs) as well as social rewards (e.g., praise, the admiration of others).<sup>24</sup> In our research lab, we have shown that the mere presence of peers activates the brain's "reward center" among adolescents and people in their early 20s, but has no such effect on adults.<sup>25</sup>

28. My colleagues and I have found that these peer effects on risk taking and attentiveness to rewards occur regardless of the number of peers present, their degree of familiarity with one another, and whether the peers are real or illusory. Brain imaging studies show that adolescents are especially sensitive to social rejection, which may make conforming to one's peers especially important.<sup>26</sup> That a much greater proportion of juvenile crimes, compared to adult crimes, occur when individuals are in groups is consistent with these data.<sup>27</sup>

29. The combination of heightened attentiveness to rewards and still-maturing impulse control makes middle and late adolescence a time of greater risk-taking than any other stage of development. This has been demonstrated both in studies of risk-taking in psychological experiments (when other factors, such as outside

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<sup>24</sup> O'Brien, L., Albert, D., Chein, J., & Steinberg, L. (2011). Adolescents prefer more immediate rewards when in the presence of their peers. *Journal of Research on Adolescence*, 21, 747-753; Silva, K., Patrianakos, J., Chein, J., & Steinberg, L. (2017). Joint effects of peer pressure and fatigue on risk and reward processing in adolescence. *Journal of Youth and Adolescence*, 46, 1878-1890; Weigard, A., Chein, J., Albert, D., Smith, A., & Steinberg, L. (2014). Effects of anonymous peer observation on adolescents' preference for immediate rewards. *Developmental Science*, 17, 71-78.

<sup>25</sup> Chein, J., Albert, D., O'Brien, L., Uckert, K., & Steinberg, L. (2011). Peers increase adolescent risk taking by enhancing activity in the brain's reward circuitry. *Developmental Science*, 14, F1-F10; Smith, A., Steinberg, L., Strang, N., & Chein, J. (2015). Age differences in the impact of peers on adolescents' and adults' neural response to reward. *Developmental Cognitive Neuroscience*, 11, 75-82.

<sup>26</sup> Blakemore, S-J. (2008). The social brain in adolescence. *Nature Reviews Neuroscience*, 9, 267-277; Somerville, L. (2013). The teenage brain: Sensitivity to social evaluation. *Current Directions in Psychological Science*, 22, 121-127.

<sup>27</sup> Zimring, F., & Laquear, H. (2015). Kids, groups, and crime: In defense of conventional wisdom. *Journal of Research in Crime and Delinquency*, 52, 403-415.

influences, can be controlled) and in the analysis of data on risky behavior in the real world.<sup>28</sup>

30. In recent experimental studies of risk-taking, the peak age for risky decision-making has been determined to be in the late teens and early 20s.<sup>29</sup> This age trend is consistent with epidemiological data on age trends in risky behavior, which show peaks in the adverse outcomes of risk-taking in the late teens and early 20s in a wide range of behaviors, including driver deaths, unintended pregnancy, arrests for violent and non-violent crime, and binge drinking.<sup>30</sup>

### NEUROBIOLOGICAL ACCOUNTS OF ADOLESCENT IMMATURITY

31. Many scientists, including myself, believe that the main underlying cause of psychological immaturity during adolescence and the early 20s is the different timetables along which two important brain systems change during this period, sometimes referred to as a “maturational imbalance.”<sup>31</sup> The system that is responsible for the increase in sensation-seeking and reward-seeking that takes place in adolescence, which is localized mainly in the brain’s limbic system, undergoes dramatic changes very early in adolescence, around the time of puberty. Attentiveness to rewards remains high through the late teen years and into the early 20s. But the system that is responsible for

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<sup>28</sup> Duell, N., Steinberg, L., Icenogle, G., Chein, J., Chaudary, N., Di Giunta, L., . . . Chang, L. (2018). Age patterns in risk taking around the world. *Journal of Youth and Adolescence*, 47, 1052-1072.

<sup>29</sup> Braams, B., van Duijvenvoorde, A., Peper, J., & Crone, E. (2015). Longitudinal changes in adolescent risk-taking: A comprehensive study of neural responses to rewards, pubertal development and risk taking behavior. *Journal of Neuroscience*, 35, 7226-7238; Shulman, E., & Cauffman, E. (2014). Deciding in the dark: Age differences in intuitive risk judgment. *Developmental Psychology*, 50, 167-177.

<sup>30</sup> Willoughby, T., Good, M., Adachi, P., Hamza, C., & Tavernier, R. (2013). Examining the link between adolescent brain development and risk taking from a social-developmental perspective. *Brain and Cognition*, 83, 315-323.

<sup>31</sup> Casey, B. J., et al. (2010). The storm and stress of adolescence: Insights from human imaging and mouse genetics. *Developmental Psychobiology*, 52, 225-235; Shulman, E., Smith, A., Silva, K., Icenogle, G., Duell, N., Chein, J., & Steinberg, L. (2016). The dual systems model: Review, reappraisal, and reaffirmation. *Developmental Cognitive Neuroscience*, 17, 103-117.



self-control, regulating impulses, thinking ahead, evaluating the rewards and costs of a risky act, and resisting peer pressure, which is localized mainly in the prefrontal cortex, is still undergoing significant maturation well into the mid-20s.<sup>32</sup>

32. Thus, during middle and late adolescence there is an imbalance between the reward system and the self-control system that inclines adolescents toward sensation-seeking and impulsivity. As this “maturational imbalance” diminishes, during the mid-20s, there are improvements in such capacities as impulse control, resistance to peer pressure, planning, and thinking ahead.<sup>33</sup>

33. Studies of structural and functional development of the brain are consistent with this view. Specifically, **research on neurobiological development shows continued maturation into the early or even mid-20s of brain regions and systems that govern various aspects of self-regulation** and higher-order cognitive function. These developments involve structural (i.e., in the brain’s anatomy) and functional (i.e., in the brain’s activity) changes in the prefrontal and parietal cortices, as well as improved structural and functional connectivity between the limbic system and the prefrontal cortex. The structural changes are primarily the result of two processes: synaptic pruning (the elimination of unnecessary connections between neurons, which allows the brain to transmit information more efficiently), and myelination (the growth of sheaths of myelin around neuronal connections, which functions as a form of insulation that allows the brain to transmit information more quickly).

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<sup>32</sup> Shulman, E., Harden, K., Chein, J., & Steinberg, L. (2015). Sex differences in the developmental trajectories of impulse control and sensation-seeking from early adolescence to early adulthood. *Journal of Youth and Adolescence*, 44, 1-17; Steinberg, L. (2008). A social neuroscience perspective on adolescent risk-taking. *Developmental Review*, 28, 78-106; Van Leijenhorst, L., Moor, B. G., Op de Macks, Z. A., Rombouts, S. A. R. B., Westenberg, P. M., & Crone, E. A. (2010). Adolescent risky decisionmaking: Neurocognitive development of reward and control regions. *NeuroImage*, 51, 345-355.

<sup>33</sup> Albert, D., & Steinberg, L. (2011). Judgment and decision making in adolescence. *Journal of Research on Adolescence*, 21, 211-224; Blakemore, S.-J., & T. Robbins, T. (2012). Decision-making in the adolescent brain. *Nature Neuroscience*, 15, 1184-1191.

34. Although the process of synaptic pruning is largely finished by age 16, myelination continues into the late teens and throughout the 20s.<sup>34</sup> Thus, although the development of the prefrontal cortex is largely complete by the end of middle adolescence, the maturation of connections between this region and regions that govern self-regulation and the brain's emotional centers, facilitated by the continued myelination of these connections, continues into late adolescence (at least through age 20) and may not be complete until the mid-20s.<sup>35</sup> As a consequence, late adolescents often have difficulty controlling their impulses, especially in emotionally arousing situations.

35. Recent studies that my colleagues and I conducted, of middle adolescents, late adolescents, and individuals in their mid-20s, illustrate this point. We assessed individuals' impulse control and brain activity while experimentally manipulating their emotional state. Under conditions during which individuals were not emotionally aroused, individuals between 18 and 21 exhibited impulse control and patterns of brain activity comparable to those in their mid-20s. But under emotionally arousing conditions, 18- to 21-year-olds demonstrated levels of impulsive behavior and patterns of brain activity that were comparable to those in their mid-teens.<sup>36</sup> In other

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<sup>34</sup> For reviews of changes in brain structure and function during adolescence and young adulthood, see Blakemore, S-J. (2012). Imaging brain development: The adolescent brain. *Neuroimage*, 61, 397-406; Engle, R. (2013). The teen brain. *Current Directions in Psychological Science*, 22 (2) (whole issue); and Luciana, M. (Ed.) (2010). Adolescent brain development: Current themes and future directions. *Brain and Cognition*, 72 (2), whole issue; and Spear, L., & Silveri, M. (2016). Special issue on the adolescent brain. *Neuroscience and Biobehavioral Reviews*, 70 (whole issue).

<sup>35</sup> Khundrakpam, B, Lewis, J., Zhao, L., Chouinard-Decorte, F., & Evans, A. (2016). Brain connectivity in normally developing children and adolescents. *NeuroImage*, 134, 192-203.

<sup>36</sup> Cohen, et al. (2016). When is an adolescent an adult? Assessing cognitive control in emotional and non-emotional contexts. *Psychological Science*, 4, 549-562; Rudolph, M., Miranda-Dominguez, O., Cohen, A., Breiner, K., Steinberg, L., . . . Fair, D. (2017). At risk of being risky: The relationship between "brain age" under emotional states and risk preference. *Developmental Cognitive Neuroscience*, 24, 93-106.



words, under some circumstances, the brain of a 18- to 21-year-old functions in ways that are similar to that of a 16- or 17-year old.

### DESISTANCE FROM CRIME AFTER YOUNG ADULthood

36. Research in developmental psychology has produced a growing understanding of the ways in which normative psychological maturation contributes to desistance from crime. My colleagues and I have shown that normal and expected improvements in self-control, resistance to peer pressure, and future orientation, which occur in most individuals, are related to desistance from crime during the late adolescent and young adult years.<sup>37</sup>

37. Scientists have also shown that the human brain is malleable, or “plastic.” Neuroplasticity refers to the potential for the brain to be modified by experience. Certain periods in development appear to be times of greater neuroplasticity than others. There is growing consensus that there is considerable neuroplasticity in adolescence, which suggests that during those time periods, there are greater opportunities for individuals to change.<sup>38</sup> In *Graham*, the United States Supreme Court,

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<sup>37</sup> Monahan, K., Steinberg, L., & Cauffman, E. (2009). Affiliation with antisocial peers, susceptibility to peer influence, and desistance from antisocial behavior during the transition to adulthood. *Developmental Psychology*, 45, 1520-1530; and Monahan, K., Steinberg, L., Cauffman, E., & Mulvey, E. (2009). Trajectories of antisocial behavior and psychosocial maturity from adolescence to young adulthood. *Developmental Psychology*, 45, 1654-1668). This observation is consistent with findings from developmental neuroscience, noted earlier (for example, Liston, C., Watts, R., Tottenham, N., Davidson, M., Niogi, S., Ulug, A., & Casey, B.J. (2006). Frontostriatal microstructure predicts individual differences in cognitive control. *Cerebral Cortex*, 16, 553-560).

