



JUSTICE★CENTER
THE COUNCIL OF STATE GOVERNMENTS
Collaborative Approaches to Public Safety

Justice Reinvestment in Michigan:

Analyses & Policy Options

January 22, 2009 - Lansing, Michigan

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**Stakeholder Forum
Hosted by the
Justice Reinvestment
Working Group**

Background

- **Governor Granholm and legislative leaders requested technical assistance from the CSG Justice Center**
- **State leaders established a bipartisan, bicameral, and inter-branch working group to review analyses and policy options developed by the Justice Center**
- **The working group asked the Justice Center to develop a policy framework that would accomplish the following goals:**
 - **Reduce crime and victimization caused by people on probation and parole**
 - **Reduce spending on corrections**
 - **Increase public safety in high-crime neighborhoods**

Methodology

- **Analyzed data from the Department of Corrections, State Police, Department of Education, Department of Labor & Economic Growth, Commission on Law Enforcement Standards, and Prosecuting Attorney's Association.**
- **Convened roundtable discussions and interviews with representatives from county and local government, and community-based organizations**

1.

Deter criminal activity

Law enforcement and the crime lab at the breaking point

Blueprint for a safer Michigan calling for more emphasis on prevention

Education & employment identified as key issue area

2.

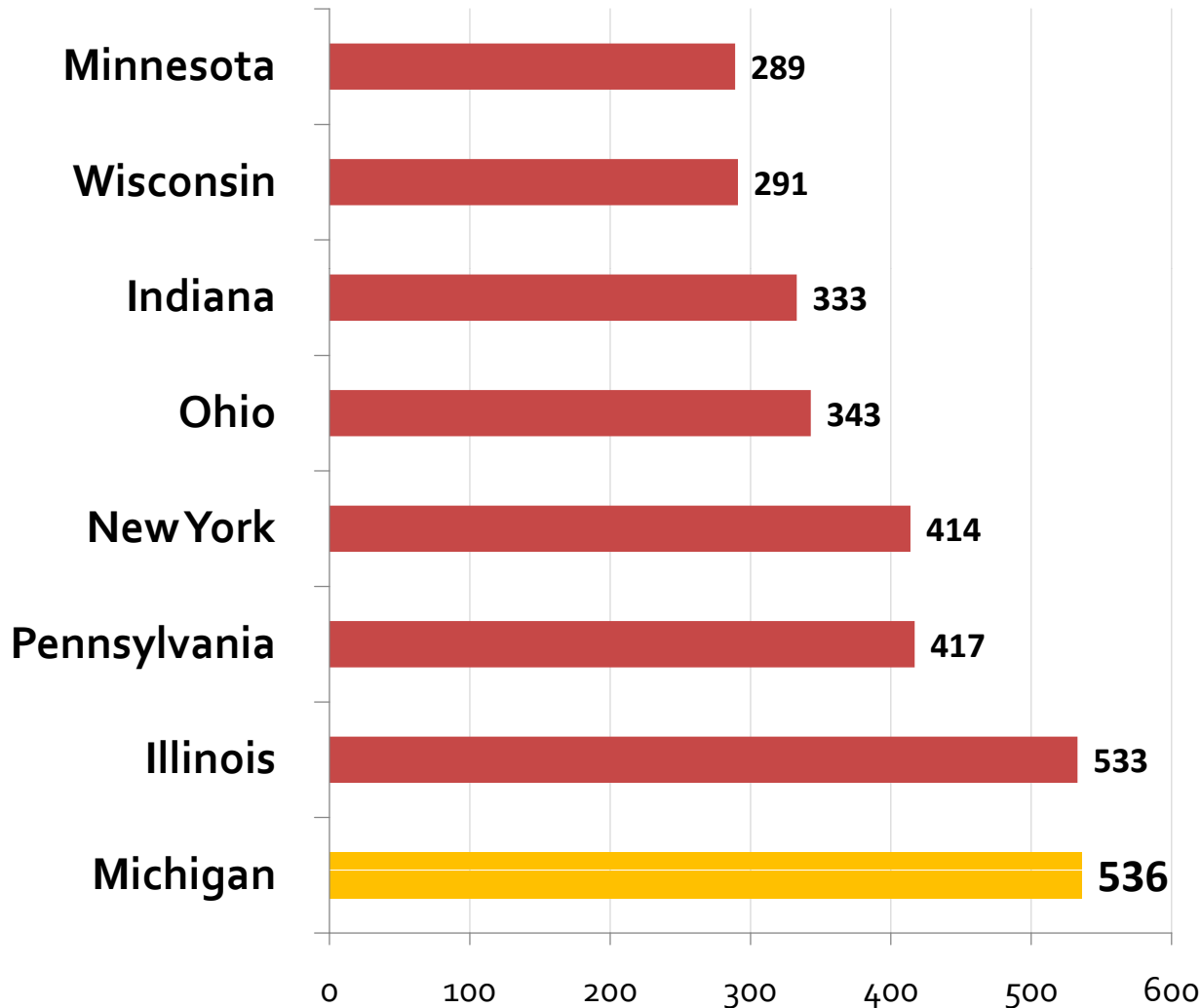
Lower recidivism

3.

Reduce spending on corrections

Violent Crime Comparison

2007



Michigan has the highest rate of violent crime in the Great Lakes region

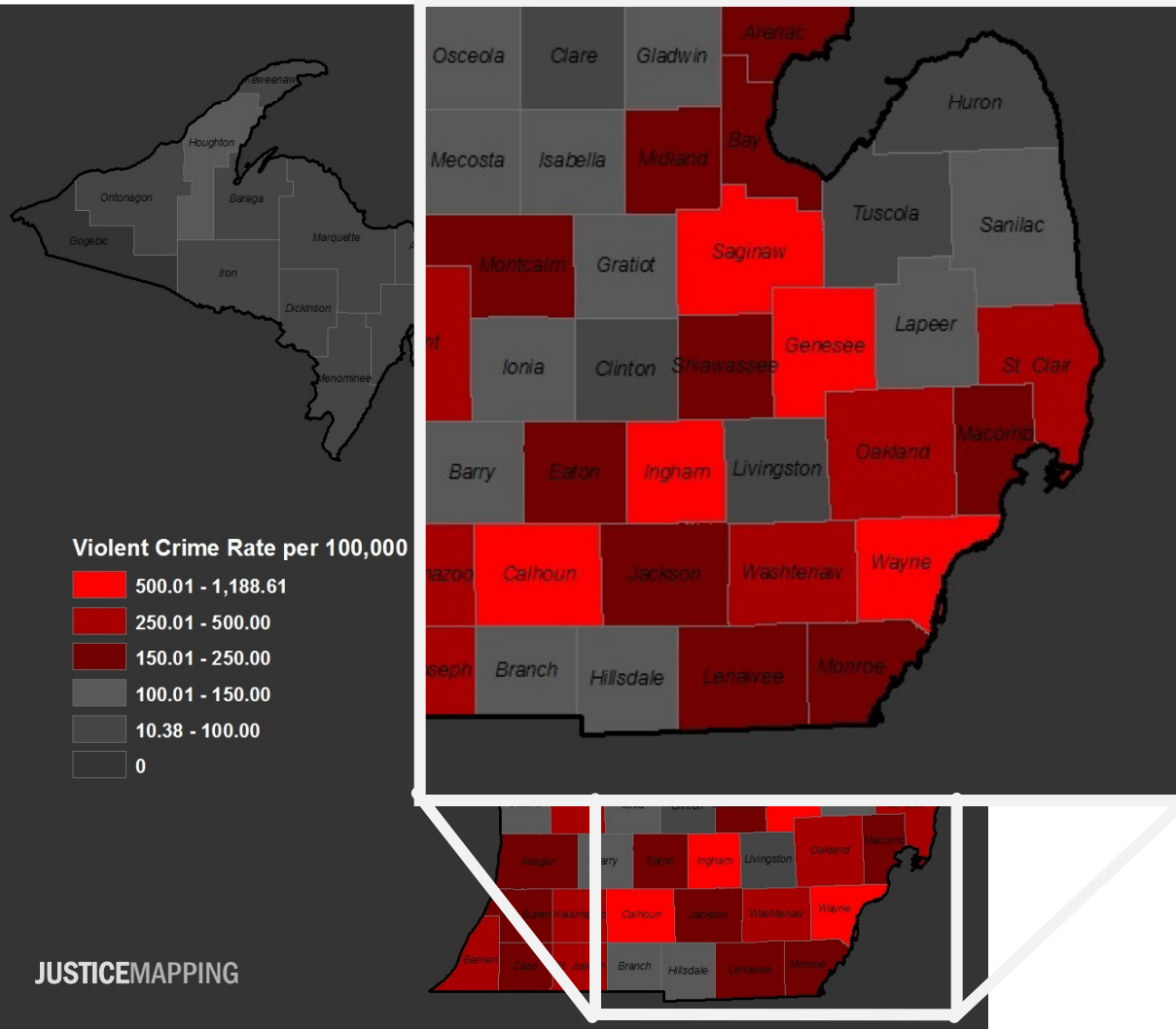
Violent crime rate in MI is 29 percent greater than in NY

