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FJP Statement on SCOTUS Ruling in *Jones v. Hendrix*

[Fair and Just Prosecution](#) Executive Director Miriam Krinsky issued the following statement in response to today's [ruling](#) from the United States Supreme Court in *Jones v. Hendrix*:

“No one should be incarcerated for behavior that is not a crime, yet today’s SCOTUS decision has violated this fundamental principle and created additional legal roadblocks for people who are wrongfully incarcerated to achieve justice.

Twenty years into Marcus DeAngelo Jones’ sentence for possession of a firearm by a felon, the Supreme Court ruled that in order to convict someone for this crime, the government has to prove that the defendant knew of his status, which prohibited him from possessing a firearm. No such evidence was presented at Mr. Jones’ trial, and he testified that he believed his prior record had been expunged. Yet, because he had already exhausted all his appeals when the Supreme Court’s interpretation of the statute changed, the Court ruled today that he has no mechanism to seek relief, even though his conduct may no longer be considered criminal.

When the nation’s highest court decides that there is no mechanism for incarcerated individuals to challenge their ongoing detention for conduct that is no longer illegal, it undermines the legitimacy of the entire criminal legal system. It defies common sense to suggest that it is appropriate to keep people behind bars – at great human and financial cost – for conduct that is no longer a crime.

Today’s outcome reinforces the dire need for policymakers to enact more mechanisms for post-conviction justice at the federal and state levels and for more prosecutors to embrace these processes, providing avenues for convictions and sentences to be revisited when they no longer serve the interests of justice and public safety.”

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Fair and Just Prosecution is a national network of elected prosecutors working towards common-sense, compassionate criminal justice reforms. To learn more about FJP’s work, visit our [website](#) and follow us on [Facebook](#), [Twitter](#), and [LinkedIn](#).