

**Statement from Fair and Just Prosecution  
in Support of Michigan House Bills 4556-4560 and Senate Bills 321-325  
*March 2024***

Fair and Just Prosecution (FJP) is a national project that brings together locally elected prosecutors as part of a network of leaders committed to promoting a justice system grounded in fairness, equity, compassion, and fiscal responsibility. Together, our network of solutions-driven prosecutors represents nearly 20% of the country's population.

We believe that second look reforms such as Michigan's House Bills 4556 – 4560 and Senate Bills 321 – 325 are an integral part of promoting justice and fairness. Too many members of our communities are aging in prisons, often serving sentences far longer than they would receive for comparable conduct today. And many of them can safely return to our communities and deserve to be considered for an opportunity to come home.

For these and other reasons, over five dozen elected prosecutors and law enforcement leaders came together a few years ago in a [joint statement](#) urging policymakers to create mechanisms to reduce the number of people serving lengthy sentences who pose little or no risk to public safety, including by creating second chances for many in our nation currently behind bars. As that statement noted, decades of research make clear that past lengthy prison terms have not deterred crime or promoted public safety. “While prosecutors and judges of decades past may have pursued and imposed harsh sentences with the misguided belief that certain individuals were incapable of rehabilitation, there is simply no justification for maintaining those sentences when a person demonstrates that the opposite is, in fact, true.... There is no reason to conclude that the commission of a crime—no matter the offense—must define a person forever.”

While many states have begun to explore prospective changes to overly punitive sentencing laws, too often those already serving these sentences are left behind. Some states, however, are embracing new thinking and enacting resentencing laws that address and ameliorate past excessive sentences.<sup>1</sup> These second look laws offer individuals serving decades-long sentences hope and a chance to be considered for return home, while giving prosecutors and judges a means to do justice and saving taxpayers millions of dollars otherwise spent on warehousing an increasingly aging prison population.

As recognized by the over 60 law enforcement and criminal justice leaders who joined together in calling for the enactment of these reforms: “Prosecutors and law enforcement leaders have all been elected or sworn to pursue justice in their communities. Daily, they endeavor to do so in all cases they handle. But they cannot fulfill this mandate without the capacity to also address extreme and disproportionate sentences that were sought and imposed in past decades, but are now recognized as excessive and counterproductive to public safety. We have come together to urge an end, once and for all, to these failed practices. And we also urge other leaders, lawmakers, and policymakers to join us in this quest for just approaches and solutions.”

For all these reasons, we hope that the Michigan legislature will embrace the interests of justice and enable these second-look reforms to become part of the Michigan legal landscape.

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<sup>1</sup> See, e.g., Nazgol Ghandnoosh, *A Second Look at Injustice*, The Sentencing Project (2021), at 4-5, 17-29, available at [A-Second-Look-at-Injustice.pdf \(sentencingproject.org\)](#); Liz Komar, Alexandra Bailey, et al., *Sentencing Reform for Criminalized Survivors: Learning from New York's Domestic Violence Survivors Justice Act (2023)*, available at [Sentencing Reform for Criminalized Survivors: Learning from New York's Domestic Violence Survivors Justice Act – The Sentencing Project](#).