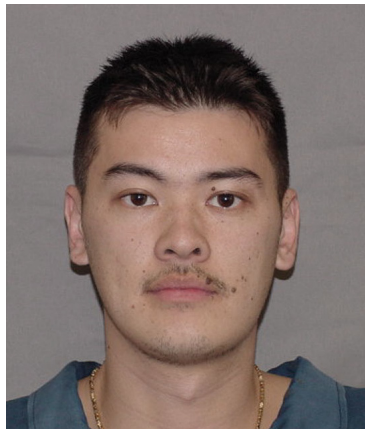


Faces behind the Figures

Are we safer because they're behind bars?



Micah Mayhew, No. 254686

Crimes: Involuntary manslaughter & felonious driving (3 cts)

Sentences: 7–15 years for manslaughter & 1yr 4mos on each count of felonious driving

First Possible Release: Dec. 12, 2001

Paroled: June, 2007

Discharged: July 1, 2008

Although Micah Mayhew was only 17 at the time of his offense in 1995, has successfully completed all recommended programming, has been in camp since 1998 and has strong family support, the parole board continued him in prison for five and one-half years beyond his minimum sentence.

Micah Mayhew had always been an honor student while pursuing many interests outside of school, but during his junior year, when he began using marijuana, he lost interest in his classes and was sometimes truant. While still a juvenile, he was arrested for possession of marijuana, delivery of cocaine, and retail fraud. In August 1995, after receiving two speeding tickets during his probationary driving period, his license was suspended. Mayhew worked that summer to pay his tickets and received a clearance, but never attended his reinstatement hearing.

On Nov. 14, 1995, Mayhew took his car for an oil change. The attendant informed him that the bolts holding the sway bar in place were missing, and he cautioned Mayhew not to drive fast or turn suddenly or he could lose control of his vehicle. Mayhew next stopped at the auto repair shop of the local vocational school. He left there with a list of parts he needed. Rushing to get the needed parts and still get his three friends to class on time, Mayhew was traveling well in excess of the speed limit and weaving in and out of traffic. He passed one school bus and swung out to pass another when his vehicle fishtailed out of control and struck an oncoming car. Another car hit his, and flying debris struck a third vehicle.

Mayhew and four others were seriously injured. James Case, a 56-year-old grandfather, died two days later of his injuries. On the way to the hospital, EMS personnel found a packet of marijuana on Mayhew. He was charged with second-degree murder, three counts of felonious driving, possession of marijuana and driving on a suspended license. Mayhew pled guilty to the latter two charges. A jury convicted him of involuntary manslaughter and three counts of felonious driving.

Mayhew's sentencing guidelines called for a minimum sentence between four and ten years. The judge followed the prosecutor's recommendation, sentencing Mayhew to 7 – 15 years for the offense of involuntary manslaughter and 1 year 3 months for each count of felonious driving. Since all the sentences run concurrently, Mayhew was eligible for parole in December 2001.

After spending a year at the Michigan Reformatory while he completed his GED, Mayhew was



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403 Seymour Ave., Suite 200, Lansing, MI 48933
517-482-7753 www.capps-mi.org capps@capps-mi.org

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transferred to the camp system, where he's been for the last eight years. He's worked on public works crews near Grayling and at the community center in Coldwater where he served meals to senior citizens. Mayhew completed a building trades program in 1998, as well as NA/AA and other substance abuse programming. Studying lessons sent to him by his grandfather, he became an accomplished artist. Mayhew has painted murals on several walls at Camp Branch and plans a career in commercial art after prison.

Mayhew did so well in prison that he was approved to enter the Community Residential Program in September 2001. This program would have allowed him to reside in a halfway house until he was paroled. However, after Oakland County Prosecutor David Gorcyca filed a formal objection, the department changed its decision. It then said that Mayhew's community placement would "undermine public confidence." Notably, Mayhew's victim was the brother of an Oakland County Assistant Prosecutor.

Also in 2001, the parole board continued Mayhew in prison for an additional year. Every year since, his parole interview has resulted in one more year in prison, with the board stating each time that Mayhew "minimizes his actions" which led to the accident.

In both 2004 and 2005, because Mayhew scored high probability of parole on the board's own guidelines, the board was required to give a substantial and compelling reason for denying him parole.

In 2004, the board wrote:

Prisoner continues to minimize his actions and does not take full responsibility for his actions, which resulted in an accident causing death.

In 2005, it said:

The Parole Board is not assured that P's risk of re-offending has been diminished. Prisoner is deemed an unwarranted risk to public safety. Unwilling to parole at this time.

Mayhew later wrote:

My interview was four minutes long. I was asked one question that gave me a chance to speak...First thing I said was how I took full responsibility and a little of how I felt and I was cut off and told I'd hear something in four to five weeks. I walked out so fast my head was spinning.

In September 2006, the board determined that "reasonable assurance exists that the prisoner will not become a menace to society or to the public safety." However, instead of releasing him within the customary 30 days, the board delayed his release for six months until June 2007.

Board notes indicate that Mayhew recognizes the value of good behavior, follows rules and direction, interacts well with staff and other prisoners, has completed all recommended programming, has a supportive family and suitable arrangements for work. The purpose of the additional six months is unclear.

Mayhew will serve 13 months on parole. He completed his maximum 15-year sentence on July 7, 2008.