



MICHIGAN JUSTICE REINVESTMENT WORKING GROUP

Bipartisan Plan to Increase Public Safety and Reduce Spending

JANUARY 2010 UPDATE

Michigan Justice Reinvestment Working Group

MICHIGAN STATE SENATE

Sen. Alan Crosey (R)
Appropriations
Subcommittee on
Corrections

Sen. Wayne Kuipers (R)
Senate judiciary
Committee

MICHIGAN HOUSE OF REPRESENTATIVES

Rep. Alma Wheeler Smith (D)
Appropriations
Subcommittee on
Corrections

Rep. Mark Meadows (D)
House Judiciary
Committee

ADMINISTRATION

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Summary

Representatives of the governor, speaker, and senate majority leader, who serve on the bipartisan Michigan Justice Reinvestment Working Group (“Working Group”), agreed in May 2009 on a policy framework that will make residents of Michigan safer and that will reduce spending on corrections. This brief reviews the current status of efforts to take action on each of the framework’s three elements: deter crime; lower recidivism among high-risk probationers; and generate immediate and long term savings to state taxpayers. In developing this framework, the working group members relied heavily on data and policy options they commissioned from the Council of State Governments Justice Center. The working group has also consulted extensively with stakeholders representing law enforcement, the judiciary, counties and community-based organizations. This brief outlines these agreements, and provides a framework for further discussions among various stakeholders.

Background

In 2008, Governor Jennifer M. Granholm, Senate Majority Leader Michael D. Bishop and Speaker of the House Andy Dillon requested intensive technical assistance from the Council of State Governments Justice Center (Justice Center) to work with a bipartisan, inter-branch group of policymakers to analyze Michigan’s crime, community corrections and sentencing policies.

The Working Group reviewed analyses and policy options developed by the Justice Center, and presented these analyses and options to a cross-section of state, county and local government officials and community-based organizations at a policy forum on January 22, 2009.

As policies to reduce spending on corrections and reinvestment strategies to increase public safety have been discussed, Michigan’s state revenue has declined significantly and faster than most states across the country. Since fiscal year 2008, general fund revenue has declined by \$2.1 billion or 21 percent.

I. Investments to Fight Crime

Violent crime is a problem in Michigan, and local law enforcement needs resources to apprehend violent offenders and increase the state's clearance rates. Since 2000, the number of local law enforcement personnel across the state has declined by 1,885 or 7 percent, with most of that decline occurring in Detroit. A large number of unemployed, disconnected youth have a higher risk of involvement in the criminal justice system. The Working Group is utilizing three sets of resources to respond to these problems: state funding, federal funding, and resources from private foundations.¹

FY2010 appropriations have been made in the following strategies:

- **Support local law enforcement's targeted crime fighting strategies.**
 - » The FY2010 budget allocates \$23.9 million in federal Recovery Act Byrne funding to be granted on a competitive basis. In addition, another \$25.8 million of federal Recovery Act Byrne funding is being granted directly to up to 200 local governments in Michigan.
- **Reduce crime lab backlogs to speed investigations.**
 - » The FY2010 budget increases funding for the state's crime lab by \$6.3 million to offset the closure of the Detroit crime lab, and \$2.8 million in federal Recovery Act funds to reduce the crime lab backlog.
- **Increase employment opportunities for at-risk young adults.**
 - » Executive branch officials are collaborating with local government and community representatives to establish neighborhood focused efforts in four cities, beginning with the Osborn neighborhood in Detroit, to increase employment among at-risk young adult probationers and parolees.

II. Risk Reduction Reinvestment Strategies

High-risk probationers cycle in and out of jails and prisons at a significant cost to taxpayers each year. The state should revise existing policies so that high-risk probationers receive services most likely to reduce their risk, and ensure that responses to violations of conditions of release are "swift and certain."

Progress has been made on the following strategies:

- The FY2010 budget includes \$1.0 million in new funding to establish High-Risk Probationer Pilot projects to reduce re-arrest rates among high risk probationers.
- House Bill 4977 and Senate Bill 826 revises the Community Corrections Act (CCA) to ensure that educational, employment, behavioral health treatment services, and other interventions supported through CCA resources are accessible to those probationers who pose the highest risk of reoffending.
- FY2010 budget includes an additional \$7.3 million to add 175 new parole agents, funding for 2,000 new GPS electronic tethers, and \$22.7 million in new funding for reentry programming. This increase in funding for programs to reduce recidivism is remarkable given the fact that 19 other states across the country had to cut funding to prison and community-based correctional programs in their recent budgets.

1. Edward Byrne Memorial JAG, American Recovery and Reinvestment Act and the Workforce Investment Act

2. Coordination is underway among state agency officials in the Department of Labor and Economic Development, Department of

Corrections, Michigan State Housing Development Authority, and local government officials in Detroit, to develop an integrated neighborhood plan to connect at-risk youth, and probationers and parolees to employment.

III. Justice Policy Agreements

State spending on corrections consumes a significant portion of the General Fund. Funding some of the crime and risk reduction strategies described above is contingent on cutting spending on corrections. The Working Group agreed that there must be certainty in punishment; offenders must serve 100 percent of their court-imposed minimum sentence.

Legislation has been introduced to enact the following policy options to reduce spending on corrections:

- Senate Bill 827 revises existing statutes to adopt the three policy options put forward by the Justice Reinvestment Working Group:
 - 1) ensure that people serve no less than 100 percent and no more than 120 percent of their court-imposed sentence (i.e. earliest release date), except for offenders sentenced for offenses that carry a maximum life sentence. (The bill also permits the parole board to hold an offender beyond 120 percent of their court-imposed minimum sentence in cases where the offender poses a very high risk of re-offending as determined by a validated risk assessment.)
 - 2) require people revoked for the first time from parole for condition violations to serve no more than nine months in prison.
 - 3) require offenders who have served 100 percent of their minimum sentence to be released at least nine months prior to reaching the end of their statutory maximum sentence in order to ensure a period of intensive supervision in the community.

IV. Ensuring Accountability

Michigan policymakers need timely and accurate data analyses to ensure that administrative and statutory policies are implemented and enacted appropriately. The Working Group supports the establishment of a system to monitor these activities and routinely provide state leaders with simple, concise, data-driven reports describing the extent to which goals established by the working group are being realized.

The Working Group is supporting the following actions to ensure accountability:

- Design and implement dashboard data-tracking tools that provide policymakers with real-time data on major trends in the criminal justice system, the fiscal and public safety impact of newly enacted policies, and the outcomes for people released from prison and under community supervision.
- Charge an appropriate entity with maintaining the dashboards and working with various components of the criminal justice system to collect and analyze data, and provide periodic updates to state leaders in the legislature, the executive office, and local government stakeholders.

To learn more about the justice reinvestment strategy
in Michigan and other states, please visit:
www.justicereinvestment.org.