

Sentencing and Justice Reinvestment Initiative



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Michigan Law Revision Commission

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Council of State Governments Justice Center
www.csgjusticecenter.org

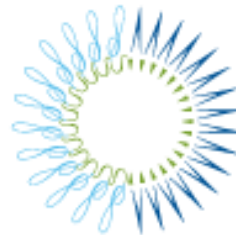
Council of State Governments Justice Center and Justice Reinvestment Partners

- National non-profit, non-partisan membership association of state government officials
- Engage members of all three branches of state government
- Justice Center provides practical, nonpartisan advice informed by the best available evidence

Justice Reinvestment:

a data-driven approach to reduce corrections spending and reinvest savings in strategies that can decrease recidivism and increase public safety.

Partner with Bureau of Justice Assistance and Pew Charitable Trusts



Michigan Faces Persistent Criminal Justice Challenges

- Some of the most violent communities in the US
- Significant loss of law enforcement resources during the past decade
- Corrections exceeds one-fifth of the State's budget

Recent Efforts

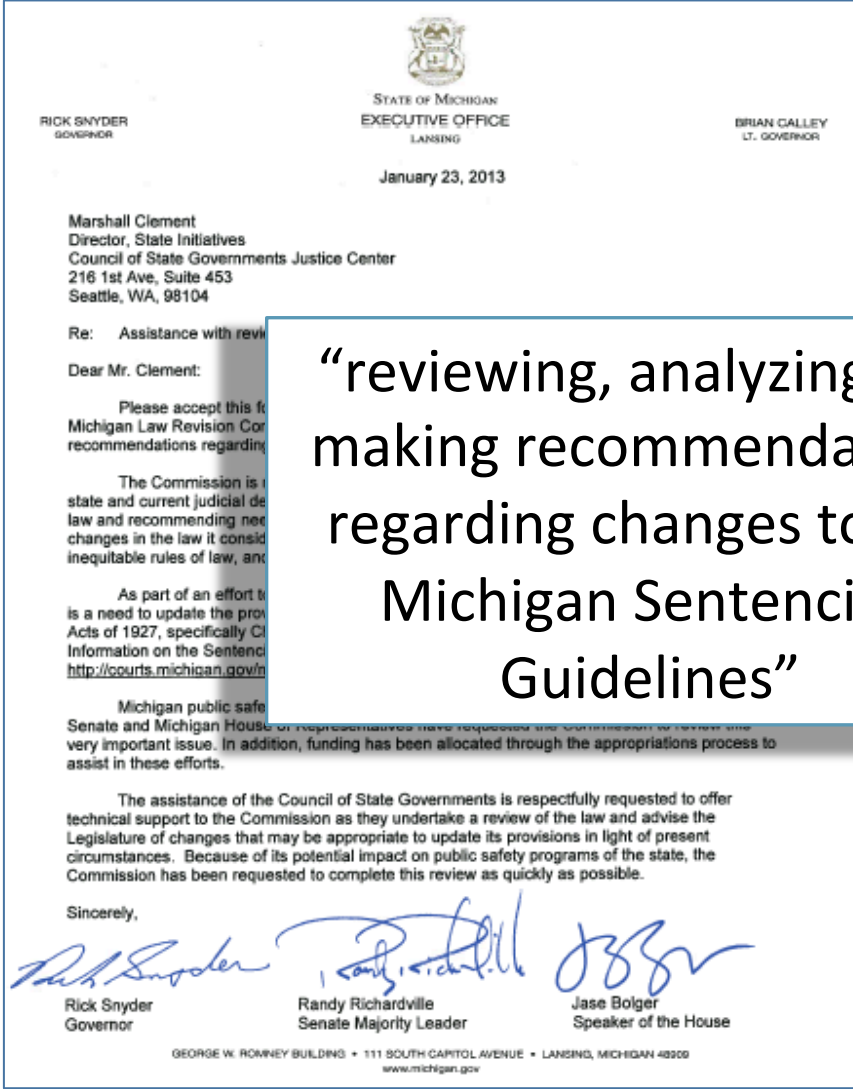
- Michigan Prisoner Reentry Initiative (MPRI)
- Safe Cities Initiative

State leaders ready to look at sentencing to have deeper understanding of what the drivers are and whether improvements can be made to be more effective.

Michigan Helped Fund the Project and Specifically Asked for Recommendations Around Sentencing and Parole

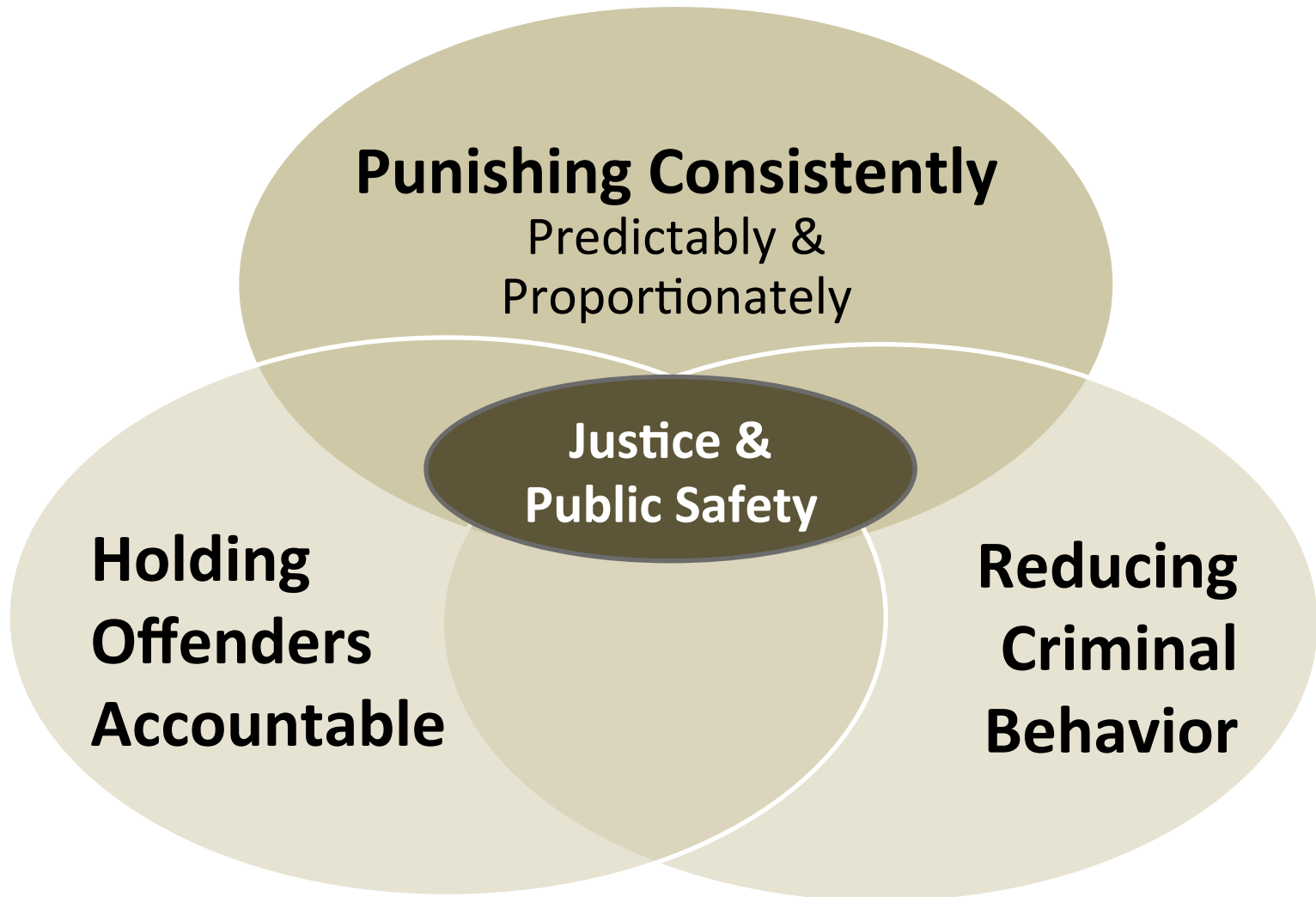
**January 2013:
SB 233, Section 351**

“The funds appropriated ...shall be used for a contract [between the Michigan Law Revision Commission and] the Council of State Governments to
continue its review of Michigan’s sentencing guidelines and practices, including, but not limited to, studying length of prison stay and parole board discretion.”