<sup>38</sup> For a discussion of adolescent neuroplasticity, see Aoki, C., Romeo, R., & Smith, S. (2017). Adolescence as a critical period for developmental plasticity. *Brain Research*, 1654, 85-86; Guyer, A., Pérez-Edgar, K., & Crone, E., (2018). Opportunities for neurodevelopmental plasticity from infancy through early adulthood. *Child Development*, 89, 687-297; Kays, J., Hurley, R., Taber, K. (2012). The dynamic brain: Neuroplasticity and mental health. *Journal of Clinical Neuropsychiatry and Clinical Neuroscience*, 24, 118-124; Steinberg, L. (2014). *Age of Opportunity: Lessons From the New Science of Adolescence*. New York: Houghton Mifflin Harcourt; and Thomas, M., & Johnson, M. (2008). New advances in understanding sensitive periods in brain development. *Current Directions in Psychological Science*, 17, 1-5.

recognized that adolescents' brains were not fully developed, and that it was this lack of maturity and capacity for growth that led to Court's holding that youth who commit serious crimes must have an opportunity for release based on demonstrated maturity and rehabilitation.

38. Very few individuals who have committed crimes as juveniles continue offending beyond their mid-20s. My colleagues and I have found, as have other researchers, that approximately 90 percent of serious juvenile offenders age out of crime and do not continue criminal behavior into adulthood.<sup>39</sup>

39. Longitudinal studies that document this pattern of desistance are consistent with epidemiological evidence on the relation between age and crime. In general, sociological studies demonstrate what scientists describe as an "age-crime curve," which shows that, in the aggregate, crime peaks in the late teen years, and declines during the early 20s.<sup>40</sup> For example, according to recent data from the United States Federal Bureau of Investigation, on arrest rates as a function of age, arrests for property crime and for violent crime increase between 10 and 19 years, peak in the late teens and early 20s, and decline thereafter, most dramatically after 25.<sup>41</sup> This is a robust pattern observed not only in the United States, but across the industrialized world and over historical time.<sup>42</sup>

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<sup>39</sup> Monahan, K., Steinberg, L., Cauffman, E., & Mulvey, E. (2013). Psychosocial (im)maturity from adolescence to early adulthood: Distinguishing between adolescence-limited and persistent antisocial behavior. *Development and Psychopathology*, 25, 1093-1105; and Mulvey, E., Steinberg, L., Piquero, A., Besana, M., Fagan, J., Schubert, C., & Cauffman, E. (2010). Trajectories of desistance and continuity in antisocial behavior following court adjudication among serious adolescent offenders. *Development and Psychopathology*, 22, 453-475.

<sup>40</sup> Sweeten, G., Piquero, A., & Steinberg, L. (2013). Age and the explanation of crime, revisited. *Journal of Youth and Adolescence*, 42, 921-938.

<sup>41</sup> U.S. Department of Justice. (2020). *Crime in the United States*, 2019.

<sup>42</sup> Farrington, D. (1986). Age and crime. In M. Tonry & N. Morris (Eds.), *Crime and justice: An annual review of research*, vol. 7 (pp. 189-250). Chicago: University of Chicago Press; Hirschi, T., & Gottfredson, M. (1983). Age and the explanation of crime. *American Journal of Sociology*, 89, 552-84; and Piquero, A., Farrington, D., & Blumstein, A. (2007). *Key issues in criminal careers research: New analysis from the Cambridge study in delinquent development*. Cambridge: Cambridge University Press.

40. Research in developmental psychology has produced a growing understanding of the ways in which normative psychological maturation contributes to desistance from crime. My colleagues and I have shown that normal and expected improvements in self-control, resistance to peer pressure, and future orientation, are related to desistance from crime during the late adolescent and young adult years.<sup>43</sup> This observation is consistent with findings from developmental neuroscience, noted earlier.<sup>44</sup>

41. In summary, there is strong scientific evidence that (1) most juvenile offending reflects transient developmental immaturity rather than irreparably bad character; (2) this developmental immaturity has been linked to predictable patterns of structural and functional brain development during adolescence; (3) this process of brain maturation continues through the late teens and into the early 20s; (4) the adolescent brain is especially “plastic,” or susceptible to environmental influence, which makes juveniles more amenable to rehabilitation; and (5) the vast majority of juvenile offenders age out of crime as they mature into their mid-20s.

## CONCLUSION

42. Extensive studies demonstrate that important neurobiological development is ongoing throughout the teenage years and continues into the early 20s. As a result of neurobiological immaturity, young people, even those past the age of majority, continue to demonstrate difficulties in exercising self-restraint, controlling impulses, considering future consequences, making decisions independently from their peers, and resisting the coercive influence of others. Heightened susceptibility to

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<sup>43</sup> Monahan, K., Steinberg, L., & Cauffman, E. (2009). Affiliation with antisocial peers, susceptibility to peer influence, and desistance from antisocial behavior during the transition to adulthood. *Developmental Psychology*, 45, 1520-1530; Monahan, K., Steinberg, L., Cauffman, E., & Mulvey, E. (2009). Trajectories of antisocial behavior and psychosocial maturity from adolescence to young adulthood. *Developmental Psychology*, 45, 1654-1668.

<sup>44</sup> For example, see Liston, C., Watts, R., Tottenham, N., Davidson, M., Niogi, S., Ulug, A., & Casey, B.J. (2006). Frontostriatal microstructure predicts individual differences in cognitive control. *Cerebral Cortex*, 16, 553-560.

emotionally laden and socially charged situations renders adolescents more vulnerable to the influence of others, and in such situations young people are even less able to consider and weigh the risks and consequences of a chosen course of action.<sup>45</sup> **Many of the same immaturities that characterize the brains of individuals younger than 18, and that have been found to mitigate their criminal culpability, are characteristic of the brains of individuals between 18 and 21, and perhaps even into the mid-20s.**

43. Criminal acts committed by adolescents, even those past the age of majority, are best understood in light of their neurobiological and psychological immaturity. For this reason, it is inappropriate to assign the same degree of culpability to criminal acts committed at this age to that which would be assigned to the behavior of a fully mature and responsible adult.

44. In his majority opinion in *Roper v. Simmons*, Justice Kennedy noted three characteristics of juveniles that diminish their criminal responsibility: their impetuosity, their susceptibility to peer influence, and their capacity to change. In Justice Kennedy's opinion in *Graham v. Florida*, as well as Justice Kagan's opinion in *Miller v. Alabama*, the Court noted that the characterization of juveniles as inherently less mature than adults, and therefore less responsible for their crimes, was supported by a growing scientific literature affirming adolescents' neurobiological as well as psychological immaturity.<sup>46</sup> In the nine years that have elapsed since *Miller*, more scientific evidence consistent with these arguments has continued to accrue.

45. Recent discoveries in psychological science and in brain science, as well as changes in society, should ask us to rethink how we view people in late adolescence and young adulthood in terms of their treatment under the law. It is now clear that neurobiological and psychological immaturity of the sort that the Supreme Court referenced in its opinions on the diminished culpability of minors is also characteristic of individuals in their late teens and early 20s. **Certainly, there is no scientific evidence**

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<sup>45</sup> Scott, E., Duell, N., & Steinberg, L. (2018). Brain development, social context, and justice policy. *Washington University Journal of Law and Policy*, 57, 13-74.

<sup>46</sup> Steinberg, L. (2017). Adolescent brain science and juvenile justice policymaking. *Psychology, Public Policy, and Law*, 23, 410-420.

to suggest that a meaningful psychological or neurobiological distinction can be drawn between individuals who are nearly 18 years old and those who are at least 18 but not yet 21. Thus, for the very same reason that the Supreme Court found capital punishment and mandatory life with parole to be unconstitutional in cases involving defendants under the age of 18, these penalties also should be prohibited in cases involving defendants who under the age of 21.

46. I believe that the facts I have stated in this report are true and that the opinions I have expressed are within a reasonable degree of scientific certainty.

A handwritten signature in cursive script, reading "Laurence Steinberg". The signature is written in dark ink and is positioned above the printed name.

Laurence Steinberg, Ph.D.

Philadelphia, PA

February 4, 2021





# **A New Lease on Life**



**THE  
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This report was written by Ashley Nellis, Ph.D., Senior Research Analyst, and Breanna Bishop, Communications Associate, at The Sentencing Project. Skye Liston, Research Fellow at The Sentencing Project contributed to the editing of this report and development of video components.

We are deeply grateful for the stories of released lifers that make up the foundation of this research. In particular, Andrew Hundley, Ralph Brazel, Michael Mendoza, Joyce Granger, Louis Gibson, John Pace, Jacob Brevard, and Zerious Meadows have shared their stories with us. Impacted persons' participation illustrates the potential for personal reformation as well as the harms done by long-term imprisonment.

The Sentencing Project promotes effective and humane responses to crime that minimize imprisonment and criminalization of youth and adults by promoting racial, ethnic, economic, and gender justice.

The Sentencing Project gratefully acknowledges Arnold Ventures for their generous support of our research to end extreme sentences.

Cover image: Kareem McCraney greets his mother after serving 22 years in prison. Photo courtesy of Unchained Stories.

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# FINDINGS AND RECOMMENDATIONS

**I am what time, circumstance, history, have made of me, certainly, but I am also much more than that. So are we all.**

**— James Baldwin**

A dramatic consequence of America's investment in mass incarceration is life imprisonment. Today there are more people serving life sentences alone than the entire prison population in 1970, the dawn of the mass incarceration era. Though life sentences have always been allowable in the U.S., it is only in recent decades that these sentences have become normalized to such an extent that entire prisons are now filled or nearly filled with people serving life terms.

Despite a cultural tendency for Americans to view the U.S. crime and criminal legal system as "exceptional," other countries have experienced ebbs and flows in crime rates but have not resorted to the levels of imprisonment, nor the lengths of prison sentences, that are commonplace in the U.S. To the contrary, restoration of human dignity and the development of resilience are at the core of an evolved criminal legal system; systems elsewhere that emphasize the responsibility of government support to returning citizens serves as a model for the U.S.

In this report we set out to accomplish two tasks. First, we examine reoffending rates among people released from prison after a violent crime conviction and review research on the topic, covering both domestic and international findings. Second, we provide personal testimony from people who have left prison after a violent crime conviction. Inviting impacted persons to share their transition experiences serves policymakers and practitioners in strengthening necessary support for successful and satisfying reentry from prison. This report focuses on the outcomes of a narrow segment of the prison population: people convicted of violent crimes,

including those sentenced to life and virtual life sentences, who have been released to the community through parole or executive clemency. People with violent crime convictions comprise half the overall state prison population in the U.S. They are depicted as the most dangerous if released, but ample evidence refutes this.

## Findings

- We can safely release people from prison who have been convicted of violent crime much sooner than we typically do. Most people who commit homicide are unlikely to do so again and overall rates of violent offending of any type among people released from a life sentence are rare.
- Definitional limitations of the term "recidivism" obstruct a thorough understanding of the true incidence of violent offending among those released from prison, contributing to inaccurate estimates of reoffending.
- People exiting prison from long term confinement need stronger support around them. Many people exhibit a low crime risk but have high psychological, financial, and vocational demands that have been greatly exacerbated by their lengthy incarceration.
- People exiting prison after serving extreme sentences are eager to earn their release and demonstrate their capacity to contribute in positive ways to society. Prison staff and peers view lifers as a stabilizing force in the prison environment, often mentoring younger prisoners and serving as positive role models.

**We make five recommendations that, if adopted, will advance our criminal legal system toward one that is fair, efficient, and humane.**

**1. Standardize definitions of recidivism.**

Authors of government reports and academic studies should take great care to standardize the definition of criminal recidivism so that practitioners, policymakers, the media, and other consumers of recidivism research do not carelessly interpret findings on reoffending statistics without digging into either the meaning or the accuracy of the statements.

**2. Insist on responsible and accurate media coverage.**

Media consumers and producers alike must insist on accurate portrayals of crime despite the temptation to skew media coverage so that rare violent crime events appear as commonplace. Heavily skewed media coverage of rare violent crime events creates a misleading view of the frequency of violent crime. Add to this the overly simplistic assumption, allowed by inarticulate reporting, that people released from prison have caused upticks in violence.

