

HARMELIN v. MICHIGAN (1991)

Ron is stopped for a moving traffic offense early one morning and ordered out of his car. When the officers frisk him, they find marijuana. The officers arrest Ron for criminal possession of a controlled substance and search his car. The car search results in a discovery of 650 grams of pure cocaine and other evidence of drug dealing. Ron is tried and found guilty of possession of a controlled substance. A judge looks to a state statute that outlines sentences to be automatically imposed in certain kinds of cases. Ron is sentenced to mandatory life imprisonment without possibility of parole. This means he will die in prison. The court does not take into account the fact that Ron is a first-time offender nor that this is not a capital crime.

Do you think that this mandatory sentence of life in prison fits the crime?

In this case, Harmelin, an Air Force veteran who had no prior criminal record, was sentenced to life imprisonment with no possibility of parole for his conviction of possessing more than 650 grams of cocaine.

Harmelin argued that the sentence was unfair and violated the Eighth Amendment prohibition against “cruel and unusual punishment.” According to Harmelin, the narcotics offense was not as serious as first-degree murder, which is the only other crime similarly punished in the state. Many other felonies, including second-degree murder, are not punishable by mandatory life sentences. Also, he argued that if he had been convicted in Ohio, for example, instead of Michigan, his sentence would have been only five to 15 years. Finally, Harmelin argued that the sentence he received is equivalent to a death sentence, so he should have been given the opportunity to submit evidence regarding the appropriateness of the punishment and should have had the specific circumstances of his case taken into account.

The U. S. Supreme Court ruled against Harmelin and upheld the sentence in a 5-4 opinion. The majority opinion stated that life imprisonment without possibility of parole was not “grossly disproportionate” to the crime Harmelin committed and application of the mandatory sentencing statute did not violate the Eighth Amendment.