Violent Crime Across Michigan

2007

Counties with violent crime rates > 500 per 100,000

	No. Violent Crimes	Violent Crime Rate
Wayne	23365	1188.6
Saginaw	2129	1033.4
Genesee	3474	784.8
Calhoun	1075	779.1
Ingham	1585	573.1



Homicide

People ages 17-39 represent ~30 percent of Michigan's population...

...but 57 percent of homicide victims

African Americans represent 14 percent of Michigan's population...

...but 72 percent of homicide victims

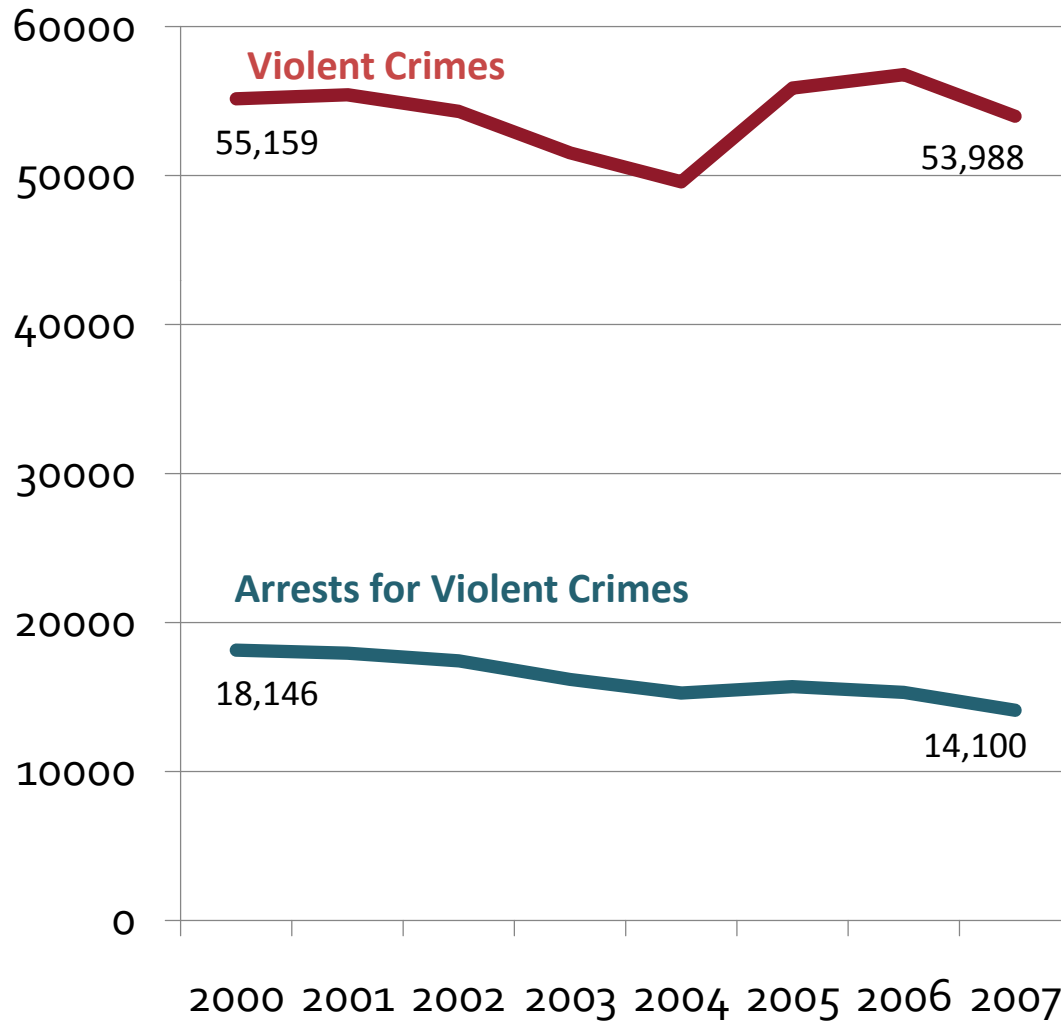
From 2000-2006, the number of murders increased by 11 percent

