

State's 'drug lifer law' could be revised

Original advocate says change is needed

Proposed changes in Michigan's controversial "drug lifer law" approved last week in the House of Representatives — could face tough sledding in the state Senate, according to two Oakland County legislators familiar with the legislation.

"I'm hoping for a little time to advise senators about what it means and what it does," said State Rep. Barbara Dobb, R-Commerce Township. "I want them to realize this bill is not soft on drugs."

The bill approved overwhelmingly in the House Wednesday would enable defendants convicted under the so-called "drug lifer law" to be eligible for parole after 15 years, providing they had not sold narcotics to children or within a school zone.

As enacted in 1978, the drug lifer law requires a mandatory sentence, with no chance of parole, for anyone convicted of delivering or possessing with intent to deliver 650 or more grams of cocaine or heroin.

According to the Michigan Department of Corrections, 247 people have been sentenced under the law as of Jan. 1. About 30 percent of that total, or 73 people, were sentenced in Oakland County.

The drug lifer law has been criticized over the years by a number of critics like Birmingham attorney Martin Reisig, a former U.S. attorney who has been working to change it for almost a decade.

"A lot of legislators have wanted to change the law over the years," said Reisig. "But Dobb was able to get it through the house."

Oakland Circuit Judge David F. Breck said he was pleased with the legislation. "It's what we have been fighting for," said the judge, who has been highly critical of the drug lifer law. But Breck also added a note of caution. "It might be too early to celebrate," he said Friday.

State Sen. Michael J. Bouchard, R-Birmingham, said he has some concerns about the bill pushed by Dobb and passed by a vote of 77-26. "I have some real concerns about changing the law. And I will have to take a close look at it."

His colleagues in the Senate are also likely to take a close look at the bill, said Bouchard. The legislation has seemed to be close to changing the law in the past, he said, only to see discussions disintegrate because law makers thought the changes were too liberal or not liberal enough.

Dobb acknowledged the bill needs to be understood. That's why she said she wants time to talk with senators to make sure they understand the bill and its ramifications. "This is not a get-out-of-jail card," she said.

Dobb and other critics contend the original law does not serve its intended purpose — to punish drug kingpins. She and other critics — including former Gov. William G. Milliken who signed the legislation — insist too many low-level, nonviolent defendants were caught up by the law and sentenced to mandatory life in prison by judges who had no discretion.

"We can still get kingpins," insisted Dobb. "But with these changes, people who were mules (couriers) or had limited involvement could be eligible for parole after 15 years. And then parole is not automatic."

Dwyer talked about his role in enacting the law Friday as the legislature was considering changing the law — the only modification since the law was enacted in the fall of 1978.

Dwyer was a consultant to the Michigan legislature in the mid-70s when law makers were contemplating tough new legislation to deal with what they considered to be a drastic increase in narcotics-related crime.

He accompanied groups of legislators, for example, when they went to New York to talk with law makers who had enacted that state's tough antidrug laws that Michigan was considering emulating. At the time, Dwyer was head of the narcotics unit of the Detroit Police Department.

Dwyer said he still feels strongly about the ravages of drugs and the people who sell them. But even people who deal with 650 grams or more of cocaine should be considered for parole providing they have no further involvement, he said.

Part of the motivation for enacting the drug lifer law, he said, was the sentencing imposed by some judges on defendants convicted of trafficking in narcotics. "Some judge were slapping convicted drug dealers on the wrist and setting them free," he said, "it (the courts) were a revolving door."

ROAD WATCH

Road Improvements could cause delays on the following Oakland County Roads this week. Roads are open unless noted. Alternative routes are advised in all instances.

At Rochester Road
Community: Troy
Details: The north bound exit ramp will be closed through June 30. Detours are posted.

At Square Lake Road
Community: Bloomfield Township and Troy
Details: The center turn lane and will be widened and the road will be resurfaced beginning June 29 through Sept. 30.

From I-75 to Delevan
Community: Auburn Hills and Lake Angelus
Details: The road is being widened from two lanes to a six lane boulevard. The project is expected to be completed by Oct. 31.

At Rattlesnake Lake Road
Community: Springfield Township
Details: A road paving project is being conducted through the end of August.

From Big Beaver to Wattlees
Community: Troy
Details: Dequindre is being widened from two to five lanes. The project is expected to be completed by Oct. 31.

From Davidsburg Road to the county line
Communities: Springfield, Groveland and Holly townships
Details: The road is being resurfaced through mid-July.

From M-59 to Cass Lake Road
Community: Waterford
Details: This section of road will be closed through mid-July to repair a damaged sewer line. Tow turn lanes are being added as well. Drivers are advised to avoid the area during rush hour.

From Telegraph to M-69
Community: Waterford
Details: Concrete is being repaired and the road is being resurfaced. One lane will be closed at all times through July 3.

From Welch to Hagerty
Community: Commerce Township
Details: The passage will be closed until Oct. 6.

At Farmington Road
Community: Farmington
Details: Grand River (M-6) will be reduced to one lane in each direction through Sept. 16.

From Falmouth to Grandy, east and west of Rochester Road
Community: Troy
Details: The road is being reconstructed and resurfaced.

From Franklin to Telegraph
Community: Bloomfield Township
Details: There will be periodic lane closures for resurfacing through mid-July.

At Telegraph Road
Community: Southfield
Details: The ramp from northbound Northwestern to southbound Telegraph will be closed intermittently during non-rush hour periods. The ramp from northbound Telegraph to I-696 and northbound Northwestern Highway will be closed until Oct. 30.

From Northbound Northwestern Highway and southbound Southfield Road
Community: Southfield
Details: One lane will be closed through Oct. 1.

At Grand River
Community: Farmington Hills
Details: There will be alternating lane closures through Aug. 13.

From 12 Mile to 14 Mile roads
Community: Farmington Hills
Details: Concrete is being repaired through 6 a.m. Monday. Traffic will be restricted to one

lane in each direction.

From Rochester Road to Buell
Community: Oakland Township
Details: The road is being resurfaced. Expect delays and a possible detour for the next several days.

From M-59 to Avon Road
Community: Rochester Hills
Details: One lane will be closed in each direction through July 1.

From Wise to Cooley Lake Road
Community: Commerce Township
Details: Utility company work will affect the center turn lane for the next several days.

From West of Sashabaw to Clintonville
Community: Waterford
Details: Walton is being widened from three to five lanes. It is limited to one lane each way during construction. It is expected to be completed by July 31.

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