**3. Allow some level of risk.**

Reset the acceptable recidivism rate to allow for reasonable public safety risk. The public's risk expectation is currently set at zero, meaning that no amount of recidivism is politically acceptable in a system that "works" even though such expectations are not attainable in any sphere of human endeavor or experience. But this expectation is largely based on highly tragic and sensationalized events that are falsely equated as the result of releasing people from prison. We have to balance our aspirations for a crime-free society with reasonable approaches to public safety and human rights considerations for both those who have caused harm and those who have been victimized by it.

**4. Reform and accelerate prison release mechanisms.**

Decisionmakers considering whether to grant prison release rely too heavily on the crime of conviction as the predominant factor under consideration. This approach is neither fair nor accurate. It is unfair because it re-

punishes the individual for a crime for which they have already been sanctioned. Risk of criminal conduct, even violent criminal conduct, closely tracks aging such that as people age into adulthood there is a sharp decline in proclivity to engage in additional acts of violence.

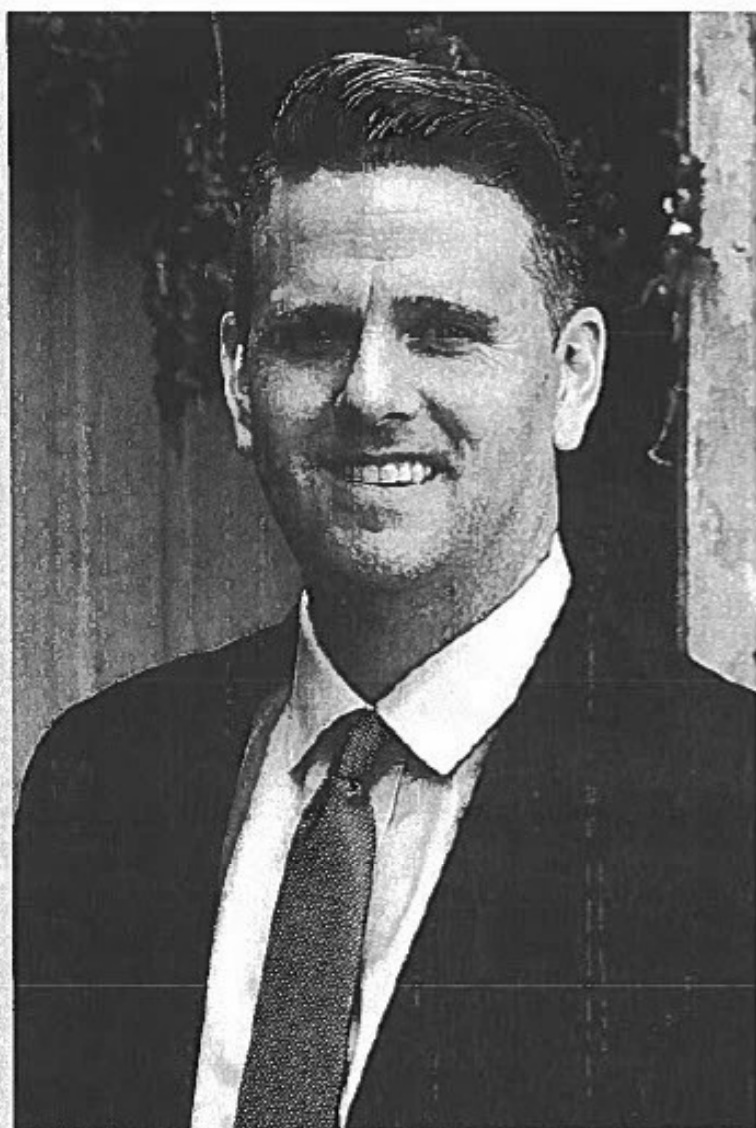
**5. Substantially improve housing support.**

Inability to secure housing after release from prison was mentioned frequently by people we interviewed for this report. Failure of the correctional system to ensure stable housing upon exit from decades-long prison sentences imposes unnecessary challenges. Though some released persons will be able to rely on nonprofit charity organizations, shelters, or family, the most vulnerable people will fall through the cracks. We have both a public safety and a humanitarian obligation to avoid this result.

## ANDREW HUNDLEY

In the summer of 1997, 15-year-old Andrew Hundley killed another teen in Mowata, Louisiana. His case went to trial and he received a life-without-parole (LWOP) sentence. In 2016, at age 35, his sentence was commuted to time served and he was released. Hundley was the first of more than 200 Louisianans serving LWOP for crimes committed while young who have been released since a series of landmark Supreme Court rulings invalidated the LWOP sentences of some 2,000 people.<sup>1</sup>

From the time of his release Hundley has devoted his freedom to helping remaining qualified lifers earn a meaningful opportunity for release. Within a year of his own freedom he founded and now runs the Louisiana Parole Project, a 501(c)(3) organization that serves as a critical bridge between prison and life on the outside. The organization defines itself as a human services provider and advocacy organization, working to reduce recidivism through second chances for released lifers and others who have served 20 years or more. As in other states, those exiting prison from a former life sentence exhibit very low rates of reoffending.<sup>2</sup>





# WHAT IS RECIDIVISM?

Understandably, policymakers, practitioners, and researchers seek results-oriented crime policies. Unfortunately, the key measure of “successful” imprisonment — recidivism — is frequently poorly constructed. Definitional issues plague an accurate understanding of what is meant by recidivism and measurement errors abound in the research. Florida State University criminologist Gerald Gaes and colleagues from the Bureau of Justice Statistics and Abt Associates, which collect and analyze the nation’s largest corrections datasets, write extensively on these and other pitfalls of “relying blithely on recidivism data without investigating the underlying criteria.”<sup>3</sup>

Sometimes recidivism refers to arrest, other times it is reconviction, and for others it is a return to prison either for a parole violation or a new crime conviction. All of these measures of recidivism tell a different story. For instance, one might be arrested but never convicted, as is often the case, so if recidivism is considered only at the point of arrest it is a gross overestimate of criminal conduct.

Another problematic feature of many recidivism studies is the inclusion of technical violations. Sometimes technical violations of parole are included in studies of overall recidivism rates but not always.<sup>4</sup> These have the effect of distorting outcomes as well, since technical violations are noncriminal activities that violate the conditions of parole such as leaving a certain radius without first obtaining a “travel pass” or failing to register a new email address, but these activities are not unlawful in and of themselves.<sup>5</sup> They are also largely irrelevant as a measure of public safety. Decomposition of prison return data often reveals that a high proportion of returns to prison originate from technical violations.<sup>6</sup>

Reincarceration for such rule infractions is problematic and discouraged by international bodies. In its 1994 guidance report on life imprisonment, the United Nations cautioned against returns to prison which were not entirely necessary for public safety: “No assessment

procedure can guarantee that a released prisoner will not relapse into crime...[the process of returning someone to prison] requires the most stringent application of the principles of fairness. Those to whom it applies have already served the period of imprisonment deemed sufficient as punishment, and have been assessed as posing no further risk to society. There should therefore be powerful, yet challengeable reasons for re-detention.”<sup>7</sup>

Another inconsistency in recidivism research is the degree to which crime types are specified.<sup>8</sup> Some studies make no delineation regarding crime type, others make a binary distinction of violent/nonviolent, and others provide detailed specifications of crime type.

Consider research findings by John Moore and Jacob Eikenberry which analyzed outcomes of 18,947 released individuals from the Iowa Department of Corrections over a three-year period. Crime type was critically important, with the highest proportion of those who returned to prison with a new crime having been convicted of a drug crime, much more so than those initially imprisoned for a violent conviction.<sup>9</sup>

Recidivism figures, especially those utilized by media, do not routinely distinguish violent from nonviolent reoffending but there are critical reasons to do so. Even within the category of crimes classified as violent there are important distinctions to consider. Acts of violence like homicide committed spontaneously, out of passion, are different from those with the premeditated intention to cause harm to another. Both types are decidedly different from conduct that constitutes a means to an end, such as a robbery committed to obtain money to serve an underlying drug addiction but that results in an unplanned homicide (e.g., felony murder).<sup>10</sup> The criminal legal system response—particularly during incarceration—should not be a one-size-fits-all approach wherein all crimes are responded to identically and interpreted as presenting the same level of risk of offending.

Research that disentangles types of homicide shows important differences in recidivism. Pieter Baay, Marieke



Liem, and Paul Nieuwebeerta's research distinguishes between four underlying conditions in murders in their recidivism study: intentional homicide, felony murder, family violence, and arguments with those outside the family (e.g., barroom brawl). They conclude that specificity matters: people who had been convicted of an unplanned murder committed spontaneously during a felony were less likely to recidivate with a new violent offense and those whose homicide was related to family violence were also less likely to recidivate than those who committed intentional homicide.<sup>11</sup>

Sophisticated risk categories based on homicide type have been established by New Jersey researchers using administrative crime data with typologies grouped into one of various categories. Findings showed that both rates of recidivism and types of recidivism varied with differences in original homicide, again illustrating the need for specification of crime type and recidivism type.<sup>12</sup> The best studies disentangle all these possibilities because of their unique contribution to the incarceration-crime relationships.

Another inconsistency in defining recidivism comes about as a result of the misuse of prosecutorial discretion. Specifically, in instances where prosecutors may decide against charging an individual for a new crime because of the cost and time saved from doing so; instead, more prison time is added to the revocation itself, so admissions might be coded as revocation as the cause when in fact a new crime was committed but is not specified in the prison records.<sup>13</sup>

The time frame between prison release and return to the criminal legal system also matters. Though most studies observe conduct for up to three years<sup>14</sup> sometimes five years and even as far as nine years have been used.<sup>15</sup> In well-articulated research, all of these differences are clearly articulated. Standardization should be the goal.

## THE ROLE OF THE AGE-CRIME CURVE IN UNDERSTANDING RECIDIVISM TRENDS

Some of the reluctance to release people with violent convictions originates from a misunderstanding, promulgated by media sensationalism of select crimes, that all persons released from prison run the same risk of committing a new crime. Related to this is the

assumption that crime rises are caused by people who have been released from prison. Neither is empirically supported.

It is a criminological fact that violent conduct occurs in somewhat predictable ways over the life course, with proclivity toward criminal behavior among at-risk individuals rising from late adolescence to the mid-20s and dropping precipitously after. Robert Sampson and John Laub's seminal research on crime over an individual's life course identified six distinct age-crime patterns, ranging from a peak crime age of 16 among those identified as "low-rate chronic" to "a peak age of 40 among those identified as "high-rate chronic."<sup>16</sup> But even among so-called "chronic offenders" it appears that the vast majority will stop committing crime by their 40s and their later offenses are typically low-level "nuisance crimes."<sup>17</sup>

Research on minors who have frequent involvement with the system starting from an early age suggests that even these individuals eventually desist from crime. Though it may take longer, desistance from crime is the typical outcome. Some crime will happen. Rather than assigning blame to the individuals themselves when new offenses are committed by youth who were previously incarcerated, we should acknowledge the harms done by incarceration at an early age. Their experiences while incarcerated may explain why young people released from prison sometimes take longer to desist.<sup>18</sup>

Despite these known trajectories of crime, prisons are increasingly filled with elderly persons who pose little threat to public safety. A 2013 analysis by the Bureau of Justice Statistics found that two of every three persons serving a state prison sentence for a violent crime was at least 55 years old.<sup>19</sup> Our existing research on life sentences finds that nearly one third of those serving life sentences are elderly.<sup>20</sup>

Some people released from prison will recidivate, and sometimes their crime will include violence. When people released from prison commit crime—especially violent crime—there are good reasons to question what went wrong and who is responsible. For the most part these questions are not delved into deeply enough and the system of correction itself is rarely held accountable for its contribution.