Clearance Rates

	Michigan	National Average
Violent Index Crime	28 %	44 %
Murder	37 %	61 %

Violent Crime & Arrests

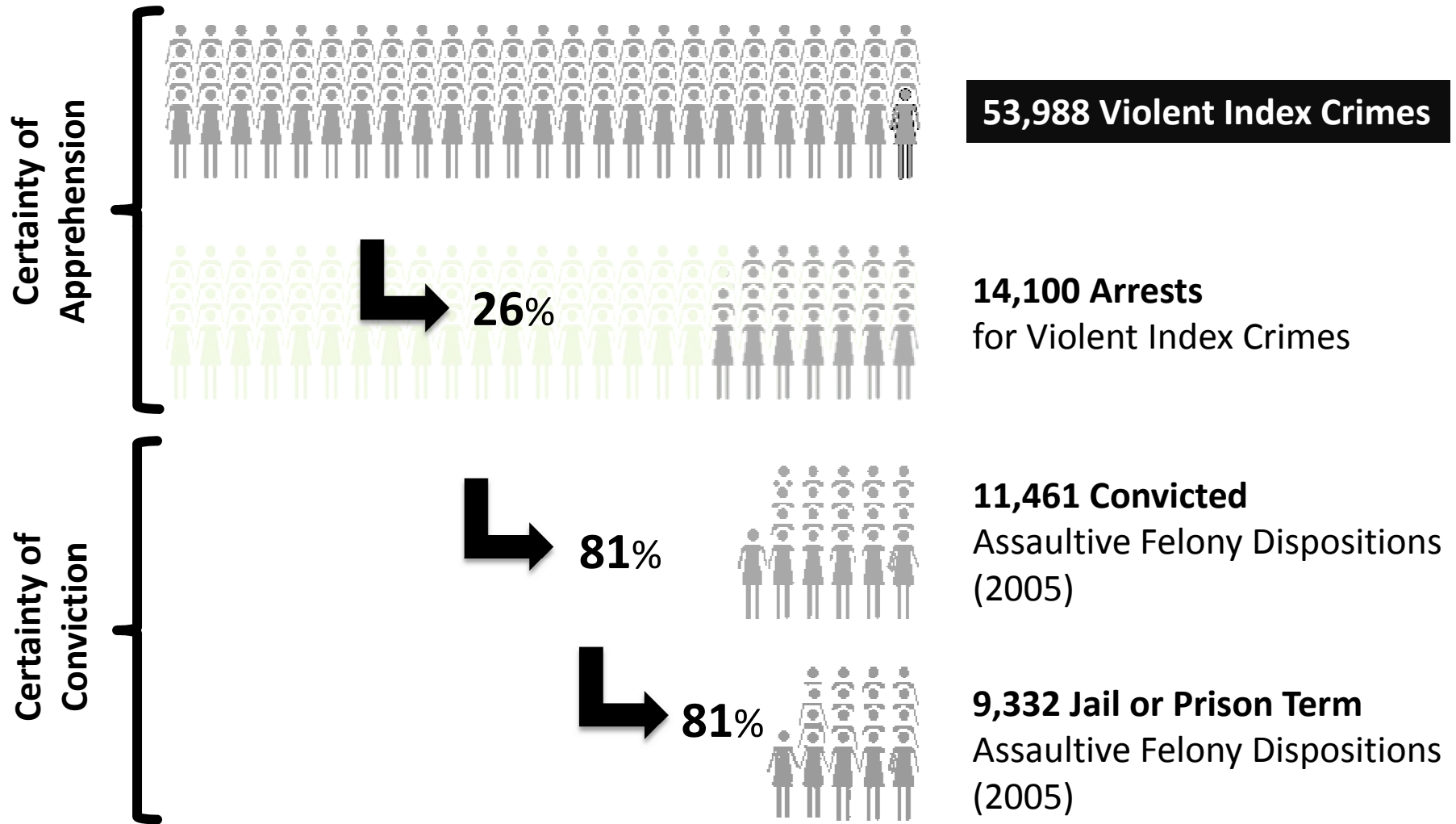
2000-2007



2% decline in violent index crimes (murder, rape, robbery and aggravated assaults) reported to the police

22% decline in arrests for those crimes over the same period

Certainty Level Low

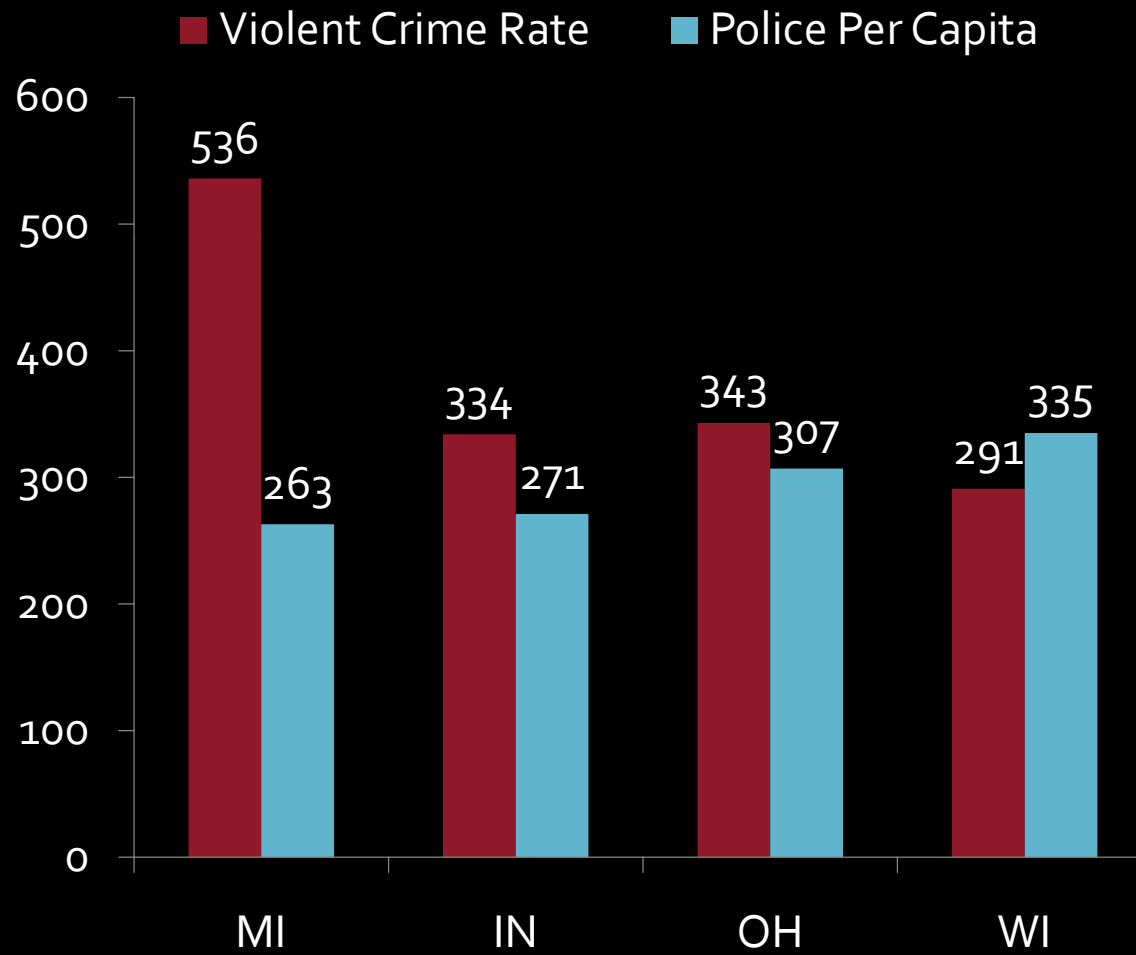


Source: Crime and arrest data from 2007 FBI UCR report (violent index crimes include: murder, rape, robbery, and aggravated assault). Felony disposition data is from 2005 DOC data and refers to assaultive offenses which is a broader definition than violent index offenses.

Crime Lab Backlog

- Backlogs at the state's crime lab delay criminal investigations and undermine the swift and certain apprehension of offenders.
- Average delay due to backlog:
 - DNA 135 days
 - Firearms 101
 - Latent prints 58
 - Trace evidence 53
 - Polygraph 37
 - Drug analysis 34
 - Toxicology 33
- The recent closure of the Detroit crime lab in the fall of 2008 will exacerbate these already existing backlogs at the state labs.