“reviewing, analyzing and making recommendations regarding changes to the Michigan Sentencing Guidelines”

Michigan's Examination of Sentencing, Parole, and Probation Is Fundamentally about Justice and Public Safety



CSG Has Undertaken Extensive Research through Data Analysis and Stakeholder Engagement

May 2013 through April 2014:

- ✓ 7.5 million records from 10 databases representing more than 200,000 individuals
- ✓ 15 site visits to Michigan
- ✓ 100+ meetings and 150+ conference calls
- ✓ 6 presentations to MLRC
- ✓ 10 presentations to prosecutors, judges, defense attorneys, victim advocates, sheriffs, and county officials

Section One

Consistency
and
Predictability

Public Safety
and
Cost

Evaluation
and
Monitoring

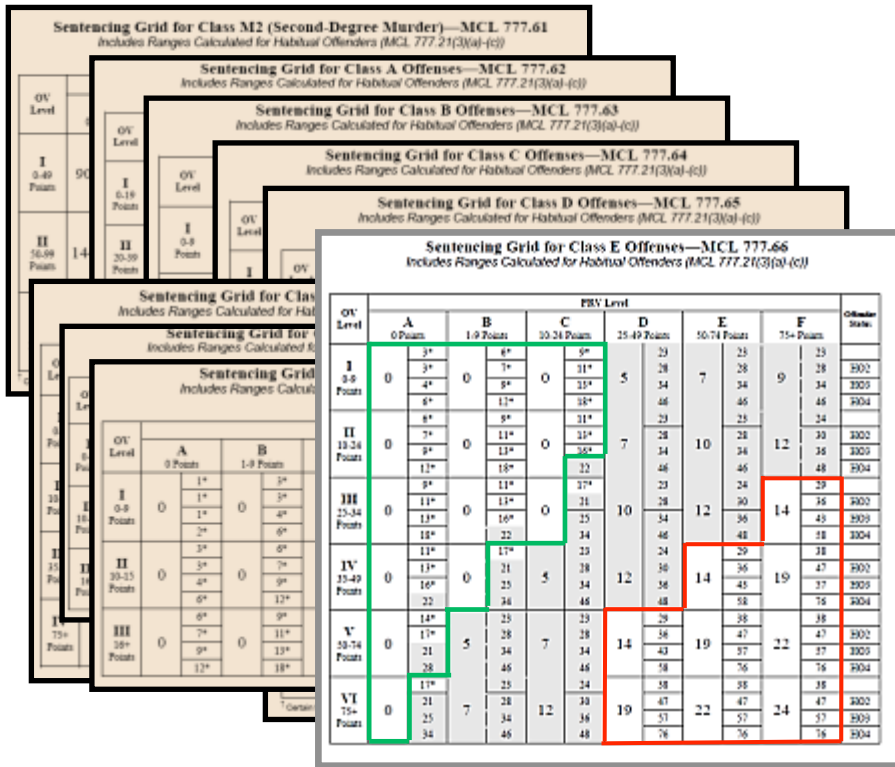
**Michigan's sentencing system
can be more consistent and
predictable**

- Precise scoring and sorting, but varied and inconsistent punishments.
- Effective time served can be more predictable.

FINDING
1

People with similar criminal histories convicted of similar crimes receive significantly different sentences.

1 Sentencing Guidelines Use System of Grids, and Punishment Severity Increases as One Moves Rightward or Downward



Offense type determines which of the nine grids a case will fall into.

- Position on a grid based on prior criminal history and aggravating factors.

- ❑ Prior criminal history and current relationship to the criminal justice system scored through Prior Record Variables (PRV)
 - PRV answers slot case into columns
- ❑ Aggravating factors addressed through Offense Variables (OV)
 - OV answers slot case into rows

3 Cell Types Determine Punishment Options:

Intermediate Sanctions

Straddle

Prison

1 Michigan's Sentencing Guidelines Aim for High Precision in Sorting Felony Defendants

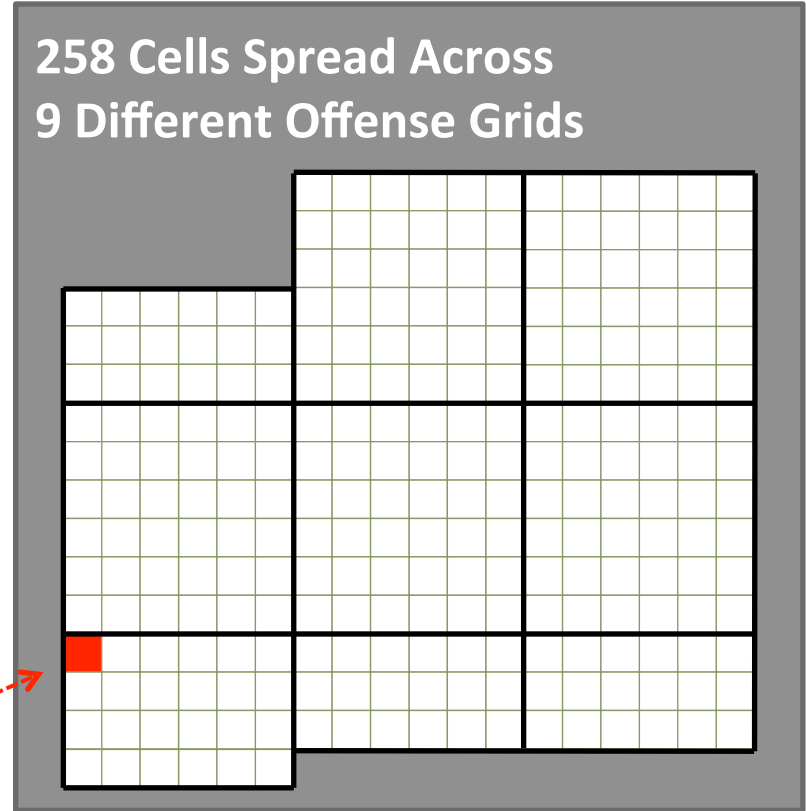
Narrowing the offense/
offender profile
into 1 of 258 cells

- ❑ 9 Different Grids
- ❑ 33 Scoring Choices Across 7 PRVs
- ❑ 76 Scoring Choices Across 20 OVs

*Guidelines Scoring
Process*

*Defendant is
"scored" and
awaiting sentencing.*

258 Cells Spread Across
9 Different Offense Grids



1 Most Felony Cases Fall in Grid Cells Allowing “Grab-Bag” of Possible Punishments

Types of Cell

Allowable sanctions*	Intermediate	Straddle	Prison
Fees/fines only	✓	✓	
Probation only (5 year max)	✓	✓	
Jail only (1 year max)	✓	✓	
Up to 1 year in jail plus probation	✓	✓	
Prison		✓	✓
	62% of Cases	27% of Cases	11% of Cases

89% of all felony sentences scored into intermediate or straddle cells

** A judge may impose a sentence other than what is considered allowable according to the sentencing guidelines so long as a substantial and compelling reason for the departure is entered into the record.*

1 Punishments Are Overlapping and Not Distinct, So Complex Scoring Yields Illusory Precision

“Grid E” Most Frequently Used of All Grids

✓ 72% of grid cells allow for 6-12 month jail sentence

✓ 64% of grid cells allow for 12-24 month prison sentence

75% of grid cells allow for up to 5 years probation

Ability to impose 6-12 months in jail or 1-2 years minimum in prison is almost unrelated to location on grid.

OV Level	PRV Level						Offender Status					
	A 0 Points	B 1-9 Points	C 10-24 Points	D 25-49 Points	E 50-74 Points	F 75+ Points						
I 0-9 Points	0	3*	0	6*	5	23	7	23	9	23	HO2	
		3*		7*		28		28		28		
		4*		9*		34		34		34		HO3
		6*		12*		46		46		46		HO4
II 10-24 Points	0	6*	0	9*	7	23	10	23	12	24	HO2	
		7*		11*		28		28		30		
		9*		13*		34		34		36		HO3
		12*		18*		46		46		48		HO4
III 25-34 Points	0	9*	0	11*	10	23	12	24	14	29	HO2	
		11*		13*		28		30		36		
		13*		16*		34		34		42		HO3
		18*		22		46		48		58		HO4
IV 35-49 Points	0	11*	0	17*	12	24	14	29	19	38	HO2	
		13*		21		30		36		47		
		16*		25		34		42		57		HO3
		22		34		46		48		76		HO4
V 50-74 Points	0	14*	5	23	7	29	14	38	19	38	HO2	
		17*		28		36		47		47		
		21		34		42		47		57		HO3
		28		46		46		58		76		HO4
VI 75+ Points	0	17*	7	23	12	38	19	38	22	38	HO2	
		21		28		47		47		47		
		25		34		47		57		76		HO3
		34		46		46		76		76		HO4

Source: Sentencing Guidelines Manual, Michigan Judicial Institute, June 2012..

Consistency & Predictability

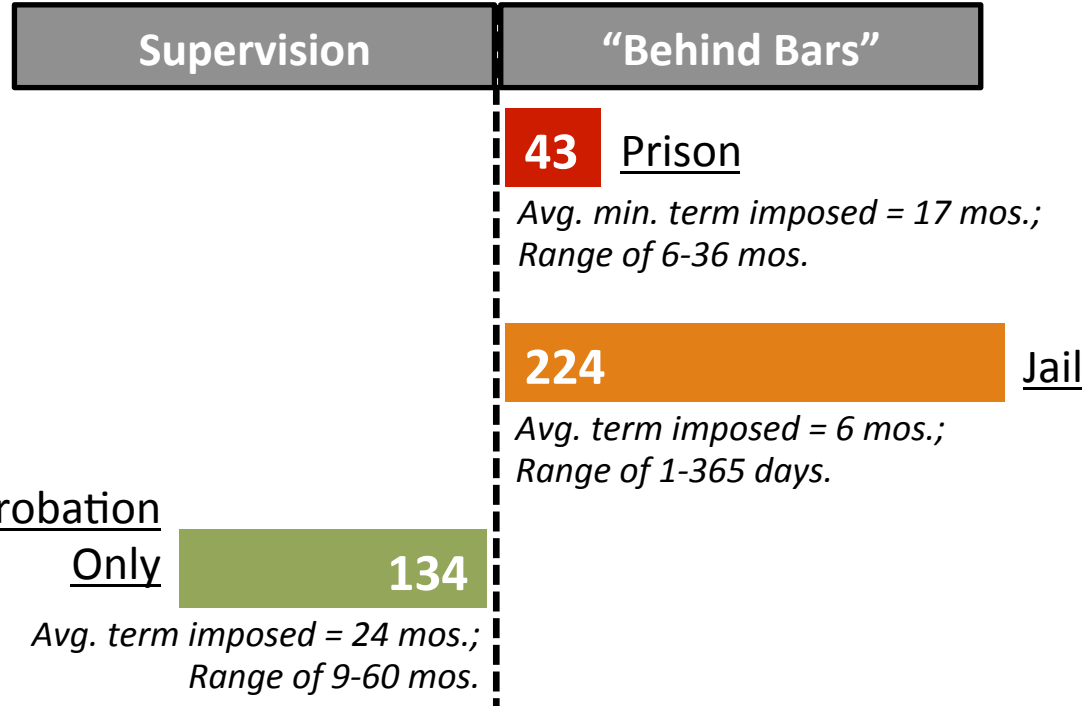
FINDING *Background*

1 Disparity in Sentencing: Most Frequently Used *Straddle* Cell

Brand new cases in the 'E' grid *Straddle* cells
(Non Habitual; Total 2012 Sentences = 1,463)

	A	B	C	D	E	F
I				402	128	103
II				359	141	69
III				77	26	
IV			69	36		
V		10	27			
VI		7	9			

→ Very different sentencing outcomes...