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**When people released from prison commit crime — especially violent crime — there are good reasons to question what went wrong and who is responsible. For the most part these questions are not delved into deeply enough and the system of correction itself is rarely held accountable for its contribution.**

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In many other Western democracies, programming is the central component of imprisonment, the underlying philosophy of this approach being that it is the function of the institution to reform the individual. In the U.S., by contrast, few policymakers question the logic of simply increasing lengths of incarceration rather than investing in programming and training to prepare incarcerated people to return safely to the community. Most American officials falsely conclude that recidivism is the result of not *enough* punishment and so more is applied. In contrast, the science on the efficacy of applying additional punishment as an effective deterrence is straightforward: more punishment does not lead to less crime.

## **THE IMPACT OF AMERICA'S LEGACY OF RACISM ON CRIMINAL PUNISHMENT**

Racism has consistently implicated policy decisions about crime and punishment throughout U.S. history. Indeed, overblown portrayals of violent crime and racist assumptions about people who commit violent crime has been and continues to be an easily manipulated political factor in the build-up of mass incarceration and the extreme punishment paradigm that supports it.

One need look no further than the story of William (or "Willie," as he was renamed by the media) Horton to see how this has played out.

The infamous national story started with a Massachusetts-based prison furlough<sup>21</sup> program that collapsed shortly after Horton escaped, fled to Maryland, and committed a series of violent crimes in 1987. Horton became the focus of the ongoing presidential campaign, which led

to the political downfall of presidential hopeful Michael Dukakis. Dukakis, then the governor of Massachusetts, had publicly expressed support for the program, which had been a standard corrections practice in more than half the states and the federal government at the time.

Though difficult to fathom in today's distorted punishment system, furlough, or work-release, programs allowed persons serving life sentences for first degree murder to leave the prison grounds on a regular basis and work in the community.<sup>22</sup> This facilitated hands-on training that often led to employment opportunities after release.<sup>23</sup> The practice of rejoining the community for small segments of time provided individuals a chance to transition to their eventual freedom. It also allowed the preservation of family and peer relationships that are often critical to success after a conviction, including lower rates of recidivism.<sup>24</sup> After Horton's crime, departments of corrections largely shuttered their furlough programs around the country and they are rarely used to this day.

Horton's crimes were indeed tragic but they were an anomaly in an otherwise successful program which maintained a voluntary return-from-furlough-rate in the range of 99% year over year.<sup>25</sup> But his 1987 crimes occurred at a time when crime policy was just becoming more deeply enmeshed with political jockeying for who could be the toughest on crime by doubling down on punishment. The successful defeat of Dukakis solidified even further both excessive punitiveness as a political agenda and the use of crime policy as a racist dog whistle in American politics. The political reaction to Horton's crime became a precursor to election campaigns in the



coming decades, helping shape the policies of the 1990s and early 2000s that greatly accelerated mass incarceration and further entrenched political racism as a driving force in crime policy.

The exploitation of his crimes focused considerably on racial dynamics. Horton is Black and his victims were white. The focus on race in the endorsement of lifelong confinement cannot be overstated. Today one of every five Black men in prison is serving a life sentence.<sup>26</sup> Bush's campaign used this incident to seal the public's association between Blackness and criminality thus ensuring that harsher sentences would be favored and exit-options for the incarcerated would be closed.<sup>27</sup>

Left out of heated accusations claiming that African Americans' possessed a unique proclivity toward violence was the radically different outcome for nearly everyone else who participated in the furlough program at the time. In fact, Horton was one of about 600,000 persons released that year nationwide, the vast majority of whom returned voluntarily and without incident.<sup>28</sup>

Research establishes the racist tendencies driving reactions to crime and crime policy, especially crimes of violence. Harvard University race scholar Khalil Gibran Muhammad observes that violence committed by Black people evokes a different public reaction than violence committed by white people.<sup>29</sup> Black people are portrayed as dangerous and violent in comparison to white people, whose acts of violence are more easily interpreted as aberrant and situational. This perception allowed the proliferation of the concept of a youthful superpredator<sup>30</sup> to emerge with little controversy at the time, though it has now been thoroughly debunked. Author David Sklansky, whose legal scholarship specializes on the definition of violence and its intersectionality with race, makes a similar connection.<sup>31</sup> He notes that crime committed by whites is often attributed to *situations* associated with the commission of crime whereas crimes committed by Blacks are attributed to a fundamental nature within them as dangerous and violent.

As with all stages of the criminal legal system, race-based assumptions about African Americans who commit crime subjects Blacks to greater scrutiny and ultimately more punishment than whites.<sup>32</sup>

## MICHAEL MENDOZA

At 15 years old, Michael Mendoza sat in the backseat of a car while the front-seat passenger shot and killed someone in a gang-related murder. Mendoza was prosecuted in criminal court as if he was an adult, convicted of second degree murder, and sentenced to life in prison with the possibility of parole.

He first went before the parole board in 2010, where he provided evidence of his personal growth in prison and his readiness to return home. He was denied. In 2014, he received his second chance as a result of California's Senate Bill 260, which created a separate, age-appropriate parole review process for youth sentenced to life imprisonment. Successfully appearing before this board allowed for his release in 2014.

A condition of Mendoza's parole is a lifetime of supervision by California's Division of Adult Parole, an agency within the California Department of Corrections and Rehabilitation. Such supervision often imposes requirements that make a successful transition to life in the community difficult. For instance, Mendoza was initially required by his parole conditions to stay within a 50-mile radius of his residence, which left him unable to visit family. Yet maintaining family bonds serve as a strong protective factor against committing crime. The myriad limitations set by parole restrictions motivated Mendoza to pursue a career advocating for formerly incarcerated people.

"Being engaged with these policies just by simply sharing my own personal experiences of what it was like to grow up in incarceration as a Mexican-American kid gave me so much confidence and experience that I needed to really succeed in this world," said Mendoza.

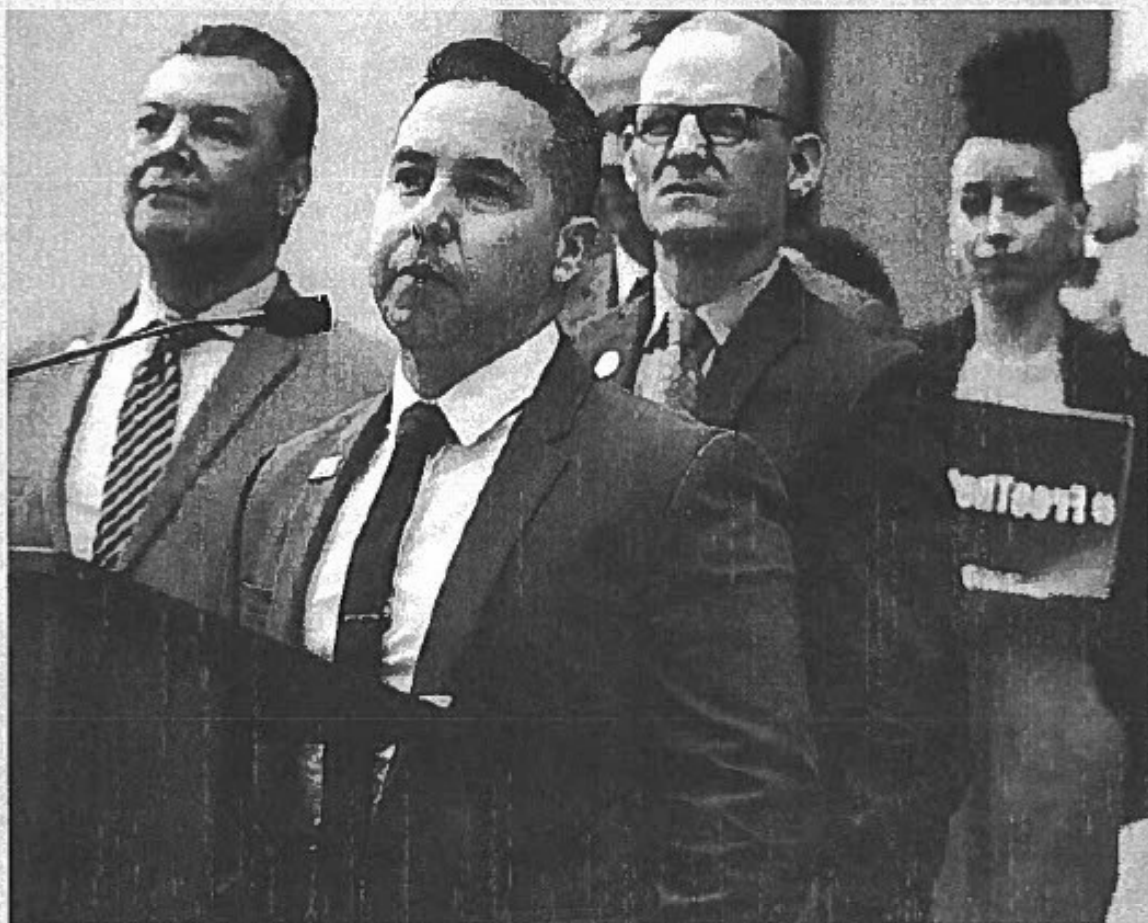


Image: Michael Mendoza speaking at a press conference

Today he is the National Policy Director at the Anti-Recidivism Coalition (ARC) in California, where he is responsible for expanding the organization's policy priorities. Mendoza hopes his experiences will serve as a way to help other formerly incarcerated people "continue to change the narrative" and give them the opportunity to "show that we are not ex-cons, we are not felons, we're not inmates, we're people that have a way to give back." The importance of the lived experience of imprisonment in earning trust and support of newly released lifers is critical.

Mendoza's work is just one of the ways he is providing others with the same opportunities he's been given. He recently adopted a dog and highlights how the experience has impacted him by being able to serve as an advocate in a new way.

"[S]he's teaching me a lot of patience, humility, love and for me, for someone like myself and the traumas that I've experienced, it's been really helpful. She's amazing. She's smart, she's well-behaved. And I think it's because she did time, too. She did about a year in an animal shelter before I found her."

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**"We are not ex-cons, we are not felons, we're not inmates, we're people that have a way to give back."**

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# REVIEW OF THE CRIMINOLOGICAL EVIDENCE ON RECIDIVISM

## NATIONAL EVIDENCE SHOWS LOW RATES OF VIOLENT-CRIME RECIDIVISM

The Bureau of Justice Statistics is responsible for the collection and analysis of state corrections data and the agency's reports are heavily relied on by scholars, advocates, and policymakers for understanding national crime policy and corrections trends.

Researchers at the BJS tracked the arrests of 404,648 people exiting prison in 2005 across 30 states; within three years, 42% were rearrested and within five years just over half had been rearrested. Twenty percent of all individuals released from prison were arrested for a new violent offense within three years. The majority of these were for assault, 1% included a homicide, and 2% included a sexual assault/rape. Among those who had initially been convicted of a homicide, 2% committed a subsequent homicide. As depicted in Table 1, these individuals were less likely to commit any other violent offense than released persons who were initially convicted of a nonhomicide.<sup>33</sup>

Similarly, a 2002 Bureau of Justice study of 272,111 prison releases across 15 states found that persons exhibited low public safety risk following release after a homicide conviction.<sup>34</sup> Among those released after serving time for murder, 1% were arrested for another murder and 17% were arrested for another type of violent offense. One percent of people released from prison after serving time for a violent crime were subsequently arrested for a murder and 28% were arrested for another violent offense. These rates fall far below new arrests among those convicted of other crime types.<sup>35</sup> Persons released after a homicide conviction were rearrested at a considerably lower rate (41%) than released prisoners generally (68%).

Despite these relatively low rates of recidivism, this is not the portrayal of murder or other violent crime that media consumers receive. Instead, the most sensational murders are characterized as commonplace.