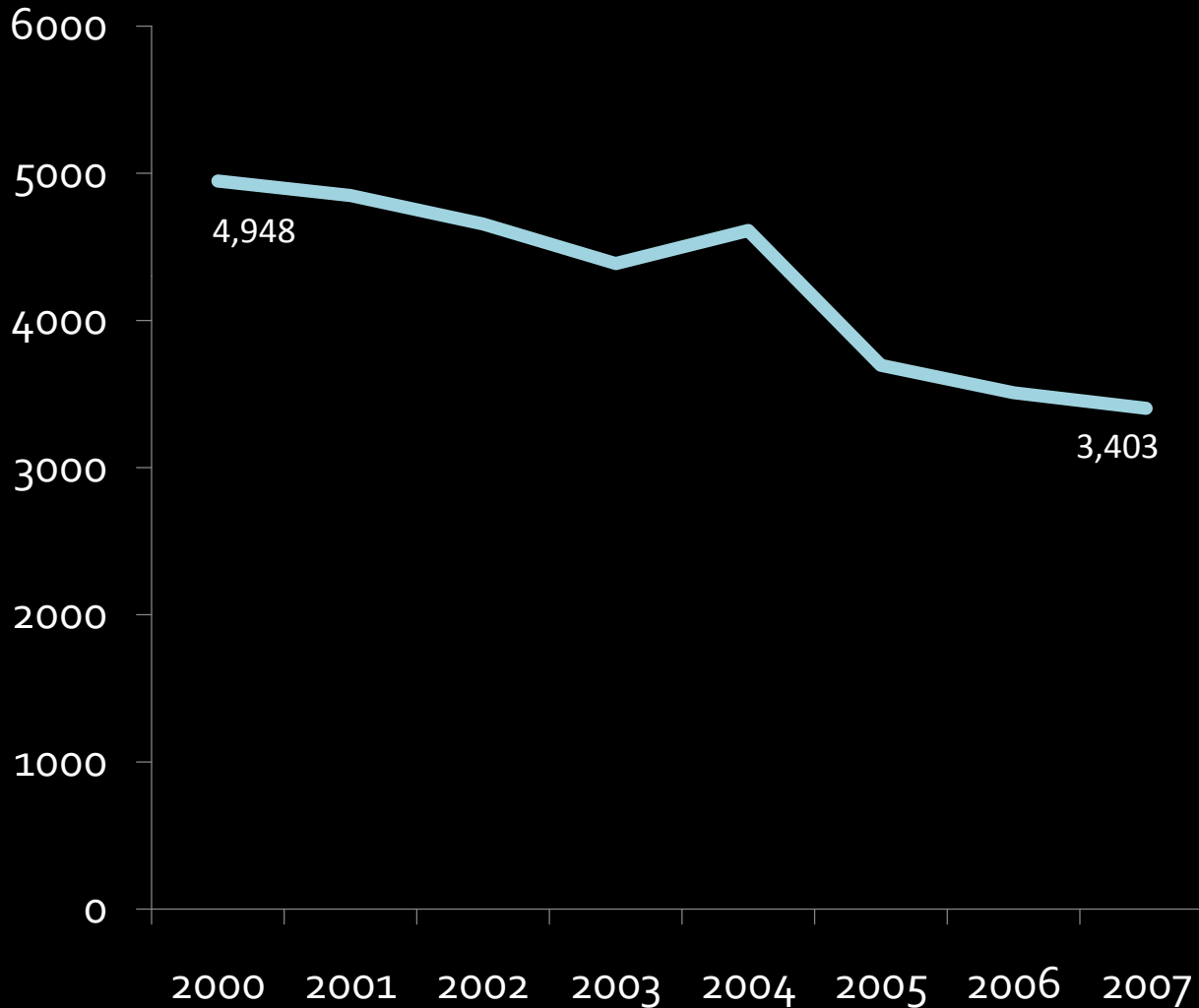
Violent Crime & Police Per Capita



Michigan has the highest violent crime rate in the Great Lakes region...

...but the fewest law enforcement personnel per capita in the region

Detroit Law Enforcement Staffing 2000-2007

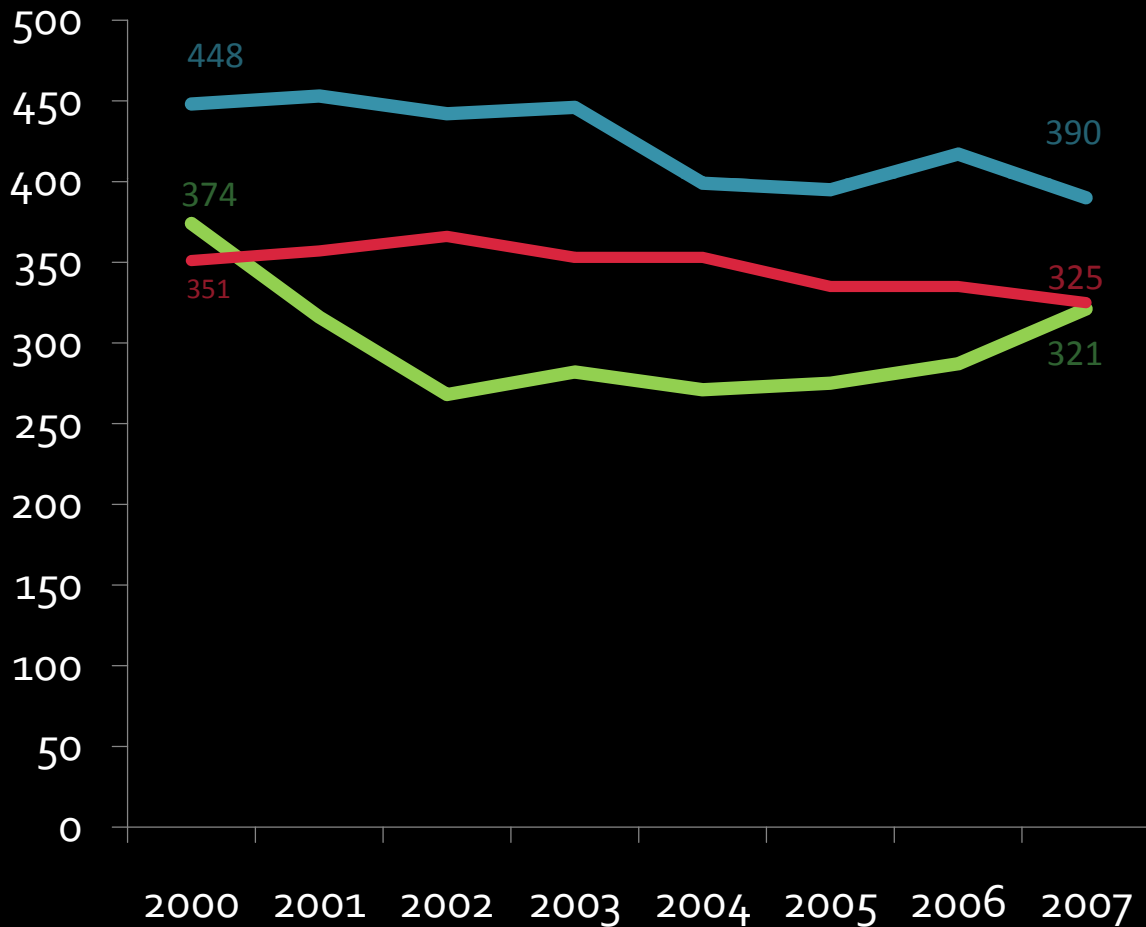


Detroit law enforcement personnel has declined by **31 percent** since 2000, or **1,545 positions**

Detroit's population declined by 4 percent during this time period

Law Enforcement Staffing

2000-2007



Change in law enforcement personnel

Grand Rapids -13%

Lansing -7%

Flint -14%

Source: FBI UCR Data on all full time law enforcement employees (sworn officers and civilian combined), 2000-2007.

Disconnected Youth

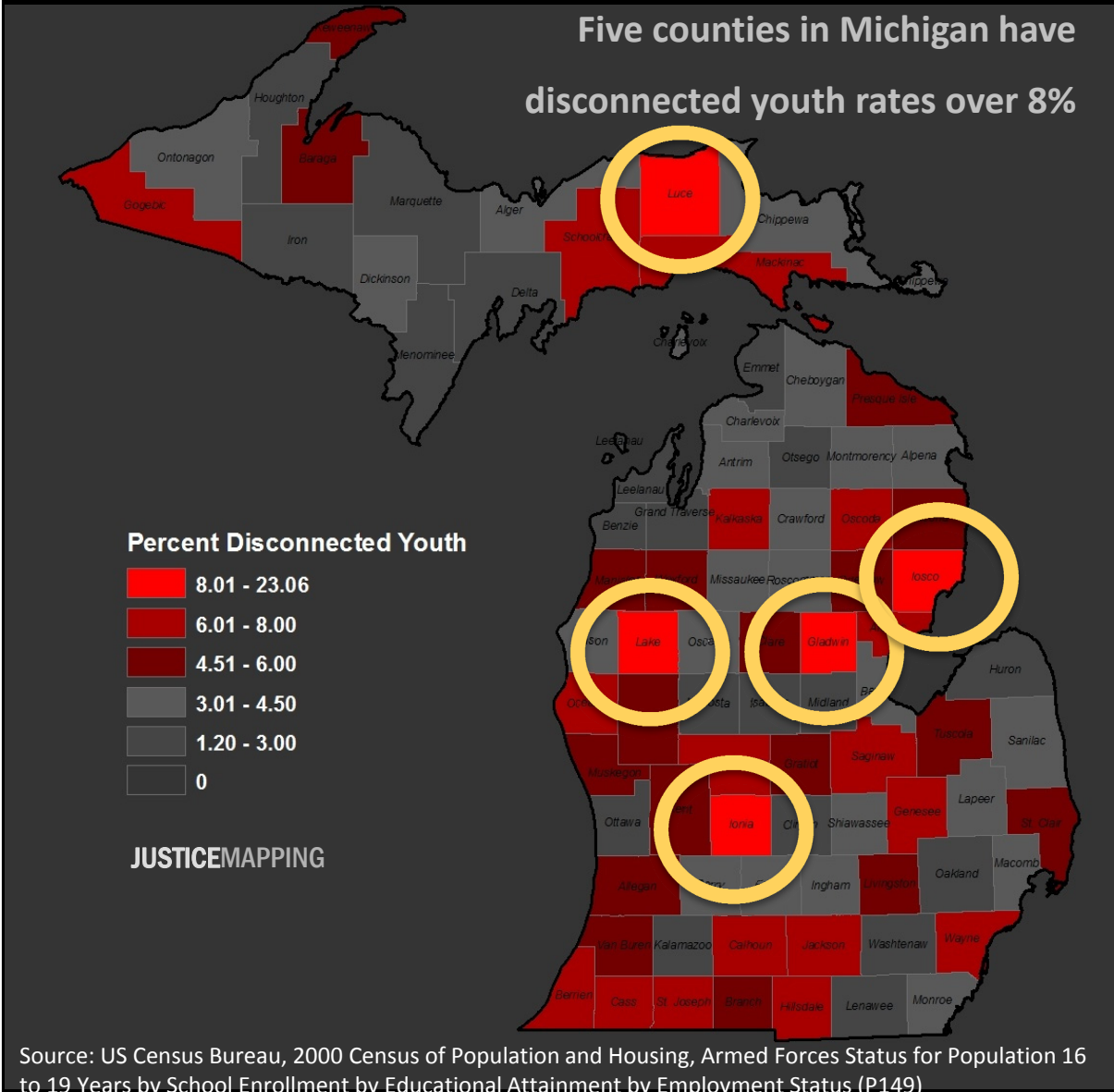
- **Michigan has a large number of unemployed, disconnected youth, who are at particular risk of involvement in the criminal justice system.**
- **Across Michigan, more than 27,500 young adults between the ages of 16-19 are neither working nor attending school and do not have their high school diploma.**
- **Young men between the ages of 17 and 24 commit 26 percent of violent index crimes, despite comprising only 6 percent of the state's population.**