Despite falling in the same cell on the same grid, defendants punished disparately:

- As little as a few months in jail without any supervision to follow,
- As much as 5 years on probation, or
- Minimum of up to 3 years in prison with potential for parole supervision of varying length.

Source: *Felony Sentencing Data 2008-2012*, Michigan Dept. of Corrections.

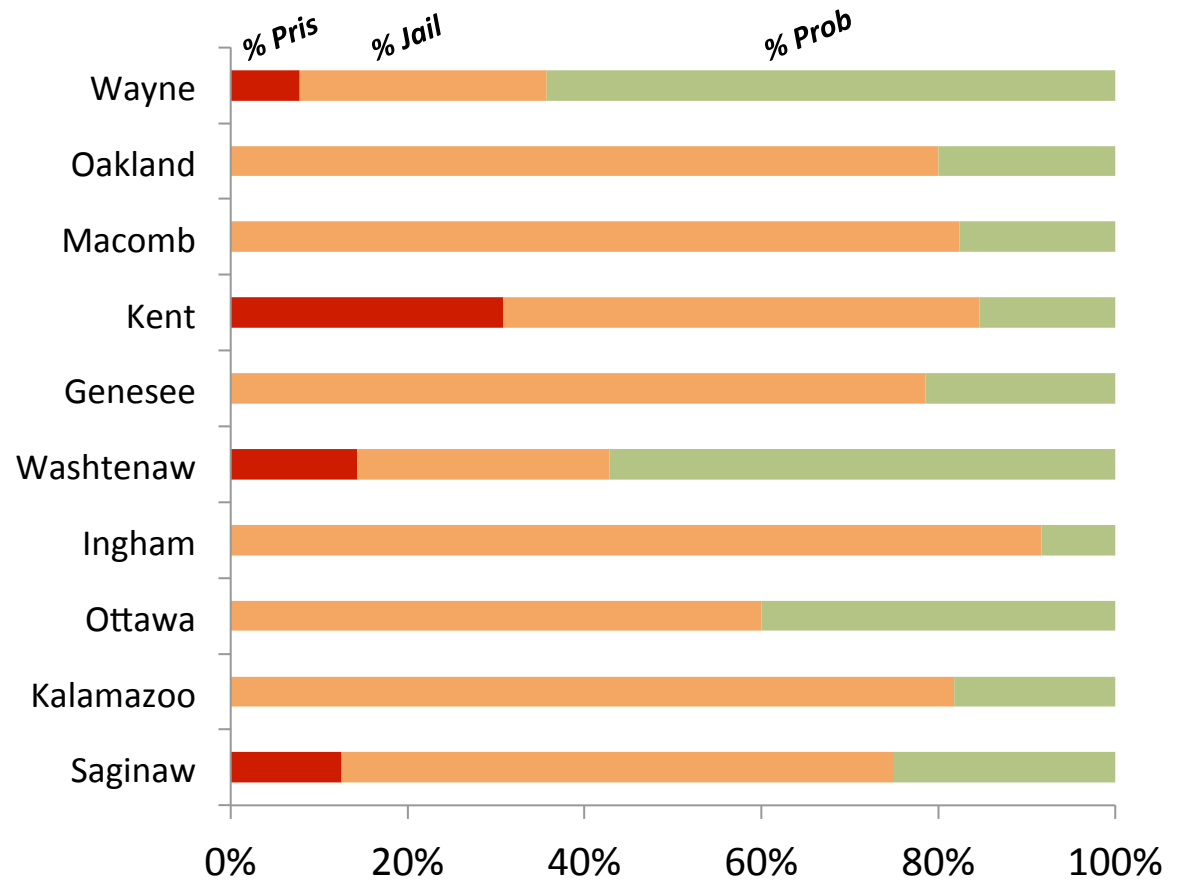
1 Geography Compounds Disparity in Actual Sentencing for Most Frequently Used *Straddle* Cell

Brand new cases in the 'E' grid *Straddle* cells
 (Non Habitual; Total 2012 Sentences = 1,463)

	A	B	C	D	E	F
I				402	128	103

The 10 most populous counties accounted for 299 (74%) of the 402 sentences falling in this one straddle cell.

- 6 of the 10 counties didn't use prison at all
- 1 county used prison for almost a third of cases
- 2 counties used probation for more than half of cases



Source: *Felony Sentencing Data 2008-2012*, Michigan Dept. of Corrections.

POLICY
OPTION
1

Structure sanctions in the guidelines to produce more consistent sentences.

Structure use of probation, jail and prison within the guidelines to increase predictability.

RELATED GOALS:

- **Punish predictably**
- Hold offenders accountable
- Reduce criminal behavior

- Each guidelines cell should have a single presumptive sentence of probation, jail or prison.
- Instead of using straddle cells, the guidelines should clearly assign jail or prison as the presumptive sentence.
- For individuals with little or no criminal history who are convicted of less serious crimes, the presumptive sentence should be probation.
- Judges should retain their current ability to depart from the guidelines

Prior Record Variable Level

	A	B	C	D	E	F
<u>I</u>	Probation					
<u>II</u>				Jail		
<u>III</u>						
<u>IV</u>						
<u>V</u>						
<u>VI</u>						Prison

Reduce the wide ranges in possible sentence lengths in cells that include the possibility for a prison sentence.

RELATED GOALS:

- **Punish predictably**
- Hold offenders accountable
- Reduce criminal behavior

- Reduce the degree of overlapping sentencing ranges in guidelines cell within the same grid.
- Discretion should remain for judges to establish sentence lengths tailored to individual cases within narrowed ranges.
- Discretion should remain for prosecutors to request habitual enhancements in eligible cases, but without counting prior criminal history twice.

FINDING
2

After a person is sentenced, it remains unclear how much time they will actually serve.

Guidelines Structure Prison In/Out Decision, but Ultimate Length of Stay Is Unpredictable

Sentencing guidelines dictate minimum sentence in most cases.

For example, consider a court-imposed sentence of 12 months in prison for the offense of Retail Fraud – 1st Degree (Class E Grid)

←
Min sentence = 12 months

Max sentence = 60 months (set in statute) →

After serving sentence imposed by Court, the Parole Board determines release date.

Inmates with this offense type served an **average of 19 months*** in prison prior to first release.

- Range of 5 to 80 months.

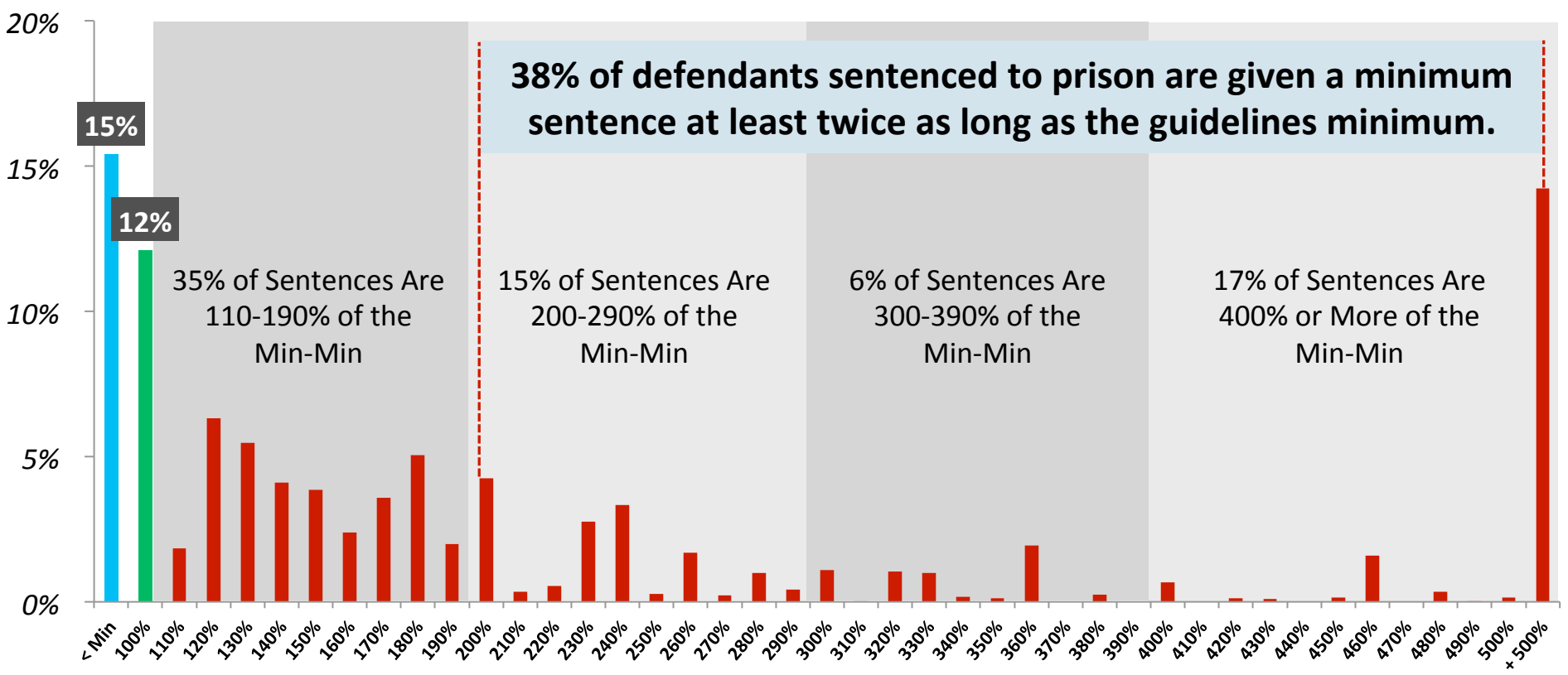
* Based on 2012 Prison Releases

Period of time controlled by Parole Board usually 300-400% longer than minimum imposed by the Court.