Table 1. Rearrest Rates Among People Released from Prison for Violent Offenses

Initial Crime Conviction	Rearrested For	Rate of Occurrence After Five Years
Murder	Murder	2%
Murder	Violent crime	22%
Murder	Any crime	51%
Violent crime	Murder	1%
Violent crime	Violent crime	33%
Violent crime	Any crime	71%

Reproduced from Durose, M., R., Cooper, A. D., & Snyder, H. N. (2014). Recidivism of prisoners released in 30 states in 2005: Patterns from 2005 to 2010. Bureau of Justice Statistics.

Notes: BJS defines murder as inclusive of murder, voluntary manslaughter, vehicular manslaughter, negligent manslaughter, nonnegligent manslaughter, unspecified manslaughter, and unspecified homicide. BJS measures recidivism as arrest rather than return to prison on a new conviction. Because arrest frequently does not lead to conviction and imprisonment, this is likely to be a substantial overestimate of criminal offending. This study captured data from 30 states.



## JOHN PACE

Left image: John Pace early on in his life sentence  
Right image: John Pace today.

John Pace committed attempted robbery in 1985 and his victim died from related injuries ten days later. At 17 years old, Pace was convicted of second-degree murder, which requires a mandatory life without parole sentence in Pennsylvania. A Supreme Court decision in 2016 allowed for Pace to be resentenced and granted parole a year later.

"Seeing the pain of your loved ones, particularly in my case, my mother," Pace said. "Seeing these kinds of things, I think those were the kinds of things that really resonated with me and said I want to do something different."

Maintaining an emotional and physical connection to family makes a difference. A Canadian study of 86 people convicted of homicide who subsequently recidivated identified the loss of community and family support as a result of their incarceration as the primary explanation for reoffending.<sup>36</sup>

Pace was originally denied programming because of his life sentence; some administrations see it as a waste of money to provide programming to those who will never be released. Eventually he participated in the

Inside-Out Prison Exchange Program which brings together incarcerated and traditional university students. He eventually earned a bachelor's degree from Villanova University.

Pace's participation in the Inside-Out program afforded him the opportunity to secure a job with the program upon his release, eliminating the barrier to employment that many returning citizens face. Pace says he's blessed to have the opportunities that he has had upon his release, but still faces challenges. He is under lifetime parole supervision with strict guidelines.

"You'd like to think that you're free, but you're really not and I think you're reminded of that," Pace said about parole.

Today, Pace works as a reentry coordinator for other people coming out of prison. "I like to speak to young people, particularly young people who come from marginalized communities, that probably don't think there's a way out of this," said Pace. "Being able to provide my perspective to them, I think I provide them hope that there are ways that you don't have to go through the same experience I went through in order to get it."



## STATE-LEVEL RECIDIVISM DATA SUPPORTS LOW LEVELS OF REOFFENDING FOR VIOLENT CRIME

When **Louisiana** abolished parole in 1971, it foreclosed any possibility for release for persons convicted of first or second degree murder, before which time Louisiana often granted release after approximately ten years. Louisiana has one of the largest populations of life and virtual life-sentenced prisoners; one in five people in Louisiana prisons has a life sentence.<sup>37</sup>

A number of recent legal challenges have led the way for a new era of reform to take hold.<sup>38</sup> The earned release of hundreds of people originally sentenced to life with no chance for parole has allowed researchers to observe outcomes for these released prisoners.

Louisiana State University researchers tracked arrest, conviction and reimprisonment of 205 released people who had been convicted of murder or armed robbery. Both three and five-year reimprisonment rates were examined revealing a 5% and 8% reimprisonment rate, respectively.

At its peak, Louisiana had the world's highest per-capita rate of people sentenced to life without parole for crimes committed while under 18. Recent legislative reforms now allow this group parole consideration after serving 25 years. According to news reports from the end of April 2021, since the Louisiana legislature extended parole eligibility to this subset, the board has granted parole to 68 people and not a single one has been rearrested.<sup>39</sup>

Similar results are evident in **Michigan**, another state that relies heavily on parole ineligible life sentences as a public safety tool but people paroled in this state between 2007 and 2010 with convictions for second-degree murder, manslaughter, or a sex offense were about two-thirds less likely to be reimprisoned for a new crime within three years as the total paroled population, according to a 2014 study by researchers at the Citizens Alliance on Prisons and Public Spending. Over 99% of these individuals had not been re-imprisoned for a similar offense within the three-year study period.

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**“Individuals who are released on parole after serving sentences for murder consistently have the lowest recidivism rate of any offenders.”**

**John Carner**

**New York State Division of Criminal Justice Services**

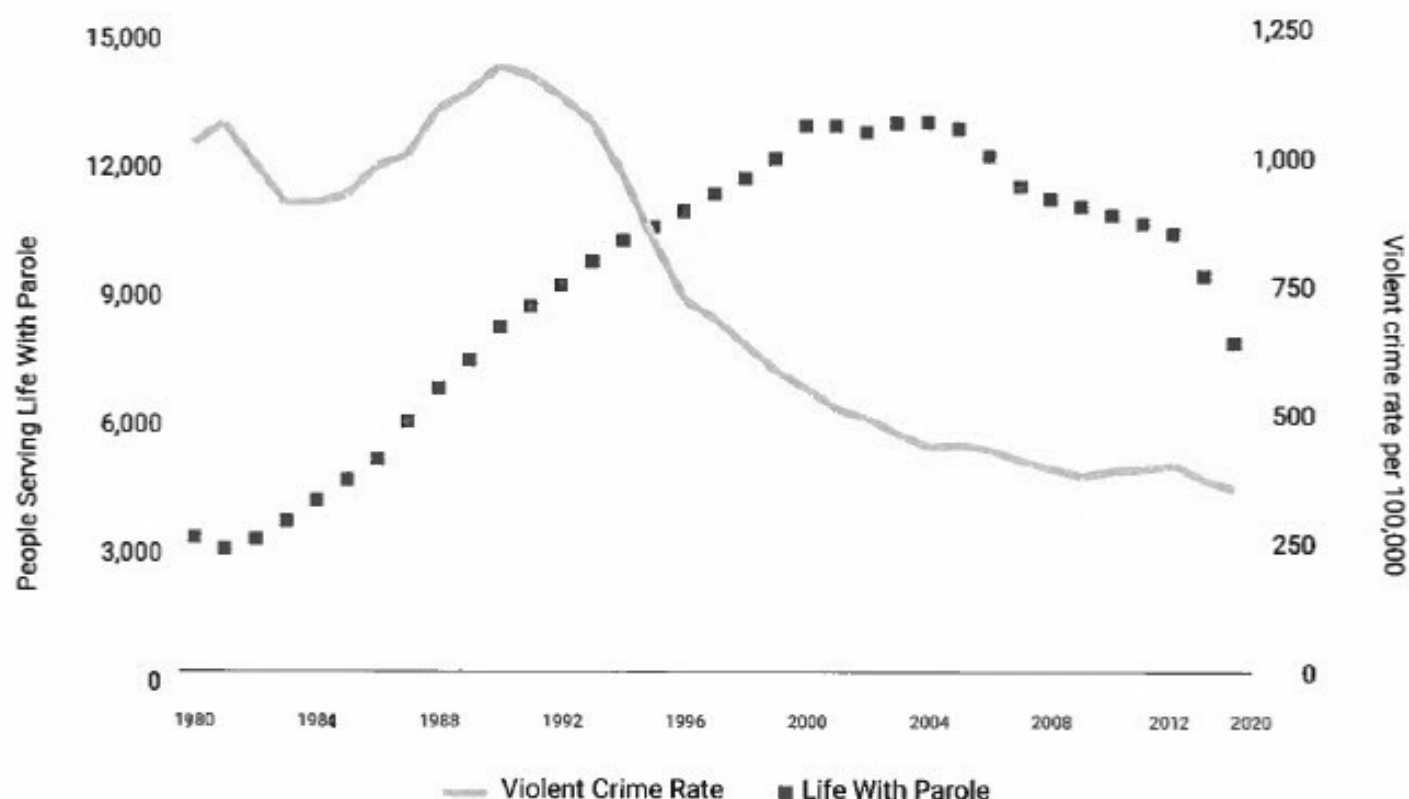
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Slightly higher rates of violent recidivism are evident from a study in **New Jersey** of 320 people who were sentenced for a homicide conviction, imprisoned, and released between 1990 and 2000. Reoffending data during a five-year follow up period revealed that 48% of the sample did not recidivate and another 27% violated their parole. Of the remaining, 6% committed a property offense, 7% committed a violent offense, 10% committed a drug offense and 3% committed a weapons-related offense. None committed another homicide.<sup>40</sup>

**New York** has a population of persons serving life sentences that is 69% greater than its *entire prison population* of 1970 at the start of the mass incarceration era. Nearly 8,300 people are serving parole-eligible life sentences in New York, representing one in 5 people in prison. Characteristics of many states, the majority of people serving life sentences in New York, 93% have been convicted of a violent offense, including 71% for a homicide.

John Carner, former spokesperson for the New York State Division of Criminal Justice Services, observes: “Individuals who are released on parole after serving sentences for murder consistently have the lowest recidivism rate of any offenders.”<sup>41</sup>

Figure 1. New York Trends in Lowering Life Imprisonment Amid Declines in Violent Crime



Source: Federal Bureau of Investigation (n.d.) Crime Data Explorer; Nellis, A. (2021). No end in sight: America's enduring reliance on life imprisonment. The Sentencing Project.

New York has been safely reducing its reliance on life imprisonment since 2004 and maintained a declining violent crime rate over the same period of time. Between 2004 and 2020, the state has declined its life-sentenced population by 5,000 people.

Analysis of New York prison release data by University of Michigan Law School's J.J. Prescott, Benjamin Pyle, and Sonja Starr found that reimprisonment rates among people previously convicted of murder or nonnegligent manslaughter in New York were less than half that of the general population released from prison during the three years following their release.<sup>42</sup> Moreover, homicide convictions among those who were aged 55 and older, and released during the study period between 1991 and 2014, were very rarely imprisoned (0.2%) for the same offense.

Repeat offending among persons released from prison after a murder conviction is rare in New York. "Of 368 convicted murderers granted parole in New York between 1999 and 2003, six [people], or 1.6% percent were returned to prison within three years for a new felony conviction—none of them a violent offense."<sup>43</sup> A separate study of persons released between 1985 and 2012 fewer than 2% were returned to custody.<sup>44</sup>

## JACOB BREVARD



Jacob Brevard was 19 years old when he arrived in prison to serve a parole-eligible life sentence for a first degree murder conviction.

After 25 years behind bars, Brevard was granted release in 2014. He attributes his personal transformation to his mother's death that occurred while he was incarcerated. In that moment, he says that he made a promise to himself that he was going to show up differently in life. He has kept this promise and now uses his experiences as the Associate Director of Inside Programs with the Anti-Recidivism Coalition (ARC), where he runs character development and rehabilitative groups inside California prisons. Through his work Brevard is able to impact the lives of incarcerated people

"You know, you go in and the guy's real pessimistic...and after taking programs and taking groups, you see the same person and he's like, 'I have to change the way I think. I have to change my mentality,'" said Brevard. "When people get it and come home, that's the most fulfilling thing that can happen in my life and it's wonderful."

Brevard's success counters the common narrative that those who caused harm in the past will always be on the brink of causing harm again so they must stay in prison. He encourages his clients in showing the capacity for change and advocates for offering meaningful opportunities for second chances.

"If you want people to change and you want public safety to be paramount, we have to change the way we deal with people who are incarcerated or previously incarcerated and give them opportunities to be successful," he says.

"I feel like I'm an ambassador for all the people that are still doing time and that my behavior is a reflection of them," said Brevard. "If I come out here and do something stupid, some of those guys will have to pay the price for it."