Disconnected Youth

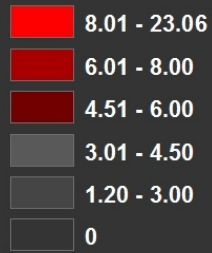
(2000)

Analyses: Deter criminal activity

Five counties in Michigan have disconnected youth rates over 8%



Percent Disconnected Youth



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**Disconnected Youth are 16-19 year- olds who are:
not working,
not in school, and
have no diploma.**

Counties with disconnected youth rates over 8%

Counties	% Disconnected Youth
Lake	23.1%
Luce	16.7%
Ionia	9.8%
Iosco	8.4%
Gladwin	8.1%

Source: US Census Bureau, 2000 Census of Population and Housing, Armed Forces Status for Population 16 to 19 Years by School Enrollment by Educational Attainment by Employment Status (P149)

**1.
Deter criminal
activity**

**2.
Lower recidivism**

**3.
Reduce spending on
corrections**

**A.
Support local law
enforcement's targeted
crime-fighting strategies**

**B.
Reduce crime lab
backlogs to speed
investigations**

**C.
Increase employment
opportunities for at-risk
young adults**

1A.

Support local law enforcement's targeted crime-fighting strategies

- **Create and fund a demonstration grant program for local law enforcement agencies to design and deploy specific crime-fighting operations in partnership with local prosecutors and community and faith-based groups. Funds could support activities such as overtime, analysis of crime data, and police/community partnerships.**
- **Direct the Michigan Department of Corrections to adapt the state's information system for supervising probationers and parolees to meet the needs of law enforcement.**

1B.

Reduce crime lab backlogs to speed investigations

- **Provide the Michigan State Police with additional resources to reduce significantly the delays in processing evidence. State funding should help cover the costs associated both with hiring and training additional staff and with outsourcing expenses while new staff is being trained.**

1C.

Increase employment opportunities for at-risk young adults

- **Target young adults who are disconnected from both school and work and are at-risk for criminal involvement and victimization.**
- **Support, in partnership with private foundations, demonstration projects in communities with the highest percentages of disconnected young adults. Engage and provide an intensive set of education and employment opportunities to disconnected young adults in these communities.**

1.

Deter criminal activity

2.

Lower recidivism

Lack of swift & certain options for responding to violations

Sense that people under supervision committed significant portion of crime

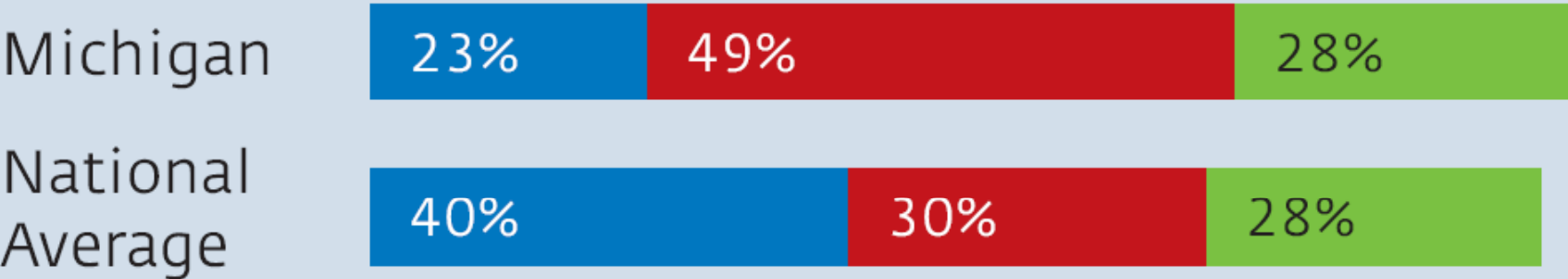
Without links to employment people on supervision will not succeed

3.