- This introduces significant opportunity for disparity into the system.

2 Significant Portion of Minimum Sentences to Prison Are at Upper Ends of Broad Allowable Ranges

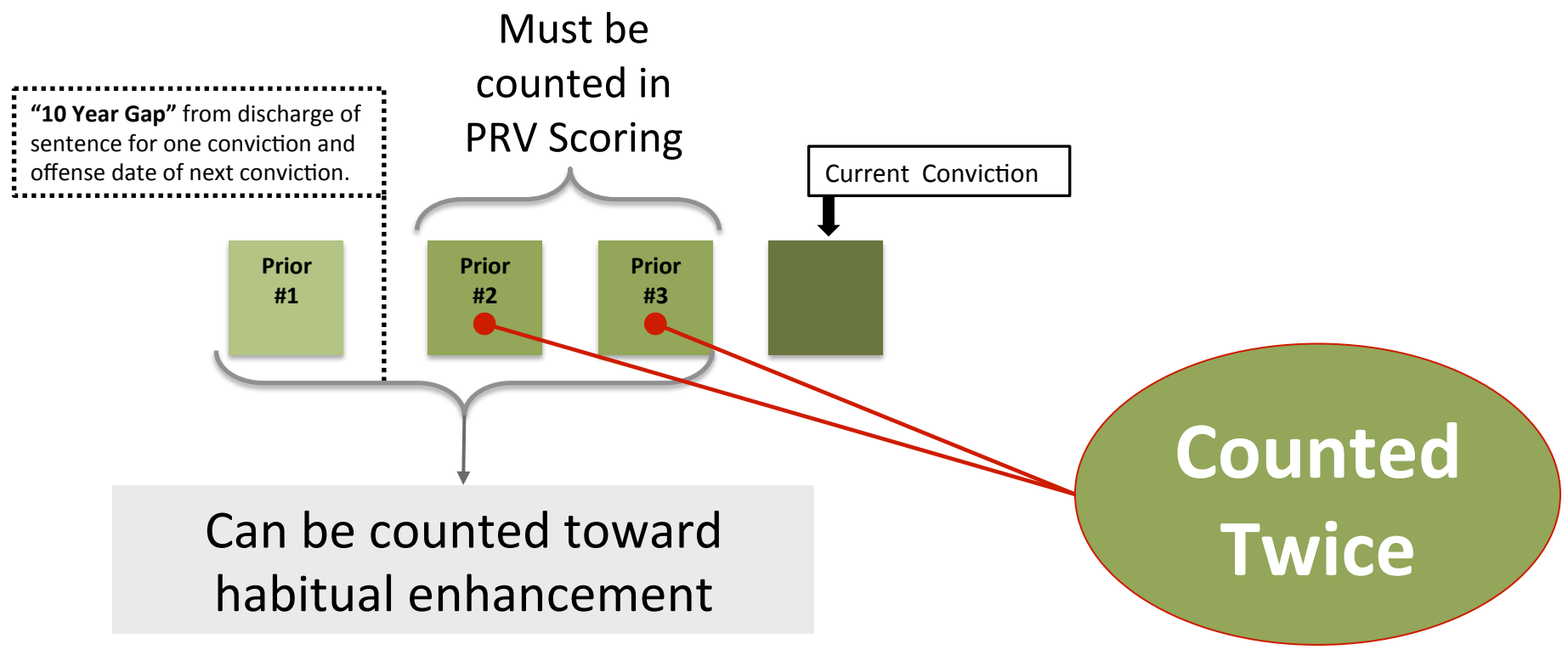
Actual Minimum Imposed as Percent of Minimum Required (2012 SGL Non-Habitual Sentences to Prison)



Source: *Felony Sentencing Data 2008-2012*, Michigan Dept. of Corrections.

2 Double Counting Prior Convictions Compounds Disparity and Raises Fundamental Issues of Fairness

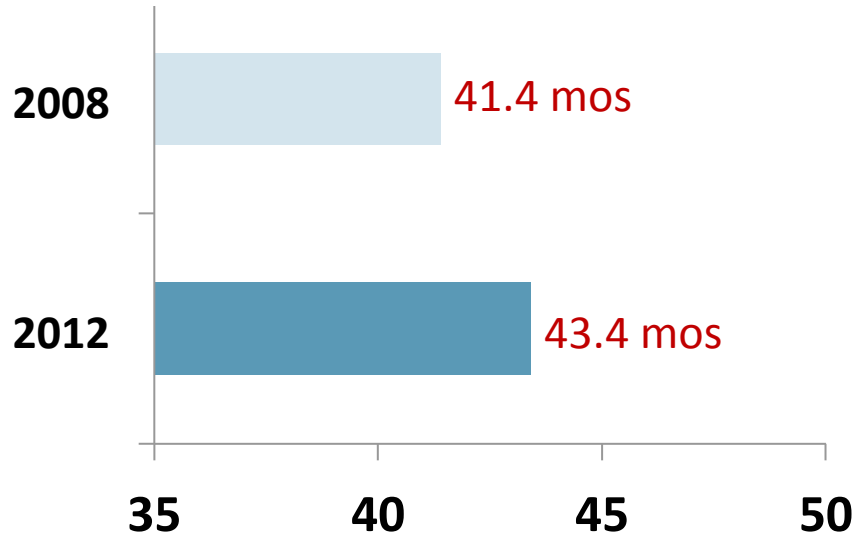
Example of defendant with 3 prior felony convictions as an adult:



Minimum Sentences Are Increasing for Non-Habitualized and Habitualized Offenders

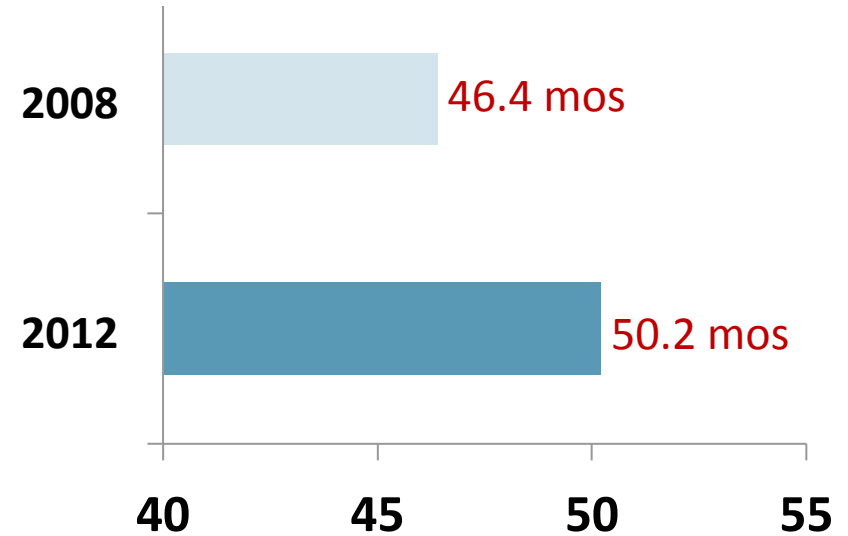
Length of Minimum Prison Sentence Imposed

Non Habitual Sentences



5% Increase

Habitual Sentences



8% Increase

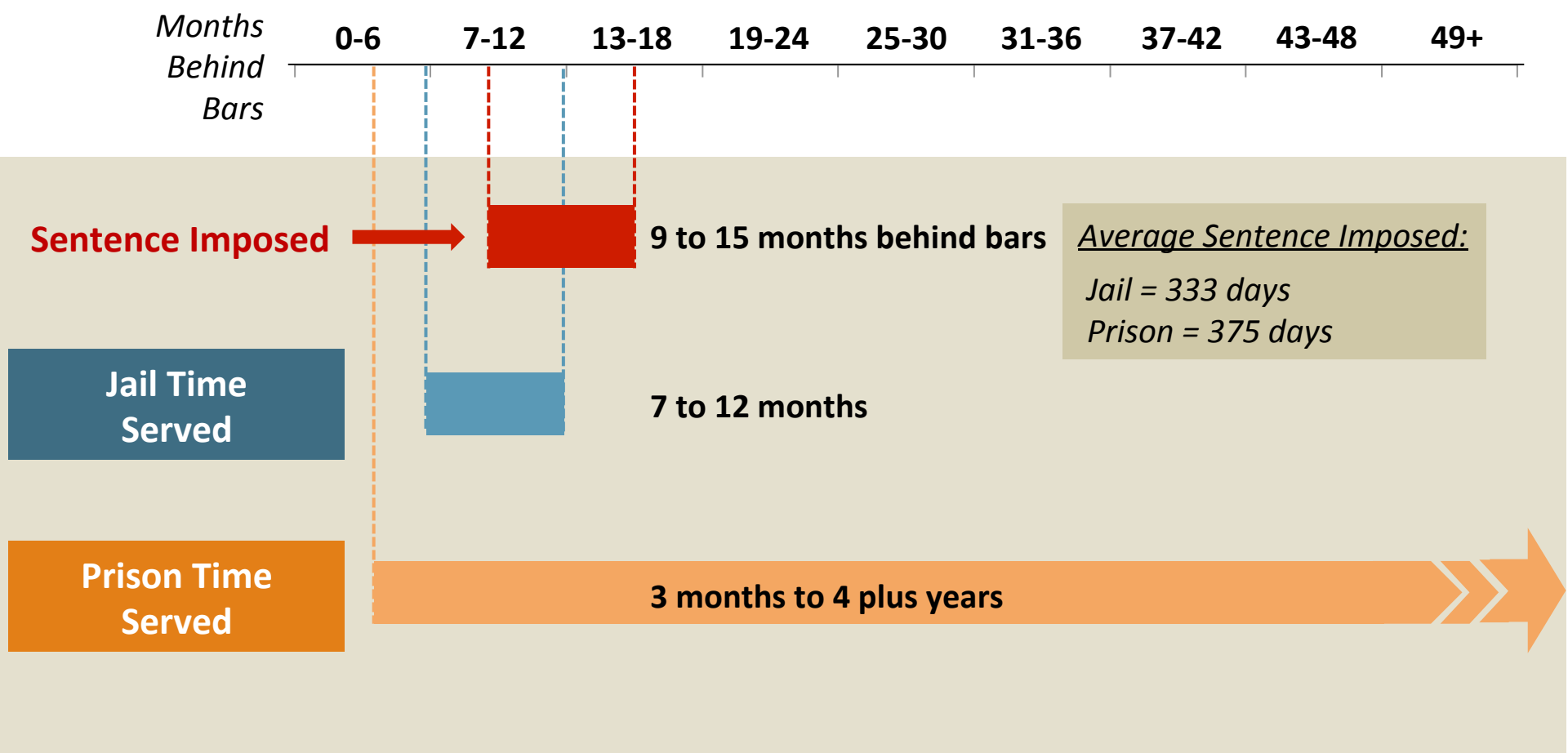
Increase in minimum sentence length cannot be attributed to changes in cases in terms of offense seriousness, more prior history or aggravating factors, or consecutive sentencing.