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## INTERNATIONAL EVIDENCE SUPPORTS LOW RATES OF RECIDIVISM FOR VIOLENT CRIME

Examining recidivism trends internationally is challenged by the fact that the U.S. incarcerates its citizens far longer than any other comparable nation. Even when examination is limited to life sentences, the range of years defined as a life sentence outside the U.S. is typically 10-15 at the most.<sup>45</sup>

The U.S. diverges sharply from other democracies in its perspective on the purpose of imprisonment. While other nations reject outright the imposition of long term and life sentences on grounds of human rights violations, the U.S. continues to rely on them in the erroneous belief that excessively punitive sentences keep Americans safe.

Some American policymakers, academics, and corrections leaders have begun to look beyond the United States—primarily to Western Europe—for guidance on how to rightly shrink the prison system without jeopardizing public safety.

Observation of more efficient and effective correctional systems allows a view of how the U.S. system might operate if prison sentences were substantially shortened. A range of international studies shows that life imprisonment is of little utility given the extremely low rates of reoffending among people convicted for violent crimes such as murder.<sup>46</sup>

A western **Australian** study examined crime outcomes of 1,088 individuals originally convicted and imprisoned for homicide. Arrest data showed that 22% of the individuals were arrested for another violent crime and among these, three individuals were subsequently charged with a new homicide.<sup>47</sup>

Like the U.S. the **Netherlands** dramatically increased its incarceration rate between the early 1970s to the mid-1990s. Similarities between the Netherlands' approach to punishment and that of the U.S. allows for comparative study, though the use of life sentences in the U.S. still far outpaces that of the Netherlands.

Researchers Pieter Baay, Marieke Liem, and Paul Nieuwebeerta examined new convictions for 621 Dutch individuals originally imprisoned for a homicide between

1996 and 2004 and released before 2008. Overall, persons released from periods of imprisonment ranging from one year to eight years for a homicide were significantly less likely to reoffend with a violent offense than a nonviolent one. After three years, 38% of those originally convicted of homicide were reconvicted for a nonviolent crime compared with 14% for a violent crime.<sup>48</sup>

Criminologists Ben Crewe, Susan Hulley and Serena Wright documented the expansion of time-served among lifers in **England and Wales** in their ethnographic account, noting that the minimum time-served on a life sentence was 13 years in 2003 but has almost doubled by 2013. As in the U.S., punitive policy shifts rather than large-scale changes in crime, account for these extended imprisonment times. But an assessment of outcomes from two distinct periods in England and Wales of 2000-2001 and 2010-2011 researchers found that of the more than 6,000 murder convictions, fewer than 0.5% were committed by persons previously convicted of such an offense.<sup>49</sup>

A second study released in 2013 of crime outcomes among those released from a life sentence in England and Wales reported that the overwhelming majority of prisoners reintegrated to the community without incident: "[O]nly 2.2% of those sentenced to a mandatory life sentence and 4.8% of those serving other life sentences reoffended in any way, compared to 46.9% of the overall prison population."

The **Scandinavian** countries are widely regarded as being on the opposite end of the punishment spectrum as the U.S. In Sweden, for instance life terms have a maximum imprisonment of 18 years. Here, government clemency is used regularly and releases among lifers typically occur after 14-16 years.<sup>50</sup> Though relying on a small sample size of 26 persons released from a life sentence, researchers identified only four instances of violent offending after release.<sup>51</sup>

# AMERICAN EXCEPTIONALISM

A common critique when comparing the US imprisonment rate with other countries is that America suffers from a higher violent crime rate and this creates a higher need for imprisonment.<sup>52</sup> It is true that the U.S. has a violent crime rate that is roughly five times that of other similarly situated countries. It is also true that when it comes to nonviolent crime, America's rates are mostly on par with rates in other countries. That is, when countries of similar size are compared (e.g., New York and England or Los Angeles and Sydney, Australia), nonviolent crimes occur with the same frequency.

One plausible factor contributing to the elevated homicide rates in the U.S. is the readily availability of firearms. The possession of a firearm during the commission of a crime allows for it to become lethal much more easily.<sup>53</sup>

Government responses to crime elsewhere are also vastly different from the U.S. approach.<sup>54</sup> Though incarceration is still utilized imprisonment is much briefer. Prison facilities also aspire to mirror life on the outside as much as possible to ensure that incarcerated individuals are prepared to succeed when they re-enter the community.

## ZERIOUS MEADOWS

Zerious (which means "warrior") Meadows was released from his life-without-parole sentence in 2016 after serving 47 years in Michigan, a sentence he began at age 16. Today, at age 67, he is cared for by his devoted family, various members of whom visited him regularly over his almost half-century in prison for a crime he claims he never committed.

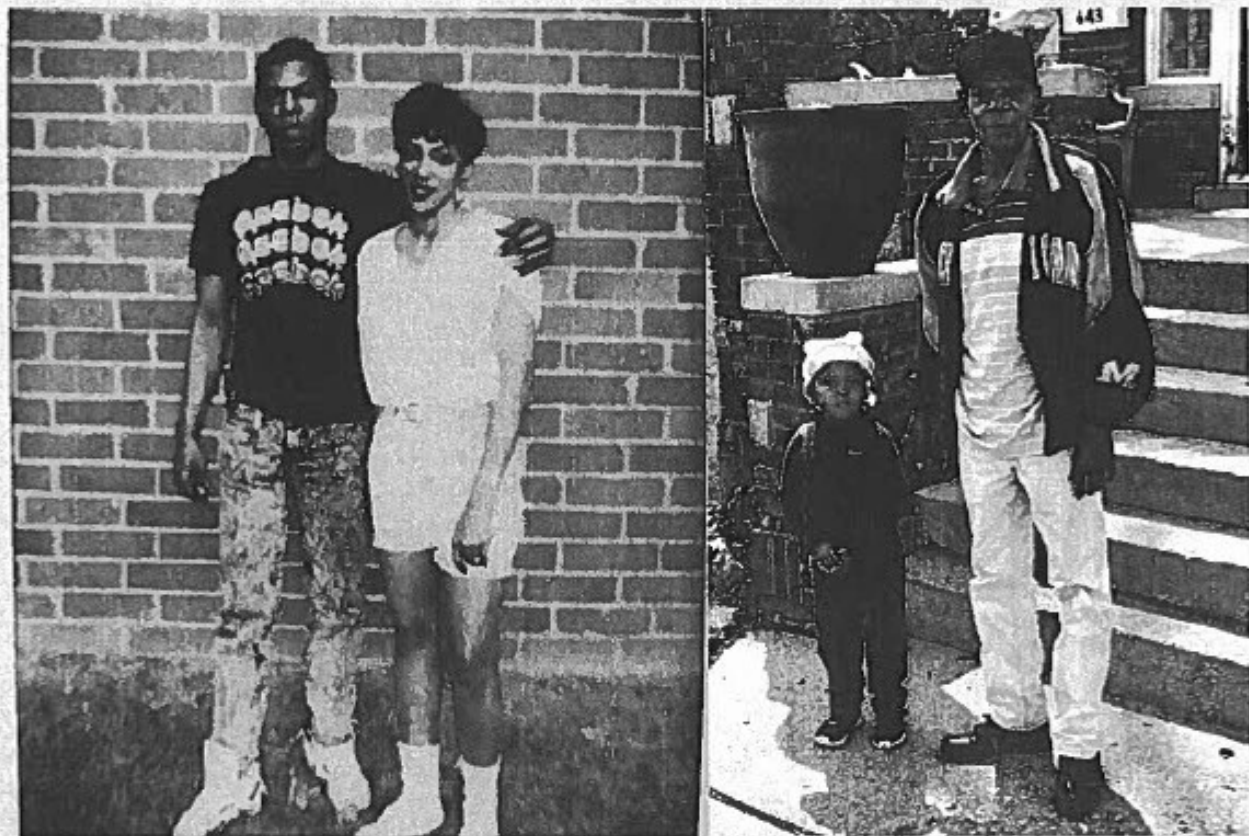
Meadows considers himself fortunate to have had regular visits from family, and credits their devotion to him with his staying on track. When asked what it meant to him to have frequent visits from family, he shared, "it was a lot because it kept you out of trouble. I didn't want to worry my mother."

Today, Meadows does not work because of his old age and instead collects Social Security Insurance (SSI). He shared his discomfort with going from the control of the corrections system to the care of his family, expressing desire to get a chance to be on his own but knowing he may have missed the chance. He does not leave the

house much and struggles with paralyzing depression; he describes some days as being like a, "a blanket over me."

Meadows wonders how he ever lived through multiple decades in prison. Meadows's story serves as a reminder that low recidivism rates among released persons after longtime imprisonment does not imply that life is easy on release. To the contrary, people exiting years of living in prison face substantial psychological, social, economic, employment, and housing challenges in their newfound freedom in the community. Prison is an artificial environment with few attributes that pass over to life on the outside. Most decisions are made for the residents and autonomy is discouraged. The conditions in many prisons are deplorable: unsanitary as well as physically frightening. After Meadows's release, memories of prison riots, other men being murdered and raped, and female corrections officers being physically and otherwise abused by male officers have resurfaced repeatedly for him.





Left image: Zerious pictured with his sister as a young teenager  
Right image: Zerious pictured with his granddaughter in 2020.

"I see how veterans come back from war, they be having flashbacks. That's what happened to me," Meadows said. "I guess when I was in, my body put me in survival mode."

The psychological toll of prison is intense and long-lasting. Released lifers share that the reintegration to life outside prison raises many unforeseen psychological challenges. Ralph Brazel was released from federal prison in 2013 after serving more than two decades for a nonviolent drug offense. He recalled the following, "In prison I sometimes dreamt I was free but woke up to the nightmare of my incarceration. For a long time after my release, I dreamt I was back in prison. Fortunately I woke up to realize I had been freed." The mental toll on people who are released is often tremendous.

The transition for long termers is disorienting; there is enormous pressure but little support. People enter an obstacle course of rules and expectations that are

difficult to meet and have high stakes if they fail. Though some prison administrations provide instructions on basic daily living skills, like how to use a debit card and a cell phone, how to write a resume and complete a job application, or how to obtain official birth records, others do not.<sup>55</sup>

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**"I see how veterans come back from war, they be having flashbacks. That's what happened to me," Meadows said. "I guess when I was in, my body put me in survival mode."**

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# COMING HOME WITH LOW RISK AND HIGH NEEDS

The myopic focus on commission of new crimes as the sole measurement of success ignores attention to the overall well-being of the individual leaving prison. As a result, government programs rarely provide the support needed to make a successful transition to the community and rarely address the real challenges individuals face upon reentry.

Most people who commit homicide are unlikely to do so again and overall rates of violent offending of any type is also rare. While it is important to decipher what prompts individuals to commit new crimes of violence after release, understanding what motivates them to lead law-abiding lives and contribute positively to society is equally important.

Catherine Appleton, longtime scholar on life sentences worldwide, notes, “lifers who fail on license (i.e., parole/release) attract a high level of publicity and attention, whereas day-to-day routine of good practice goes largely unnoticed.”<sup>56</sup> As a result, policies that would benefit the majority are too often judged on the recidivism of the few.