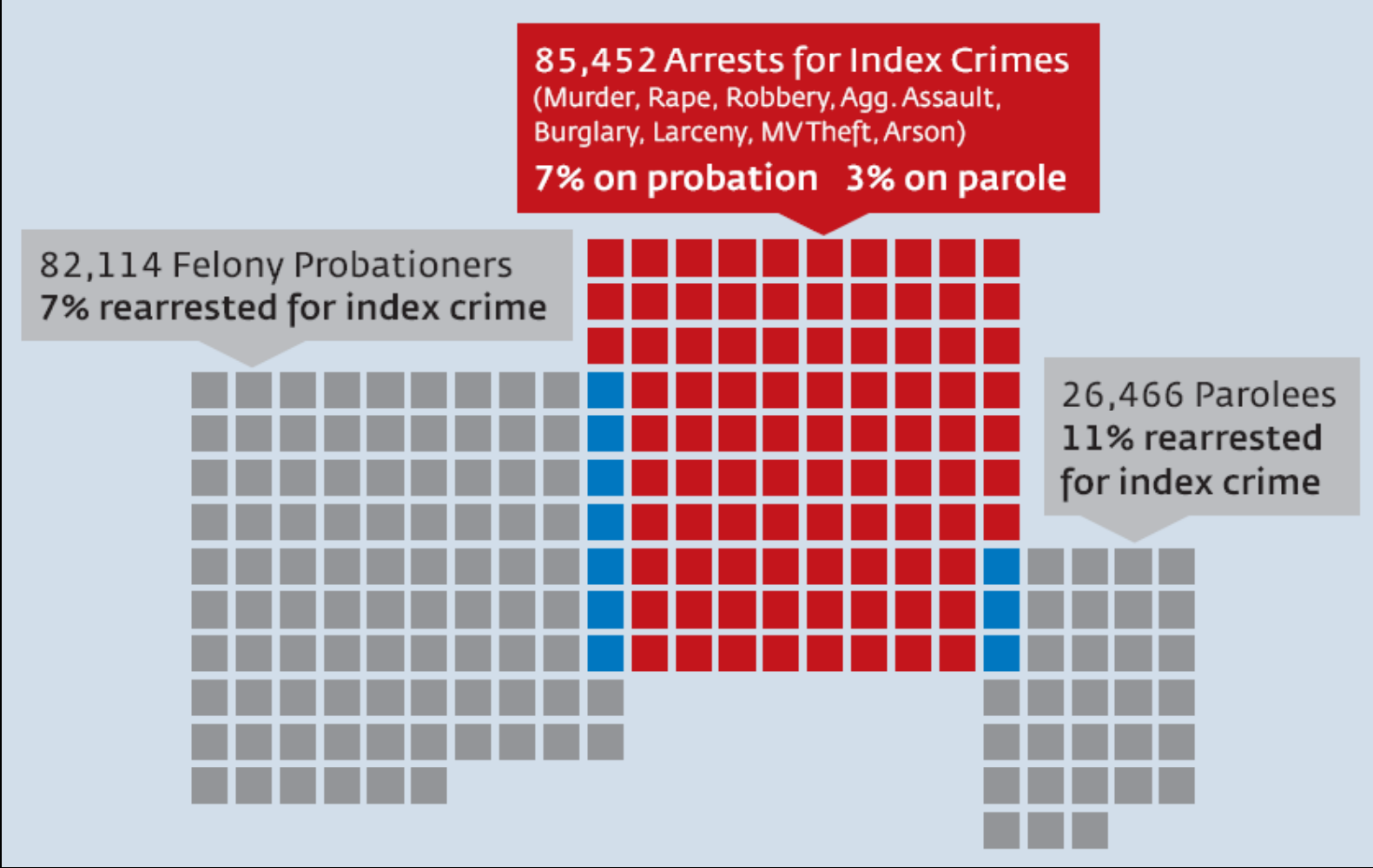
Reduce spending on corrections

Percent of Felony Convictions Resulting in Prison, Jail, or Probation Sentence: Michigan vs. National Average

■ PRISON ■ JAIL ■ PROBATION

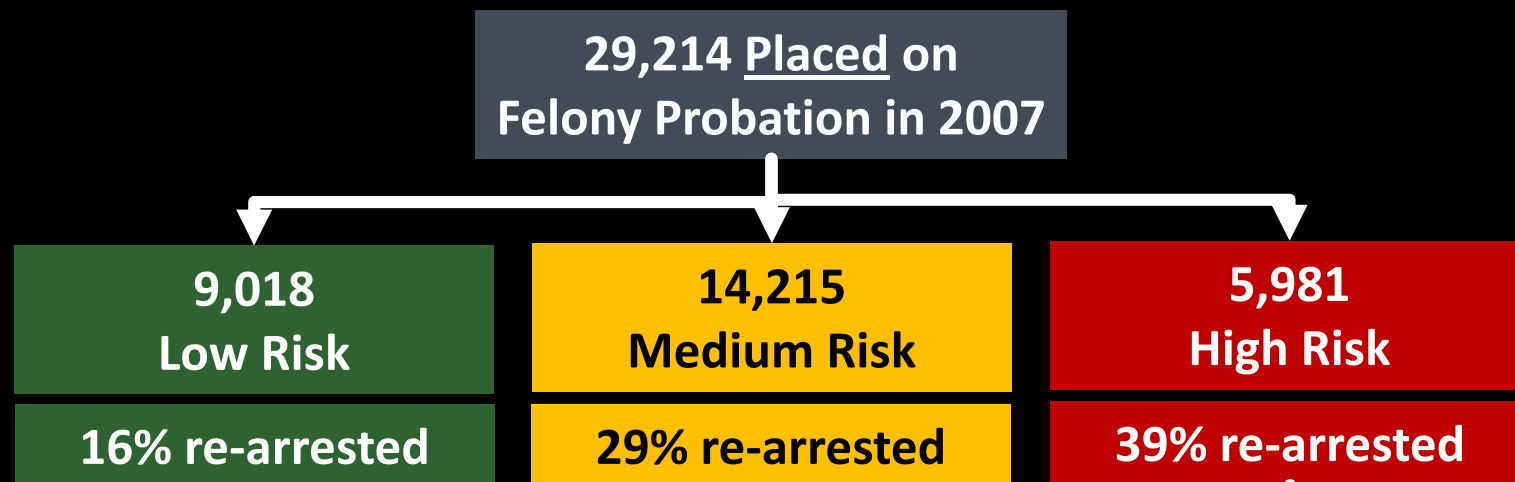


Re-Arrests of People on Felony Probation & Parole, 2007



Source: CSG Analysis of 2007 parole e and probation populations matched to Michigan State Police arrest records.
Note: MI UCR Estimated Arrests are using 2006 data, due to 2007 data not yet having been released by Michigan State Police.

Target High Risk Probationers



Profile of High Risk Probationers:

- 83% need substance abuse treatment
- 42% less than 11th grade education
- 21% known mental illness

Unemployment Among Probationers and Parolees

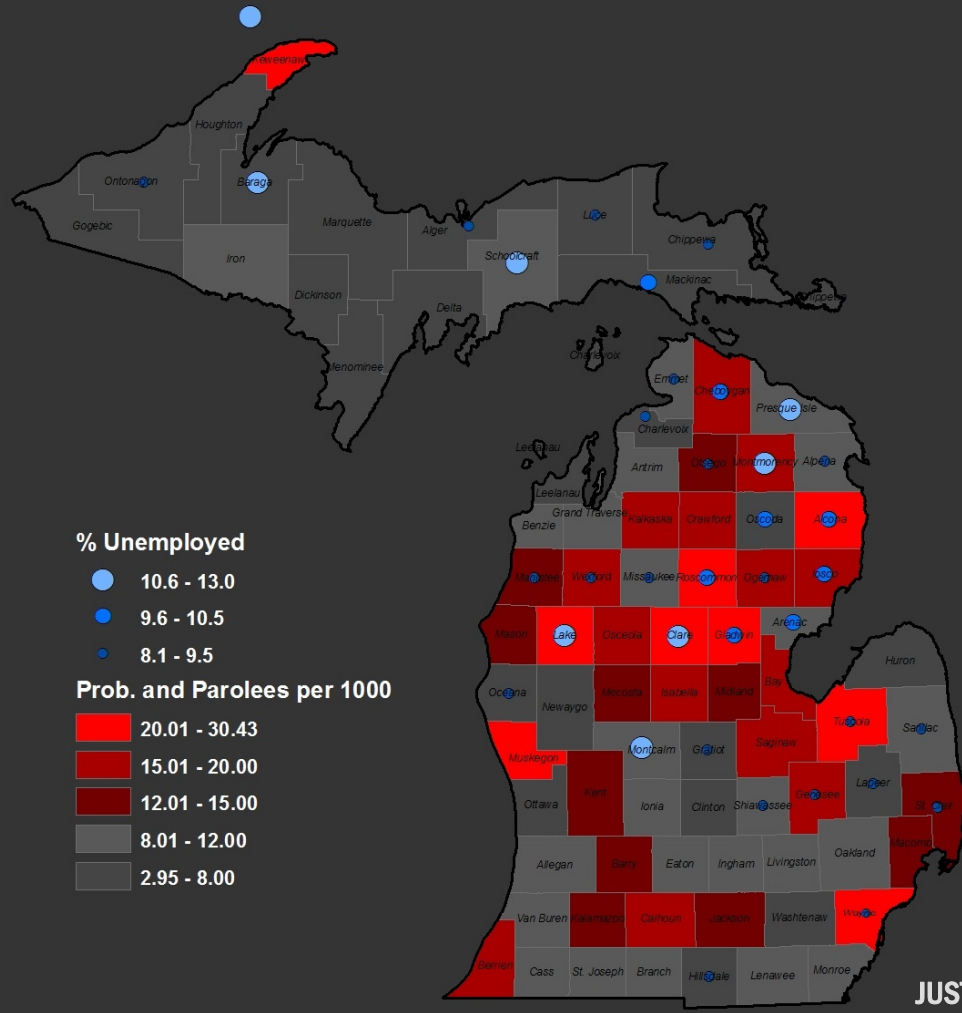
- 50-70 percent of parolees are unemployed
- 50 percent of probationers are unemployed

Parolees / Probationers per 1000 (2007)

Unemployment (2007)

Michigan Counties

Eight counties in Michigan have unemployment rates over 10%.