Consistency & Predictability

FINDING *Background*

2 Similar Sentences Can Result in Very Different Amounts of Time Served

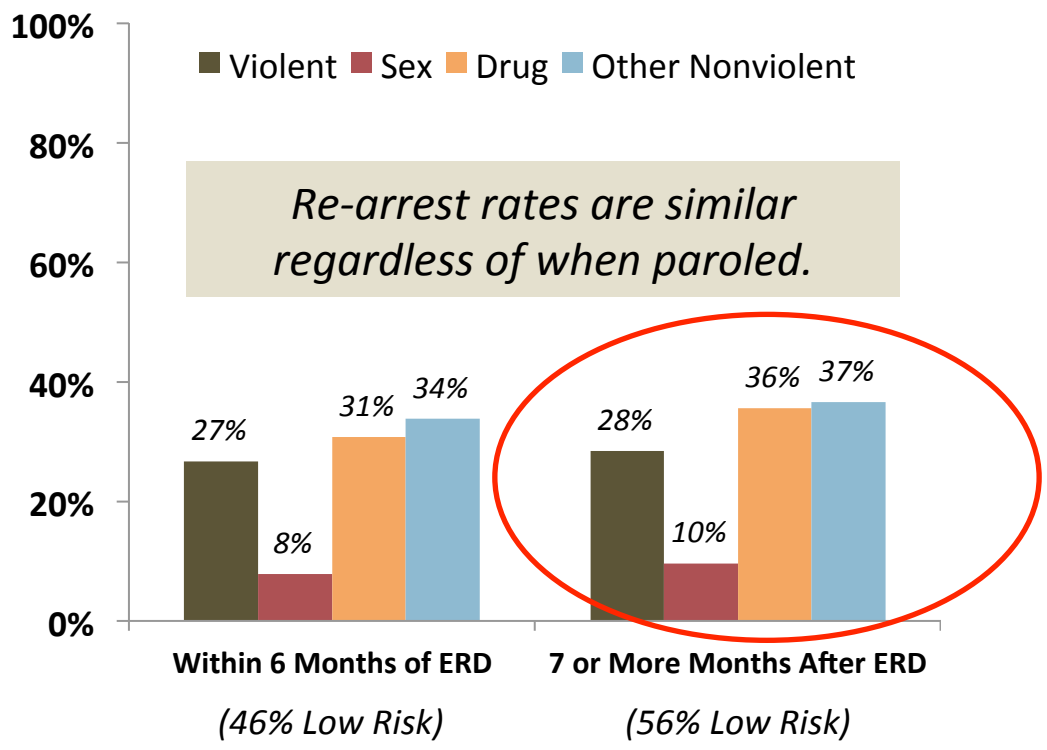
Time Served Behind Bars for 2008 Cases Sentenced to Terms of Incarceration of 9-15 Months
(“New” cases only; excludes habitualized cases)



Source: *Felony Sentencing Data 2008-2012* and *Prison Releases Data 2008-2012*, Michigan Dept. of Corrections.

2 Existing Disparity in Release Decision-Making Costs the State and Has Questionable Benefits

2-Yr Re-Arrest Rates by Time Served Beyond Min.
(2010 Releases to Parole Excluding Parole Violator Adms)



Re-arrest rates are similar regardless of when paroled.

These inmates are held for an average of 2.6 years beyond ERD.

At \$98 per day, this costs the State \$61 million annually.

Source: Prison Releases Data 2008-2012 and COMPAS Risk/Needs Data, Michigan Dept. of Corrections; and Criminal History Records, Michigan State Police.

POLICY
OPTION
2

Make the length of time a person will serve more predictable at sentencing.

Truth in sentencing should be enhanced by establishing minimum and maximum periods of incarceration at sentencing.

RELATED GOALS:

- **Punish predictably**
- Hold offenders accountable
- Reduce criminal behavior

- The maximum period of incarceration established at sentencing should be specific to each individual case rather than defaulting to the most severe penalty allowed by statute.
- The difference between minimum and maximum prison sentences should be narrow enough to provide greater predictability about time served, while still allowing for consideration of institutional behavior in final release decisions.
- Probation sentences should specify a maximum period of incarceration in jail or prison that can be applied as a sanction in response to probation violations.

Section Two

Consistency
and
Predictability

Public Safety
and
Cost

Evaluation
and
Monitoring

Michigan's sentencing system can reduce recidivism and costs to taxpayers

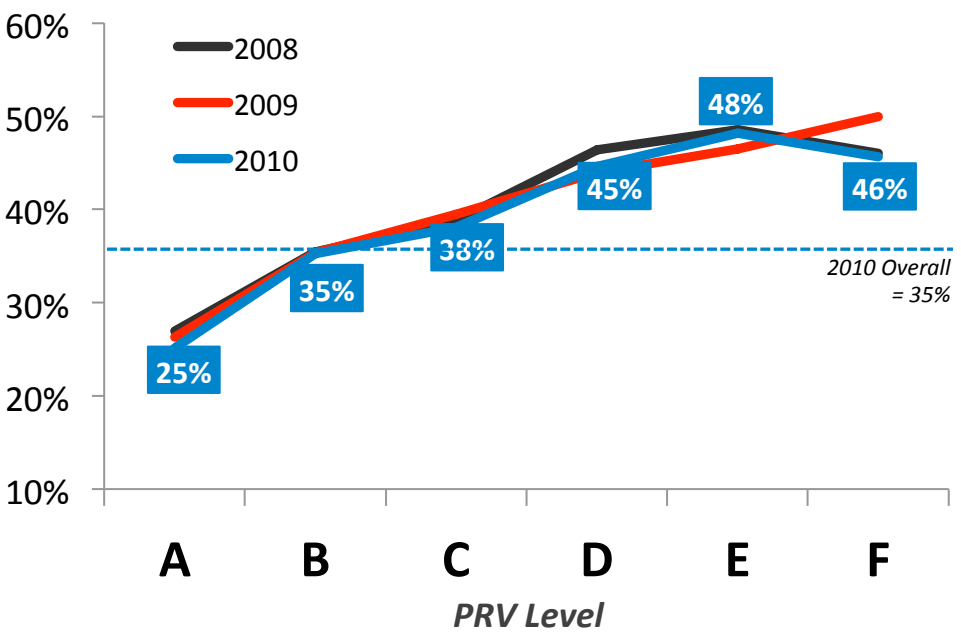
- Sentencing can allocate and guide probation supervision to reduce recidivism
- Funding can be targeted to achieve better public safety outcomes

FINDING
3

Supervision resources are not prioritized to reduce recidivism.

3 Guidelines Silent on Use of Supervision Despite Ability to Sort by Risk Using PRV Score

Two Year Re-Arrest Rates by PRV Level:
All Probation or Jail Sentences (2008-10 Sentence Cohorts)



Twice as likely to be re-arrested as those in PRV Level A.

PRV Level A	PRV Level B	PRV Level C	PRV Level D	PRV Level E	PRV Level F
0 Pts	1-9 Pts	10-24 Pts	25-49 Pts	50-74 Pts	75+ Pts

✓ PRV Score Does a Good Job Predicting Risk of Re-Arrest

Yet the guidelines provide almost no structure around *who gets* supervision and *how much*.

Source: *Felony Sentencing Data 2008-2012*, Michigan Dept. of Corrections; and *Criminal History Records*, Michigan State Police.

3 Guidelines Do Not Structure “Who” Gets Supervision

“Brand New” 2012 SGL Sentences by Prior Record Level

No prior criminal history

Significant criminal history

PRV Level	A	B	C	D	E	F
Total Non-Prison Sentences	6,891	4,065	5,528	3,246	1,348	848
Jail Only	361	230	530	602	333	246

Higher recidivism risk by virtue of criminal history (PRV) scores.