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**“Lifers who fail on license (i.e., parole/release) attract a high level of publicity and attention, whereas day-to-day routine of good practice goes largely unnoticed.”**

**Catherine Appleton**  
Scholar

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In addition to the fact that individuals convicted of homicide and other violent crimes rarely commit these crimes again, there is also ample evidence that these individuals are highly motivated to change negative behaviors and transform their lives. Indeed, contrary to the assumption that lifers have “nothing to lose” once they arrive in prison on a sentence that could last their natural life, dozens of studies on the lived experience of life-sentenced individuals find just the opposite. Lifers are eager to earn their release and are viewed as a stabilizing force in the prison environment.<sup>57</sup> This occurs in spite of, not because of, the experiences they have in prison. Prison is, after all, an artificial environment in which obedience to the institution’s rules rarely translates into challenges faced on the outside. Individuals learn to cope in prison but it is very different from the outside world; the coping skills gained in prison are not easily adaptable to society and are sometimes even counter effective.<sup>58</sup> Most prison programming in the U.S. is prioritized for its ability to reduce recidivism as its main objective rather than as a path to self-improvement, job training, education, cognitive behavioral improvements, and so on.<sup>59</sup>

Critics see in-prison programming focused only on reducing risk, as well as risk assessments to estimate risk, as largely disconnected from what we know about punishment.<sup>60</sup> Michael Tonry, longtime scholar on sentencing, writes, “A number of states are busy at work trying to include risk predictions in their sentencing guidelines...There are several problems. First is the excessive punishment problem: given the extreme lengths of legally authorized and routinely imposed prison sentences in the United States, it is highly unlikely that sentence increases for offenders adjudged to be high risk will be consonant with proportionality constraints.” He goes on to note, as have others, the high probability of “false positives,” or the overestimation



At 17 years old, Louis Gibson was sentenced to life in prison. He spent 25 years behind bars in Louisiana, before landmark SCOTUS decisions allowed for his release in 2018.

of risk which results in the excessive incarceration of individuals who would not have offended. This exacerbates the moral and human rights problems that already set the U.S. apart from other nations regarding punishment.

Another failing of American corrections is its one-size-fits-all approach to re-entry. For instance, the prison programming applied in the U.S. is rarely tailored to the conduct that landed an individual in prison. A vast literature and growing industry now exists to predict reoffending via so-called "risk assessments." Response protocols should be tailored to the individual underlying causes of crime. Anger management and cognitive behavioral techniques would be appropriate for some and development of life skills, substance abuse treatment, trade development would be more suitable for others. Certainly, recidivism prospects would depend on whether the rehabilitation provided was relevant to the underlying causes.

In states like Arizona, people serving life sentences are pointedly excluded from participating in programming, but this is anathema in other countries. In Sweden by contrast, the legislature has explicitly required that lifers are treated similarly to all prisoners. "Every inmate, regardless of the length of the individual sentence, is obliged to take part in some form of occupation, be it in the form of work, training, or programs 'related to crime or misuse or some other structured occupational activity'"<sup>61</sup>

Left out of meaningful policy and corrections conversations in the U.S. is how to best support people exiting prison after long-term imprisonment. Instead the reentry process is generic to all people leaving the prison doors, regardless of the number of years spent there. For people coming back after decades away, the world has transformed and relationships with family and connections on the outside have been strained or ended. Reentry needs are significant.

In Alabama, as in many other states, people leaving prison are given a small amount of "gate money," approximately \$10 and a bus ticket. Exiting individuals are provided with the following guidance:

Upon the completion of your sentence, you must be discharged from the penitentiary. In the event you do not have suitable free-world clothing available at the time of your discharge, you will be furnished clothes. You will also be evaluated for transportation needs. When you do not have transportation available, you will be provided with the least expensive kind of public transportation back to or nearest to the point of sentencing, or if paroled, to the point to which you will have to report for parole supervision.<sup>62</sup>

Given such insignificant support for a life-changing event like leaving prison, it is hardly surprising that many individuals find returning to the community exceedingly difficult, if not impossible.

For example, finding a place to live after leaving prison is a common obstacle for people exiting a long prison sentence. When we spoke with Joyce Granger, a Pennsylvania lifer released after 35 years in prison, she said that if it had not been for a nonprofit organization



Joyce Granger, Pennsylvania lifer released after 35 years in prison

that provided housing she would have been homeless. Her felony conviction rendered her ineligible for most housing assistance programs and she had few connections to the outside world. When we asked Andrew Hundley, Executive Director of the Louisiana Parole Project, the most common barrier faced by people leaving prison after multiple decades of incarceration, he emphasized the challenges people face in finding a place to live.

A key function of his organization's work is to offer comfortable, decent housing to their clients. Hundley says: "The houses are not what people would imagine. We want clients to understand, this is what normal living is like. They're nicely decorated, nicely furnished, kept clean. Because we want when people leave us, and they go into a situation that, you know, should not feel normal, we want them to know, like, hey when I was living at a transition house with the Parole Project and it was much nicer than this. This is what I want to aspire to for my living condition."

Stability is a key component of remaining crime-free after release. Parole regulations are strict, requiring frequent check-ins and myriad stipulations. Added to this is the high turnover among parole officers which disrupts the ability to bond to someone who could otherwise be a key member of the individual's support network. Granger shared with us that she already had four parole officers since her release in 2018. While they were helpful to her in some ways, they did not get the chance to know her. Studies of readjustment among people released from a life sentence suggest that the network of support around them is critical. Supervisory relationships are defined by trust and dignity. "This depends on a system that recognizes the importance of enabling life-sentenced prisoners, both inside and outside prison 'to take responsibility, to strike out independently, to look beyond the prison label, and to recognize their own potential and strengths and human beings.'"<sup>63</sup> In the U.S. these qualities are minimized and too often go utterly unsupported.



Typical bedroom for exiting incarcerated people housed by Louisiana Parole Project.



# CONCLUSION

A false dichotomy exists between meeting our universal need for public safety and offering second chances. Stereotypes about people who commit violent crime ignore criminological research, and overlook successful reentry stories. Instead media coverage and public discourse are too frequently dominated by the exceptional, outlier cases where crimes are committed by individuals who were formerly incarcerated for murder or other violent acts. In this way, the exception has become the rule in American crime policy by creating a system that hurts the majority while guarding against a very small minority.

In this report we have explored the experiences of people who committed violent harm in their past and been imprisoned for it. We have examined the quantitative evidence nationally and internationally that shows the minimal risk of releasing such persons after a reasonable period of time. Despite some differences in crime patterns and imprisonment trends, it is wise to look to other countries for guidance on how to shrink our prison populations while maintaining public safety. As we have shown, in most countries the presumption of release after a maximum of 15-20 years is standard. In most studies of recidivism rates of persons convicted of murder or other violence, recidivism rates are less than 10%, often as low as 1-3%.

Though efforts to shrink the size of our correctional population are gaining momentum in public discourse, too frequently reforms do not account for the need to shorten allowable prison sentences for people convicted of violent crime. Almost half of those in prison have been convicted of violent crime, and prison terms have grown so long that they exceed their anticipated public safety benefit. The national, state, and international evidence shows that we can safely release people convicted of violence far sooner than we do.

Inaccurate and sensationalized reporting impedes a complete understanding of crime risk. Media portrayals that present violent crime as commonplace and random misrepresent reality. **Media producers have a responsibility to deliver accurate crime news. Consumers have a responsibility to read and watch news with greater scrutiny.**

Add to this is the various **definitions of recidivism** that abound in various studies. As a start, definitions for recidivism should be uniform and studied more rigorously. Recidivism should also no longer be utilized as the sole measure of "success." Factors related to social, physical, and emotional health, gaining employment, and securing housing are all factors that should be included.

Providing a "second look" to currently incarcerated people after no more than 10 years and restricting prison terms in most cases to a **maximum of 20 years** would effectively reduce our prison size and keep the public safe.<sup>64</sup>

To make this a reality, **states should professionalize and accelerate prison release mechanisms.** Decisionmakers considering whether to grant or deny prison release rely too heavily on the crime of conviction as the harbinger of future behavior. Risk of criminal conduct, even violence, closely tracks with aging into adulthood, a statistical fact that can be trusted when adopting sentencing and reentry policies.

Most people can succeed on release but some will reoffend. **Policymakers and the public must accept some level of risk.** We must balance aspirations for a crime-free society with human rights considerations for both those who have caused harm and those who have been victimized by it. Investment in successful reentry will reap far greater outcomes than creating endless obstacles that set people up for failure.<sup>65</sup>

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## A New Lease on Life

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June 2021



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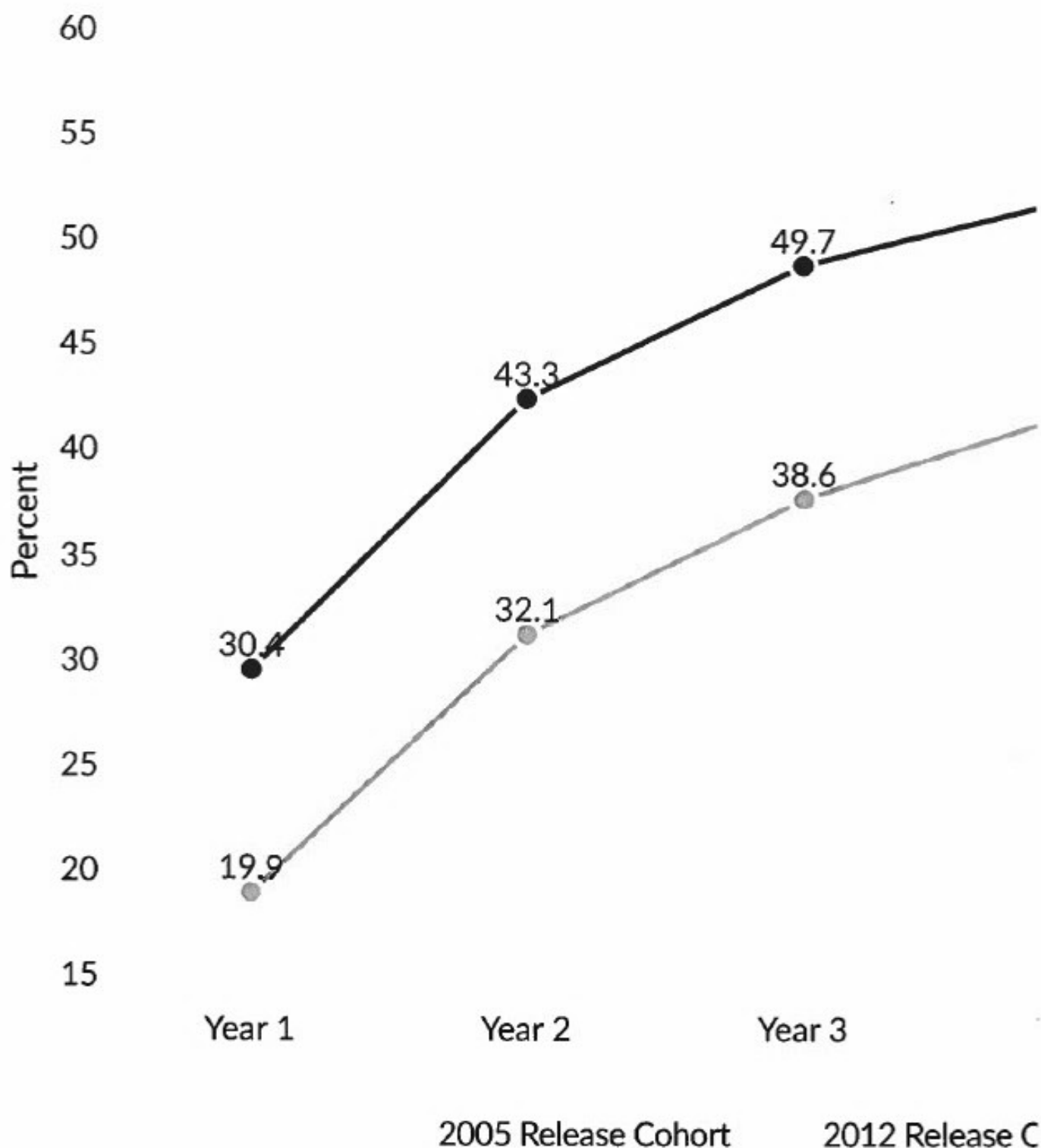
# Recidivism Rates: What You Need to Know

September 1, 2021

The rate at which people return to prison following release is a key measure of the performance of the nation's criminal justice system, yet national statistics on recidivism are rare. The federal Bureau of Justice Statistics (BJS) publishes them only every three years. This brief summarizes the key takeaways from the most recent report (<https://bjs.ojp.gov/library/publications/recidivism-prisoners-released-34-states-2012-5-year-follow-period-2012-2017>), released in July 2021, and analyzes them in the context of previous findings.