Counties*

Counties	No. Parole Prob.	Parole Prob. Per 1000	% Un-employed
Keweenaw	28	30.4	10.7%
Roscommon	240	23.4	9.6%
Muskegon	2010	22.8	7.1%
Gladwin	261	22.7	10.1%
Lake	109	21.5	10.7%
Tuscola	604	21.4	8.3%
Clare	284	20.7	10.6%
Alcona	91	20.3	10.1%
Wayne	20567	20.2	8.8%

*Counties with Probation/Parole rates > 20 per 1000

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Source: US Dept of Labor, Bureau of Labor Statistics, Unemployment Data by County, 2007, <http://www.bls.gov/lau/>; Parole Population Snapshot, 5/28/2008; Probation Population Snapshot, 7/10/2008

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**B.
Respond to violations
with swift, certain, and
proportional sanctions**

**C.
Increase employment
opportunities for at-risk
young adults**

**C.
Expand employment
services for high-risk
probationers/parolees**

2A.**Reduce rates of re-arrest among probationers**

- **Improve risk assessment and data systems to allow probation officers to target supervision resources and interventions at high-risk probationers.**
- **Assess the quality of community corrections programs.**
- **Revise Michigan's Community Corrections Act to focus resources on probationers determined to be high-risk, as defined not simply by the offense committed, but by a validated risk instrument.**
- **Provide local Community Corrections Advisory Boards with funds to target high-risk probationers with the goal of reducing re-arrest rates for this population by 10 percent.**

2B.

Respond to probation violations with swift and certain sanctions

- **Establish pilot projects in jurisdictions where capacity in local jails is set aside to allow the application of short and swift jail stays in response to violations.**

2C.

Expand employment services for high-risk probationers/parolees

- **Target high-risk probationers returning from jail and parolees returning from prison to maximize reductions in recidivism.**
- **Reinvest in pilot sites that will provide immediate transitional employment, including job placement services, case management, mentoring, and basic skill-building.**

1.

Deter criminal activity

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Lower recidivism

3.

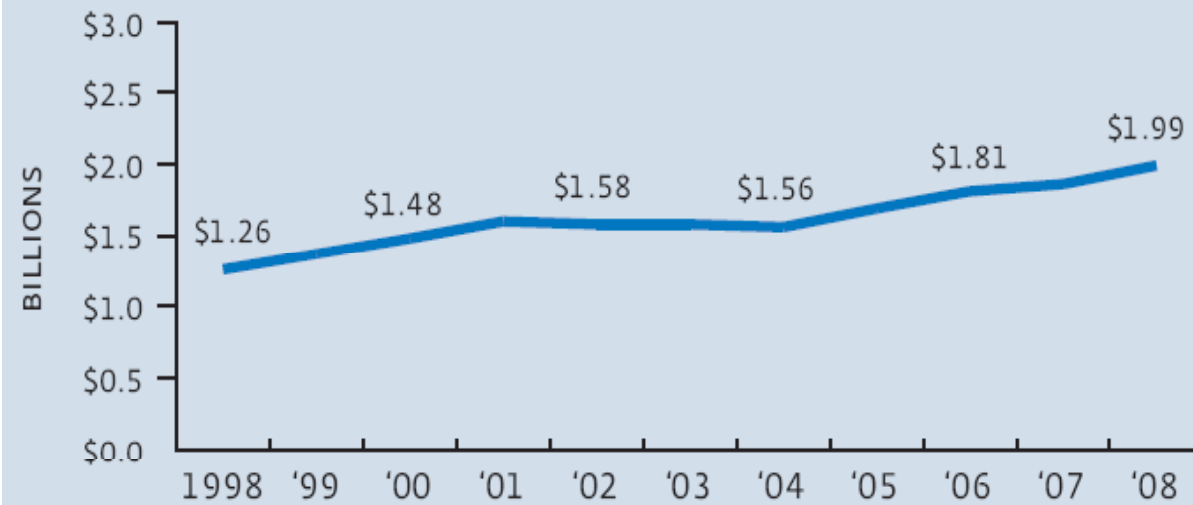
Reduce spending on corrections

Questions about how the length of time served compares to other states

Sense that some corrections resources could be better spent on other crime strategies

State Spending on Corrections

Michigan Department of Corrections
Budget, 1998-2008



Spending on corrections increased 57 percent over the past 10 years

As a share of general fund expenditures, corrections grew from 16.2 to 22.6 percent

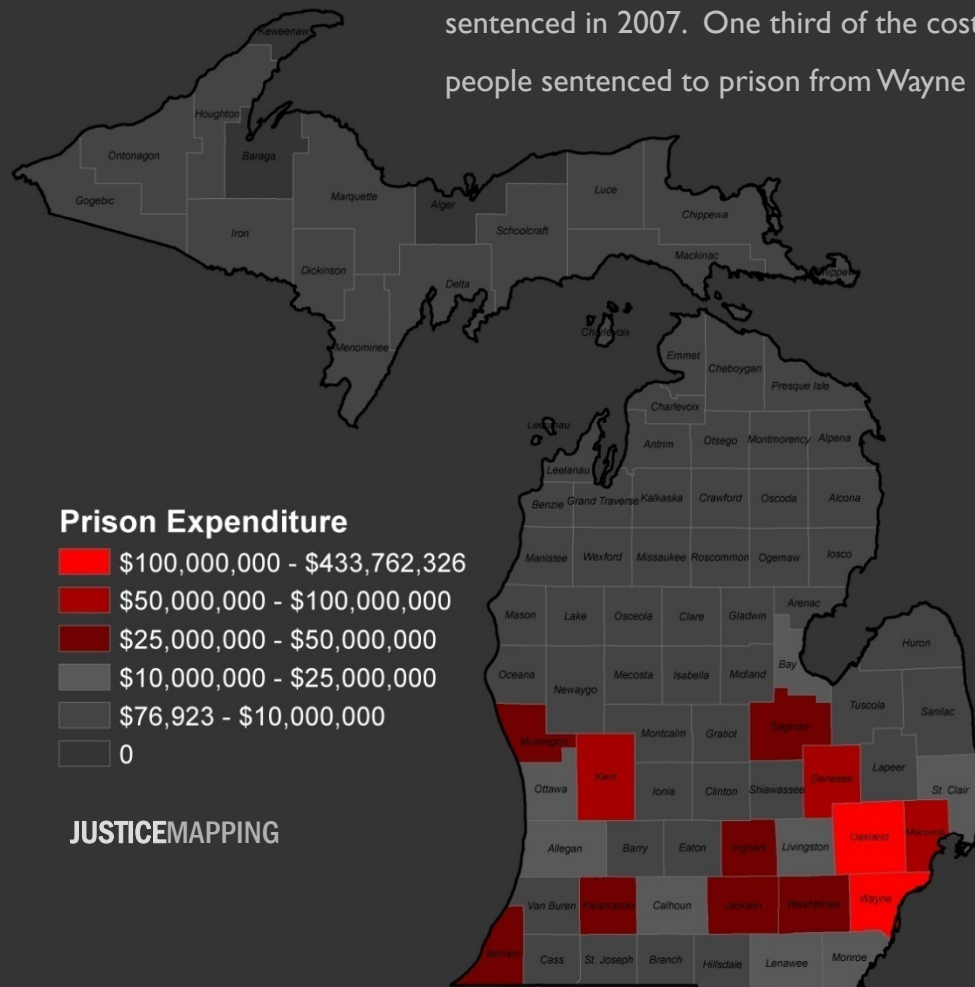
One out of every three state workers is employed by the Michigan Department of Corrections

Estimated Annual Prison Expenditures

2007

Michigan taxpayers will pay over \$1.2 billion to imprison people sentenced in 2007. One third of the costs are accounted for by people sentenced to prison from Wayne County.