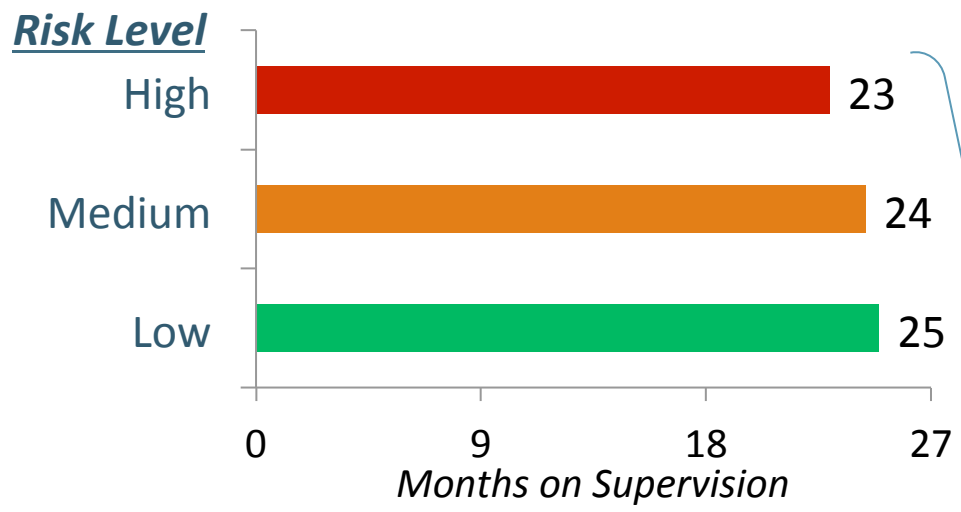
1,181 people with significant criminal history received sentences that involved no supervision at all after release from jail.

– Represents 22% of total non-prison cases involving offenders with significant criminal history

Source: *Felony Sentencing Data 2008-2012*, Michigan Dept. of Corrections.

3 Supervision Resources for Probation Are Not Clearly Focused Around Recidivism Reduction

Actual Average Length of Supervision
for Cases Successfully Completing Probation in 2012



Virtually the same dosage regardless of risk misplaces resources

Source: Probation Terminations Data 2008-2012 and COMPAS Risk/Needs Data, Michigan Dept. of Corrections.

POLICY
OPTION
3

Use risk of re-offense to inform probation and post-release supervision.

3

Use risk of reoffense to inform the use, conditions, and length of supervision terms at the time of sentencing.

RELATED GOALS:

- Punish predictably
- **Hold offenders accountable**
- **Reduce criminal behavior**

- Felony convictions involving higher levels of prior criminal history should include a period of supervision as part of the sentence.
- Supervision terms should account for risk by basing probation and post-release supervision lengths on PRV score.

Prior Record Variable Level

All Grids	A	B	C	D	E	F
Length of Supervision	9 mos	12 mos	18 mos	24 mos	30 mos	36 mos

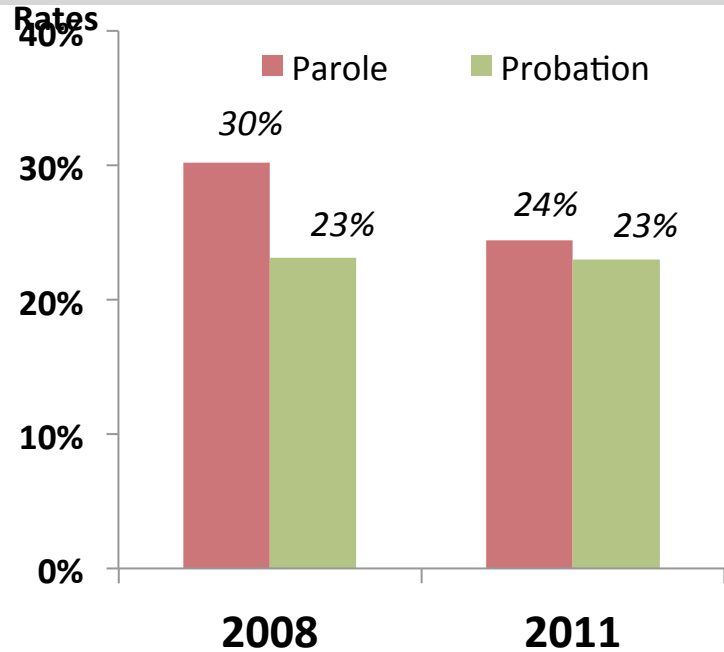
FINDING

4

High recidivism rates
generate unnecessary costs.

4 Probation Has Not Experienced the Recidivism Reductions Achieved by Parole

1-Yr Parole and Felony Probation Re-Arrest



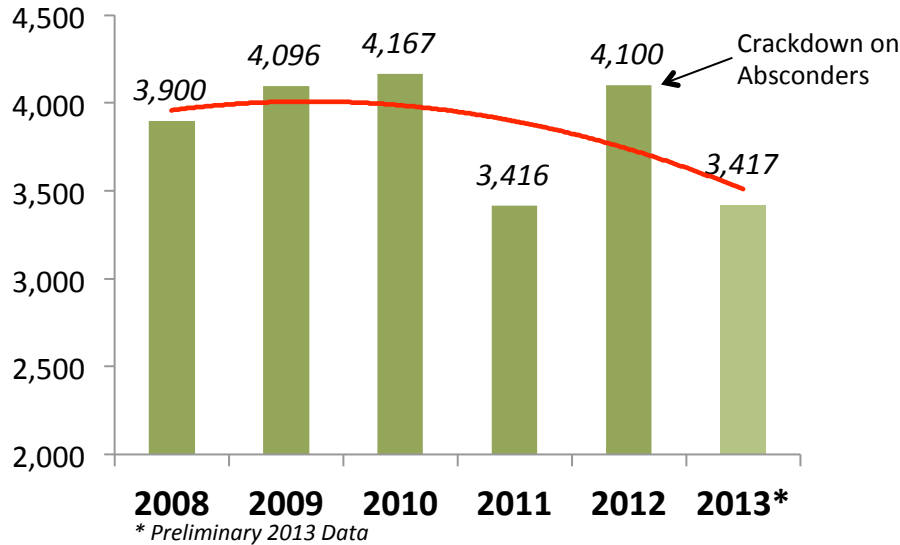
If the felony probationer re-arrest rate from 2008-11 experienced a 20% reduction similar to parole:

❖ ***Re-arrest rate would be 18%.***

➤ With close to 30,000 new felony probation placements each year, the difference between a 23% and 18% re-arrest rate is approximately 1,500 arrest events.

4 Public Safety Outcomes Impact Prison Pressure

Parole Violators Returned to Prison

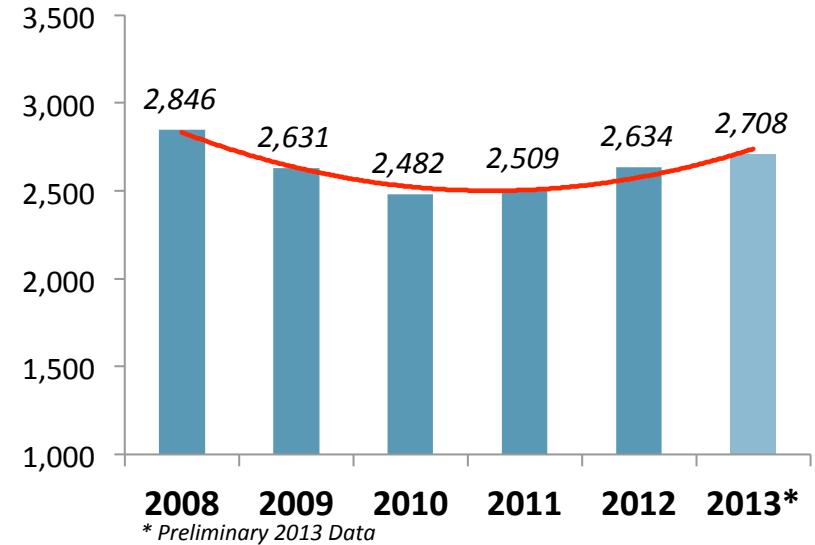


Number of parolees returned to prison trending downward.

✓ Down 18% since 2010 high point.

Note: Parole approval rates during this time at their highest since the early 1990s.

Probation Violators Revoked to Prison



Number of probationers revoked to prison trending upward.

✓ Up 9% since 2010 low point.

Note: Number sentenced to probation during this time down 10%.

4 More than \$300 Million Spent Annually Locking Up Probation Violators

2008-12 Average Admissions of Probation Violators to Prison and Jail, and Length of Stay

- ❑ New Off. Prob. Revs. = 1,590 for 37 mos →
- ❑ Tech. Prob. Revs. = 1,030 for 25 mos →

2,620 violators admitted to prison annually

- 39% are technical violators

Note: *Technical* means there was no new conviction.



at \$98 per day
= \$249 million Annually

- ❑ New Off. Prob. Revs = 2,295 for 7 mos →
- ❑ Tech. Prob. Revs. = 3,742 for 7 mos →

6,037 violators admitted to jail annually

- 62% are technical violators

Note: *Technical* means there was no new conviction.