1. **The return-to-prison rate has dropped considerably.** People released from state prison in 2012 were much less likely to return to prison than those released in 2005. During the first year following release, 19.9% of the 2012 group returned to prison compared with 30.4% of the 2005 cohort. The three-year prison return rate – the most commonly used measure – fell from about 50% to 39%. This 11-percentage point reduction persisted through the full five-year tracking period.

Difference in Cumulative 5-Year Return-to-Prison Rates

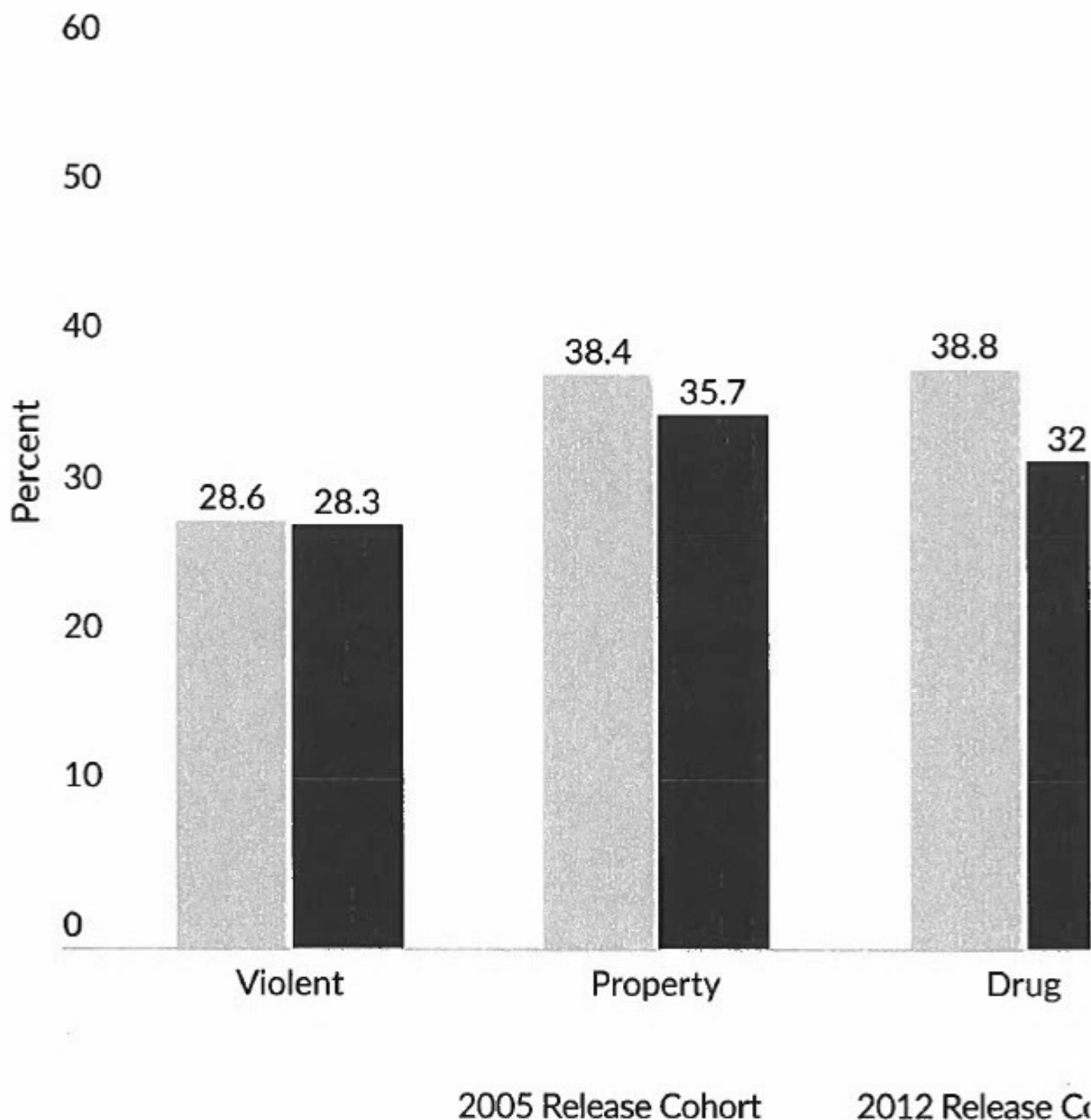


2. **Rearrest rates remain stubbornly high.** The cumulative five-year rearrest rate of people exiting prison in 2012, at 71%, was six percentage points lower than that of people released in 2005 (77%). The rate of rearrest for violent offenses was virtually unchanged, while rearrests for property



offenses declined by three percentage points, rearrests for drug violations declined by six percentage points, and rearrests for public order offenses declined by four percentage points.

Rearrest by Crime Type, 2005 vs. 2012



3. **Most people are rearrested for public order offenses.** Public order offenses are the most common reason people are rearrested following release, accounting for 58% of 2005 releases who were rearrested and 54% of 2012 releases (Table 9, p. 9; Table 10, p. 10). Public order is a broad

category that includes offenses such as driving under the influence, disorderly conduct, and weapons violations. The share of rearrests for weapons offenses remained relatively stable between those released in 2005 and 2012 (at 9.1% and 9.4%, respectively), as did rearrests for driving under the influence (from 9.3% to 8.7%).

4. **Older people return to prison at lower rates.** The new BJS data underscore one of the most well-established facts in criminology: that people “age out ([https://link.springer.com/referenceworkentry/10.1007%2F978-1-4614-5690-2\\_474](https://link.springer.com/referenceworkentry/10.1007%2F978-1-4614-5690-2_474))” of crime. People released at age 24 or younger were 64% more likely to be reincarcerated at year five (56.8%) than those released at age 40 or older (36.3%) (see Table 8).
5. **The severity of the original conviction offense is not indicative of recidivism risk.** People released in 2012 who were convicted of homicide were the least likely to be rearrested, with 41.3% rearrested at least once over five years (Table 5, 2021 report). This finding could reflect age to some degree, as it is likely that many people serving time for homicide would be over 40 at time of release owing to long sentences. By contrast, people convicted of property crimes were most likely to be rearrested, at 78.3% over five years. This suggests that it is more important to assess risks and needs by looking at longer-term criminal histories than the most recent conviction offense.
6. **Criminal activity is not highly specialized.** People released in 2012 who had been serving a prison term for a violent crime were almost as likely to be rearrested for a property crime (28.9%) as a violent crime (32.4%) – Table 11. Similarly, many people serving time for property crimes (29.6%)

were rearrested for violent offenses (51.2%). This aligns with prior research that suggests that most criminal behavior is not highly specialized (<https://www.oxfordbibliographies.com/view/document/obo-9780195396607/obo-9780195396607-0104.xml>) and that labeling someone as “violent” or “non-violent” is overly simplistic.

7. **Different metrics tell different stories.** Historically, the most common measure of recidivism has been the rate at which people return to prison within three years of release. Because there were long periods of time between national reports over the last few decades, it was commonly thought that the three-year state prison recidivism rate was stagnant at about 50%. That was the return rate of people released in 1994, a finding that wasn’t published until 2002. It was another dozen years before the next report, in 2014 (<https://bjs.ojp.gov/library/publications/recidivism-prisoners-released-30-states-2005-patterns-2005-2010-update>), tracked recidivism of those released in 2005. More recently, BJS has reported recidivism rates more frequently and has used different measures, including the rearrest rate. While the different measures have their strengths and weaknesses, it is important to compare apples to apples. In this case, that means distinguishing headlines about rearrest rates that top 70% over a five-year period from three-year re-incarceration rates, which now have fallen below 40%.
8. **The reasons for the reduction in return-to-prison rates are unclear.** The drop in return-to prison rates could be explained by changes in the behavior of those being released (i.e., committing fewer new crimes or violations of supervision), or by changes in the behavior of the criminal justice system (such as police arrest practices or policies regarding how

probation and parole agencies respond to supervision violations).

Federal and state investments in reentry programs have been substantial in recent years, as have private sector initiatives to hire people with criminal records; these efforts and others may have reduced reoffending rates. Arrest rates for minor offenses have declined (<https://www.wsj.com/articles/arrests-for-low-level-crimes-are-plummeting-and-the-experts-are-flummoxed-11570354201>) over the past decade, and the total number of arrests also has been falling, from 12 million in 2005 to 9 million in 2018 (<https://arresttrends.vera.org/arrests>). During that same time, at least two dozen states have limited (<https://www.pewtrusts.org/en/research-and-analysis/issue-briefs/2019/07/to-safely-cut-incarceration-states-rethink-responses-to-supervision-violations>) or even prohibited reincarceration for technical violations of supervision, which may account for a large portion of the reduction. In addition, some of the drop in return-to-prison rates may relate to differences in the composition of the 2005 and 2012 study cohorts. While the groups are remarkably similar in terms of age and type of conviction offense, White people make up 43.8% of the 2012 cohort compared with 35.4% of the 2005 cohort. More data and analysis are required to produce a fuller understanding of why the prison recidivism rate is falling.

Recidivism studies like the recent BJS report are crucial in tracking the impact of criminal justice reforms and reentry programs. Such studies, which track recidivism of release cohorts, should be complemented by those that track recidivism outcomes of individuals. Studies focused on individuals paint a more



accurate picture of post-release reoffending; that's because cohort studies are weighted toward people who serve relatively short sentences, many of whom cycle in and out of jail and prison and thus have a much higher propensity to recidivate. Studies examining recidivism rates by individuals find much lower return-to-prison rates, on average, with one study (<https://journals.sagepub.com/doi/abs/10.1177/0011128714549655>) reporting that among people sent to prison for the first time, one third or fewer commit new offenses.

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### Michigan's Recidivism Rate

The recidivism rate in Michigan has dropped three full percentage points and now sits at its lowest rate in state history.

This is the third year in a row with a decline in the rate, which measures the percentage of individuals who return to prison within three years of release. It now stands at 23.6 percent. The new rate places Michigan fourth best in the nation.

Last year, the department's recidivism rate stood at 26.6 percent. The year before that it was at 26.7 percent. The large decline this year is the second largest one-year decline in state history.

"Anytime there is a reduction in the recidivism rate it is a positive sign and shows the long and hard work our dedicated employees have done and continue to do is paying off," said Department of Corrections Director Heidi Washington. "We remain focused on our goal of providing long-term public safety."

The department's leadership under Director Washington that utilizes research, data, and evidence-based practices is delivering results. A sharper focus on educational and vocational training in the prisons, providing job training, combating addiction and providing vital documents before release so those going back to the community have the tools they need for success are vital steps.

And then, once paroled, moving away from simply monitoring compliance and instead taking a more active role in helping those under supervision be successful by understanding their risks and needs and helping them build new skills to change behavior.

All of these efforts coming together are leading to positive results and creating safer communities. Fewer people coming to prison means less crime and fewer victims, but it also means more people at home with their families and breaking the cycle of intergenerational incarceration.

"This is a positive sign for the state and one everyone should take pride in it," Washington said. "I am grateful for the work of our amazing employees who are the reason why the MDOC stands as a national leader in the correctional field."



## Michigan's Recidivism Rate

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