

June 8, 2012

United States Probation Office
Northern District of California
450 Golden Gate Ave
San Francisco, CA 94102

Regarding: Michael G. Santos, Federal Prison Number 16377-004

To Whom It May Concern,

We are Professors of Law at Stanford University and Co-Directors of the Stanford Criminal Justice Center, the University's research and policy program dealing with issues of criminal law and sentencing. We are writing to strongly support Mr. Michael Santos's petition for parole release. The key facts are in the record before you: Mr. Santos will have served more than 25 years for a nonviolent drug crime; he has no history of weapons or violence; he has a good disciplinary record; and he has achieved many educational accomplishments during his time in prison.

Let us emphasize that while both each of us has been involved in criminal justice studies for over 30 years, neither one of us has ever before written a letter supporting any action for any other prisoner. We have always trusted the parole and clemency systems to operate by their traditional criteria. But Mr. Santos's case is so amazing and compelling that we are making a unique exception for him.

One of us (Professor Petersilia) has long been acquainted with Mr. Santos and indeed has made classroom use of documentation of his life, record, and imprisonment to enhance student's understanding of the possibilities of rehabilitation. In addition, as former Director of the RAND Corporation's Criminal Justice research unit and head of the Center on Evidence-Based Corrections at the University of California, Irvine, she has spent much of her career evaluating and refining empirical models for predicting recidivism. And on the basis of her and others' research, Mr. Santos can be seen as the safest possible candidate for release, someone who poses virtually no risk to the public. Not only does Mr. Santos already enjoy an existing support network from his family and in the wider community, but he also has a great future awaiting him in highly productive work. Remarkably, while in prison Mr. Santos has become a serious scholar of the criminal justice system. His extensive writings transcend any ideological criticism of the American criminal justice and or any personal self-justification. Rather, he has read and written widely about contemporary policy debates on penal policy. As a result, once released, he will be able to work steadily and productively as a writer and researcher as

well as counselor to other released inmates. In that regard, as noted in more detail below, we have already told Mr. Santos that we look forward to an association between him and our Stanford Criminal Justice Center.

One of us (Professor Weisberg) has more recently become familiar with Mr. Santos, specifically through reading his recent essays on criminal justice. Both of us have recently contributed chapters to the newly published *Oxford Handbook of Sentencing and Corrections* (Prof. Petersilia is co-editor as well). Colleagues throughout the country have been receiving commentaries from Mr. Santos, as he has been reviewing each chapter and posting them online through his wife. We are flattered by these writings, because they are respectful and thoughtful reviews of our own work, and they spurred us to read his commentaries on other chapters as well.

Mr. Santos's essays on the various book chapters are dazzling in their analytic precision and elegance of writing. Stanford is one of the three highest-ranked law schools in the nation, with brilliant students drawn from Ivy League and other elite colleges. Yet if we had assigned our students to write commentaries on the chapters in this very demanding academic treatise, we would have given an "A" grade to any student who produced papers on the level of Mr. Santos's work. One of the striking features of his essays is that he weaves personal experience into his intellectual analysis, and yet he never does so in ways that portray himself as the victim of injustice. Rather, he takes advantage of his personal perspective in offering general insights about penal policy and feasible programs for reform. Thus, in one essay, on the need for better reentry programs, he notes that rigid prison rules denied him the right to visitation by California State University professor who was serving as his mentor. Clearly Mr. Santos knew he had other ways of receiving help from his mentor, and other intellectual resources as well, but he used this incident simply as an objective example of the inefficacy of some prison rules for other, less fortunate inmates. Similarly, in his essay on education programs in the prisons, he argues that more investment in education would better serve the long-term goals of public safety and successful reentry. Mr. Santos did not have as much access to formal education as he might have liked, but he recognizes in this essay that he himself did not suffer significant deprivation in this regard, because his self-directed education had already advanced him to such a high-level. (Indeed, he was reading Plato and Aristotle early in his prison years!) Instead, once again Mr. Santos used his personal observations of prison policy to illustrate the need for reforms to help those less able to self-educate. Another example concerns women prisoners. Obviously Mr. Santos has had no direct opportunity for observation of the conditions of women prisoners, but he has read much on the subject and he goes on to recognize the unique deprivations that female inmates face and to call for reforms in women's prisons. Thus, one of the key features of Mr.

Santos's writing is that he has a capacity for empathy that in turn enables him to write with thoughtful objectivity.

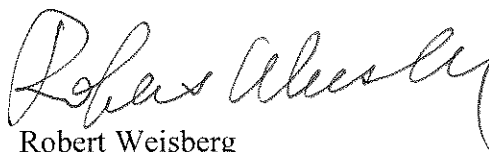
Finally, let us say something about Mr. Santos's post-prison future. On the basis of the work he has already done, we regard Mr. Santos as a writer and very eminent policy analyst in the field of sentencing and corrections. We also welcome his great wisdom about the most needed and feasible improvements in reentry practice and programs. We therefore hope to have him work with us in a number of roles, including teaching guest classes in our course at Stanford Law School and serving as a research collaborator on key projects with both faculty and students. Here at the Stanford Criminal Justice Center, we are selective about who we collaborate with or to whom we offer any formal institutional association. We have politely declined requests from many full-time professors who seek a partnership with us, because their work, however worthy, is not relevant enough to our academic goals. So Mr. Santos has passed quite a difficult screen in garnering this invitation from us. We anxiously await his release so that we can involve him in many activities at Stanford Law School and beyond.

We hope this letter provides a helpful enhancement to Mr. Santos's very strong application for parole release. If you require any additional information, please do not hesitate to call upon us. We have absolutely no hesitation in recommending Mr. Santos for release – in fact, his release is long overdue.

Sincerely,



Joan Petersilia



Robert Weisberg

CC: Ms. Leticia Ortiz
Case Manager, Atwater Federal Prison Camp
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