at \$45 per day
= \$57 million Annually

4 State Spends Twice as Much Per Person Incarcerating Probation
Technical Violators than for Parole

Technical Parole Violators



= \$38,304 per
technical violator
returned

Technical Probation Violators



= \$73,786 per
technical violator
revoked

*Annual Returns/
Revocations to Prison
(2008-12)*

Length of Stay in Prison

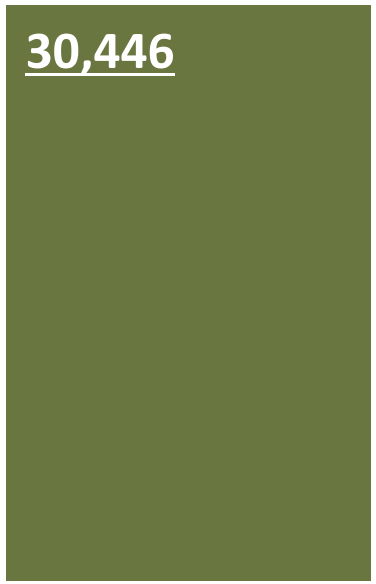
Prison Bed Impact

Cost of Incarceration

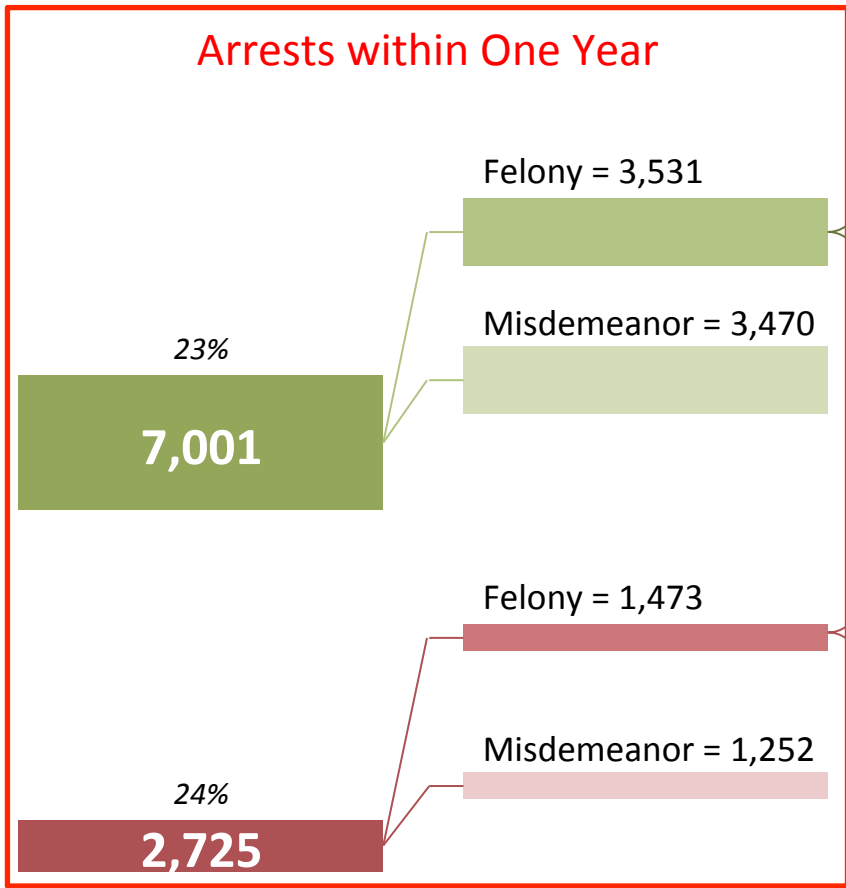
4 Probationers Account for More Arrest Activity Across All Types of Offenses

Larger probation population generates more arrest activity than parolees across offense types, including among the more violent crimes.

2011 Felony Probation Placements



2011 Prisoners Released to Parole



- 804 Drug
- 337 Assault
- 124 Robbery
- 40 Sex Assault
- 25 Homicide

- 284 Drug
- 127 Assault
- 72 Robbery
- 24 Sex Assault
- 16 Homicide

Source: *Felony Sentencing Data 2008-2012* and *Prison Releases Data 2008-2012*, Michigan Dept. of Corrections; and *Criminal History Records*, Michigan State Police.

4 Guidelines Silent on Responding to Violations of Supervision

Probationers committing supervision violations can only be responded to according to where they originally fell in the grids.

No more than 3 months of jail to serve as an incentive to comply (less if there were any pretrial jail credits).

No less than 12 months of jail to sanction noncompliance. If prison is chosen, even longer period of confinement due to parole function.

OV Level	PRV Level										Offender Status		
	A 0 Points		B 1-9 Points		C 10-24 Points		D 25-49 Points		E 50-74 Points			F 75+ Points	
I 0-9 Points	0	3*	0	6*	0	9*	5	23	7	23	9	23	HO2
		34		7*		11*		28		28		28	
		4*		9*		13*		34		34		34	
		6*		12*		18*		46		46		46	
II 10-24 Points	0	6*	0	9*	0	11*	7	23	10	23	12	24	HO2
		7*		11*		13*		28		28		30	
		9*		13*		16*		34		34		36	
		12*		18*		22		46		46		48	

Guidelines provide supervision sanction options only in the extreme.

Responding to the nature of the violations is not structured by the guidelines. It's either so little as to be meaningless or so severe that multiple violations are tolerated in hopes of avoiding the hammer.

4 Wide Variance in Revocation Rates Across All Risk Levels Further Evidence of Inconsistency and Disparity

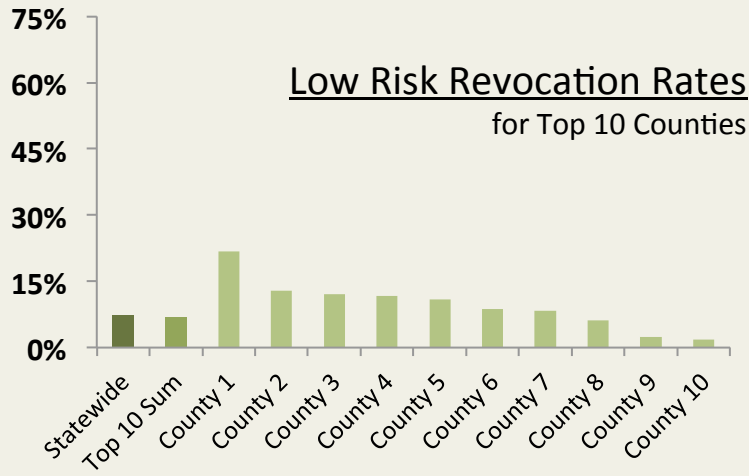
Less than 20% of All Probation Cases End in Revocation

% of Probation Cases Revoked	Statewide	Top 10 Counties
	17%	15%

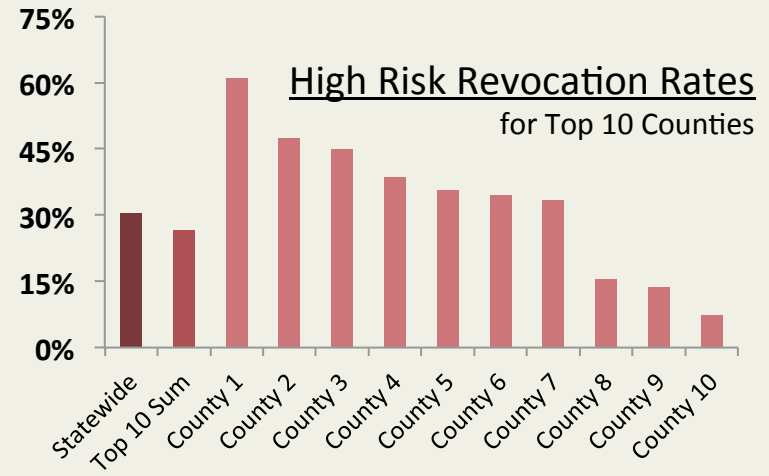
Note: Based on 2012 Felony Case Closures Data

But there is tremendous regional difference. Looking at the 10 most populous counties:

➤ **Low-risk revoked 2% to 22% of the time, depending on county.**



➤ **High-risk revoked 7% to 61% of the time, depending on county.**



POLICY
OPTION
4

Hold people accountable
and increase public safety
for less cost.

Incorporate swift and certain principles in community supervision practices and set clear parameters around length of confinement as a response to parole and probation revocation.

- Strengthen responses to probation supervision violations by granting probation agents the authority and resources to supervise all felony probationers under the principles of swift and certain responses to violations.
- Hold probationers and parolees who violate the terms of their supervision more accountable by establishing sanction periods at the time of their original sentencing.

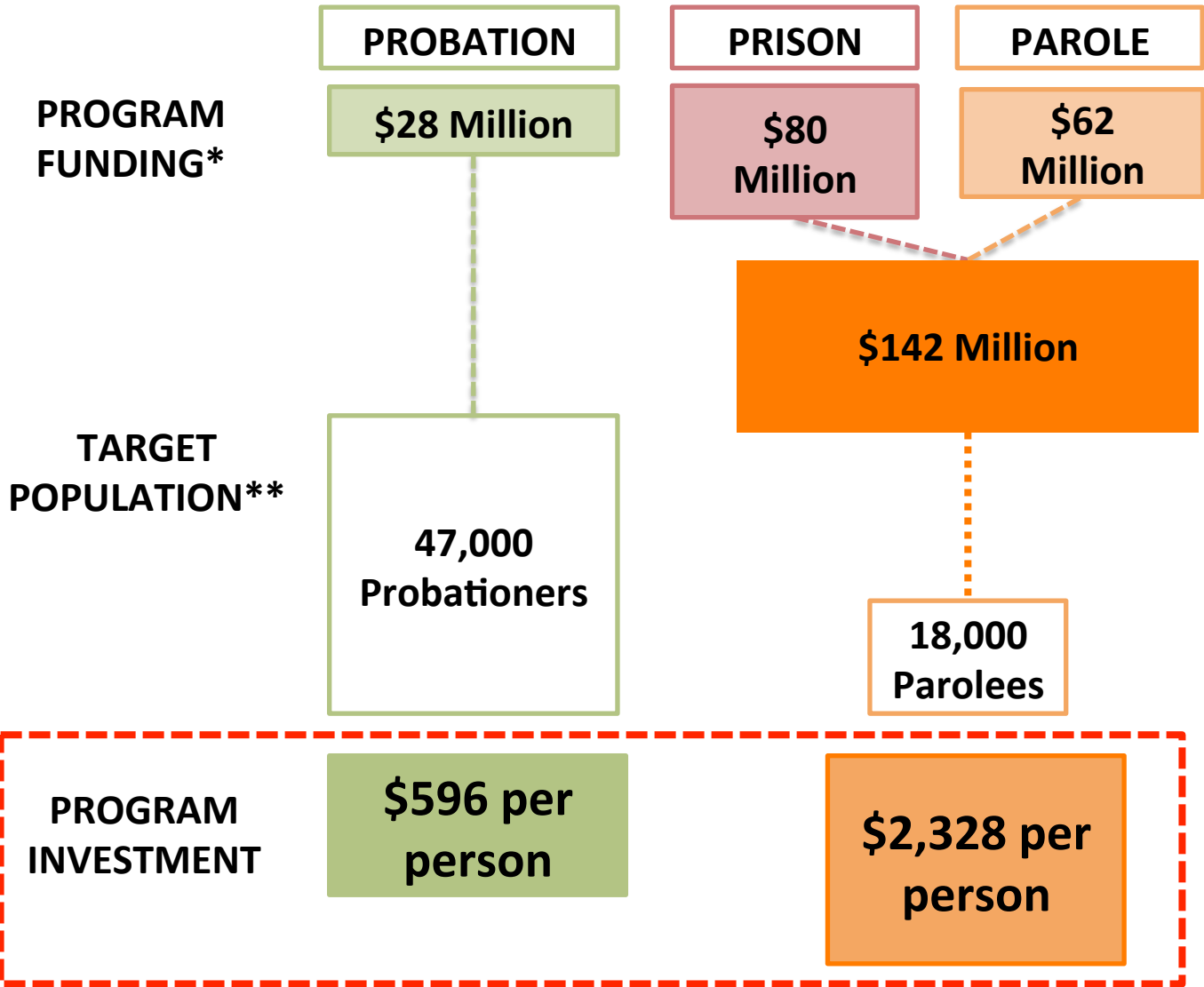
RELATED GOALS:

- Punish predictably
- **Hold offenders accountable**
- **Reduce criminal behavior**

FINDING
5

Funds to reduce recidivism are not targeted to maximize the effectiveness of programs and services.

5 Funding for Front-End Probation Is Inadequate



With a parole investment that is 4 times greater per person, is it surprising that parole outcomes have improved and probation outcomes have not?

* FY 2013 Funding

** Rounded based on 2012 population data

Source: Written and verbal communications with Budget Office, Michigan Dept. of Corrections.

5 Program Resources not Clearly Related to Reducing Criminal Behavior

County A

County B

County C

Community Corrections Funding

Assessment = 4%
 Group-Based = 37%
 Jail Monitor < 1%
 Supv./Case Mgmt. = 22%
 DDJR = 9%
 Admin = 22%

Assessment = 23%
 Group-Based = 17%
 Jail Monitor = 5%
 Supv./Case Mgmt. = 27%
 DDJR = 23%
 Admin = 5%

Assessment = 0%
 Group-Based = 17%
 Jail Monitor = 15%
 Supv./Case Mgmt. = 29%
 DDJR = 4%
 Admin = 27%

Community Corrections Program Delivery

Assessment = 41%
 Elec. Mon. = 10%
 Community Service/
 Work Crew = 15%
 Group-Based = 11%
 Jail Monitor = 0%
 Supv./Case Mgmt. = 6%
 Sub. Abuse = 8%

Assessment = 62%
 Elec. Mon. = 2%
 Community Service/
 Work Crew = 0%
 Group-Based = 1%
 Jail Monitor = 8%
 Supv./Case Mgmt. = 21%
 Sub. Abuse = 0%

Assessment = 0%
 Elec. Mon. = 5%
 Community Service/
 Work Crew = 8%
 Group-Based = 1%
 Jail Monitor = 76%
 Supv./Case Mgmt. = 2%
 Sub. Abuse = 0%

Unclear whether the above are tied to needs of high risk probationers.

POLICY
OPTION
5

Concentrate funding on those programs most likely to reduce recidivism.

Focus resources and measure performance based on the goals of reduced recidivism and improved public safety.

RELATED GOALS:

- Punish predictably
- **Hold offenders accountable**
- **Reduce criminal behavior**

- Adopt definitions and measures for evaluating the success of correctional and judicial efforts to reduce recidivism, ensuring that rearrest rates are part of the definition.
- Funding that MDOC administers and makes available for probation and parole programs and services should be prioritized to achieve the following:
 - Reallocate and increase program funding based on the criminogenic needs of people who will most benefit from the programs.
 - Support programs that adopt evidence-based practices and strategies for reducing recidivism
 - Evaluate community-based programs based on goals and metrics for reducing recidivism.
 - Encourage local innovation, testing new strategies, and increased local capacity to deliver services.

Section Three

Consistency
and
Predictability

Public Safety
and
Cost

Evaluation
and
Monitoring

State and local officials need better tools to monitor and assess impacts of sentencing

- Policymakers are not informed about the impacts of sentencing guidelines
- Current data around crime, victimization and restitution are insufficient

FINDING
6

Policymakers and practitioners do not have an effective mechanism to track sentencing and corrections outcomes.

6 Sentencing Guidelines Have Not Been Comprehensively Analyzed Since Taking Effect in 1998

- Original Sentencing Commission was meant to provide ongoing monitoring of the impact of the guidelines and any modifications to them over time, and intended to define probation revocation terms for guidance to practitioners.
- Commission was disbanded before it could achieve either of these goals.
- Legislature modifies sentencing without independent analysis of the public safety and fiscal impacts of these changes.

POLICY
OPTION
6

Monitor changes to the state's sentencing practices, along with their impact.

Establish a body and standards to independently and collaboratively monitor sentencing and system performances.

RELATED GOALS:

- **Punish predictably**
- **Hold offenders accountable**
- **Reduce criminal behavior**

- Establish a permanent criminal justice policy commission, sentencing commission, or a comparable presence in Michigan to monitor the impacts of modifications to the guidelines system, and provide policy makers with guidance related to sentencing and the effective implementation of criminal justice policies.
- Ensure appropriate stakeholder representation by including the following perspectives: victim, law enforcement, prosecution, defense, judicial, counties, community corrections, probation, jail, corrections, reentry, and possibly academic experts.

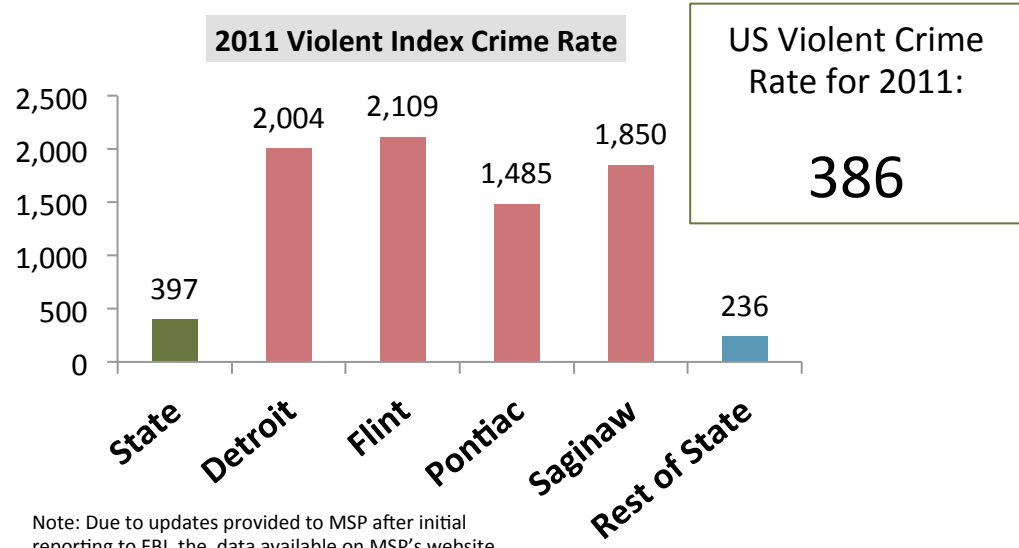
FINDING
7

Data currently collected do not sufficiently measure victimization or inform the extent to which restitution is collected.

7 Crime and Arrest Statistics Improving, but High Crime Persists in Specific Communities

Michigan CJ Trend	2000-2012	2008-2012
Violent Crime	- 28%	- 16%
Property Crime	-29%	- 17%
Violent Arrests	- 35%	- 15%
Property Arrests	- 1%	- 9%
Simple Assault Arrests	+ 1%	+ 19%
Weapons Arrests	- 12%	- 7%
Narcotics Arrests	- 6%	- 13%
DUI Arrests	- 47%	- 23%

	2000	2012	
Violent Crime Rate (per 100K)	543	397	- 27%
Property Crime Rate (per 100K)	3,444	2,466	- 28%



Note: Due to updates provided to MSP after initial reporting to FBI, the data available on MSP's website differs from that reflecting MI in the FBI UCR.

Limited Information about Restitution Collection Rates Across Systems and Agencies

- Crime Victims Rights Act establishes victim restitution collection as responsibility of the court, but no single agency tracks and enforces restitution orders
- Existing coordination between the State Court Administrator's Office and the Attorney General's office to improve collection tracking and data, but rates of collection remain unknown.

POLICY
OPTION
7

Survey levels of statewide victimization and track restitution collection.

Collect information about victimization beyond traditional crime reporting data, and establish restitution assessment and collection as performance measure for the courts and MDOC.

- Construct and administer a statewide victimization survey to identify crime not captured by uniform reporting.
- Adopt the measurement of restitution assessment and collection as a court and MDOC performance measure with regard to collection among probationers, prison inmates, and parolees.

RELATED GOALS:

- Punish predictably
- **Hold offenders accountable**
- Reduce criminal behavior

Summary of Policy Options

Consistency and Predictability

- Structure guidelines to produce more consistent sentences
- Make prison time served more predictable

Public Safety and Cost

- Use risk of re-offense to inform use of supervision
- Hold people accountable and increase public safety for less cost
- Concentrate funding on programs most likely to reduce recidivism

Education and Monitoring

- Monitor changes to sentencing practices and their impact
- Survey victimization and track restitution assessment and collection

Thank You



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