Counties*

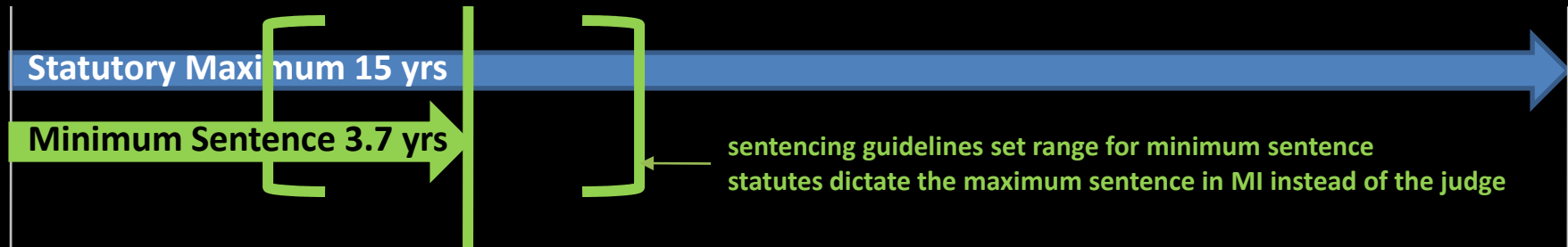


Counties	Prison Bed Years	Estimated Annual Expenditure
Wayne	14,458	\$433,762,326
Oakland	3,402	\$102,049,419
Kent	3,301	\$99,040,635
Macomb	2,068	\$62,050,791
Genesee	2,064	\$61,932,159
Muskegon	1,285	\$38,549,280
Saginaw	1,232	\$36,951,132
Berrien	952	\$28,550,370
Kalamazoo	917	\$27,513,579
Washtenaw	896	\$26,888,841
Ingham	880	\$26,404,695
Jackson	864	\$25,934,124
Calhoun	671	\$20,130,546
State Total	41,331	\$1,239,926,997

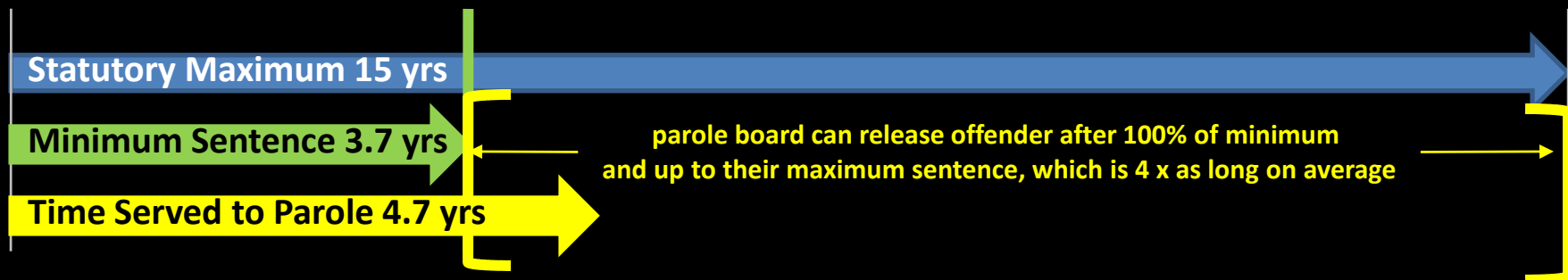
*Counties with expenditures > \$20M

Michigan's Sentencing Structure is Unique Among the States

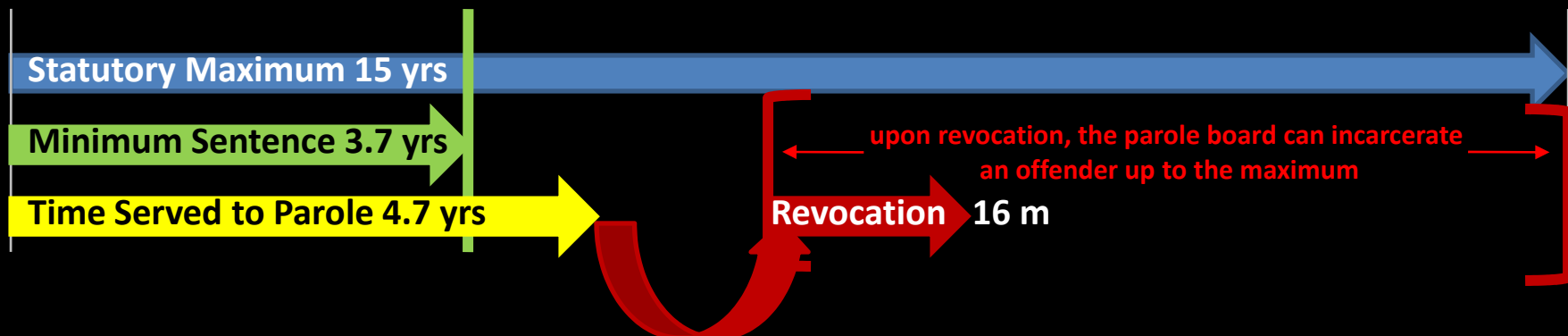
1. Judge Sentences Burglar Within Sentencing Guidelines to 3.7 years



2. Parole Board Releases Burglar After Serving 4.7 years or 127% of Minimum



3. Parole Board Returns Burglar to Prison for 16 months for Violations



Analysis of Difference in Time Served

Offense	Percent of convictions resulting in a prison sentence		Time served in prison (in months)		
	National (2004 court disposition data)	Michigan (2005 court disposition data)	National Average (2003 releases)	Michigan Average (2007 releases)	Michigan Minimum Sentence (2007 releases)
Murder	89%	86%	147	142	139
Robbery	72%	77%	64	97	73
Sexual Assault	61%	63%	79	105	61
Aggravated Assault	43%	38%	42	64	49
Burglary	49%	38%	29	52	33

Percent of Sentence Served

2007 Releases

Offense	Court Imposed Sentence (minimum sentence in months)	Average % of Sentence Served (first release to parole)
Murder	136	104%
Robbery	73	123%
Sexual Assault	61	159%
Aggravated Assault	49	117%
Burglary	33	136%
Larceny	21	153%
Total	38	127%

Offenders Released Without Supervision

- More than 1,000 offenders were released in 2007 to no community supervision. These offenders have “maxed out” their term of imprisonment; they have served the maximum period of imprisonment allowed by statute.
- These offenders served an average of 8 years in prison, and 200 percent of their minimum court imposed sentence.
- Without post-release supervision, it becomes more difficult to ensure a smooth transition to the community, which could potentially reduce this population’s likelihood of committing new crimes.

Policy Options: Overview

**1.
Deter criminal
activity**

**2.
Lower recidivism**

**3.
Reduce spending on
corrections**

**A.
Support local law
enforcement's targeted
crime-fighting strategies**

**A.
Reduce rates of re-arrest
among probationers**

**A.
100-120% of Minimum
Sentence to be Served**

**B.
Reduce crime lab
backlogs to speed
investigations**

**B.
Respond to technical
violations with swift,
certain, and
proportional sanctions**

**B.
Limit time served on first
parole revocation for
condition violations**

**C.
Increase employment
opportunities for at-risk
young adults**

**C.
Expand employment
services for high-risk
probationers/parolees**

**C.
Ensure supervision for
everyone released from
prison**

**D.
Administrative Post-ERD
Reduction**

3A.

Ensure that offenders in prison serve 100-120% of their court-imposed minimum sentence.

- **Require that people sentenced to prison after April 1, 2009 serve no less than 100% of their court-imposed minimum sentence and no more than 120% of that sentence.**
- **Offenders who are serving sentences with a statutory maximum of life would not be affected by this policy.**
- **Permit the parole board to hold an offender beyond 120% of their minimum sentence in cases where the offender poses a very high risk of re-offending.**

Example of the 100-120% Policy Option

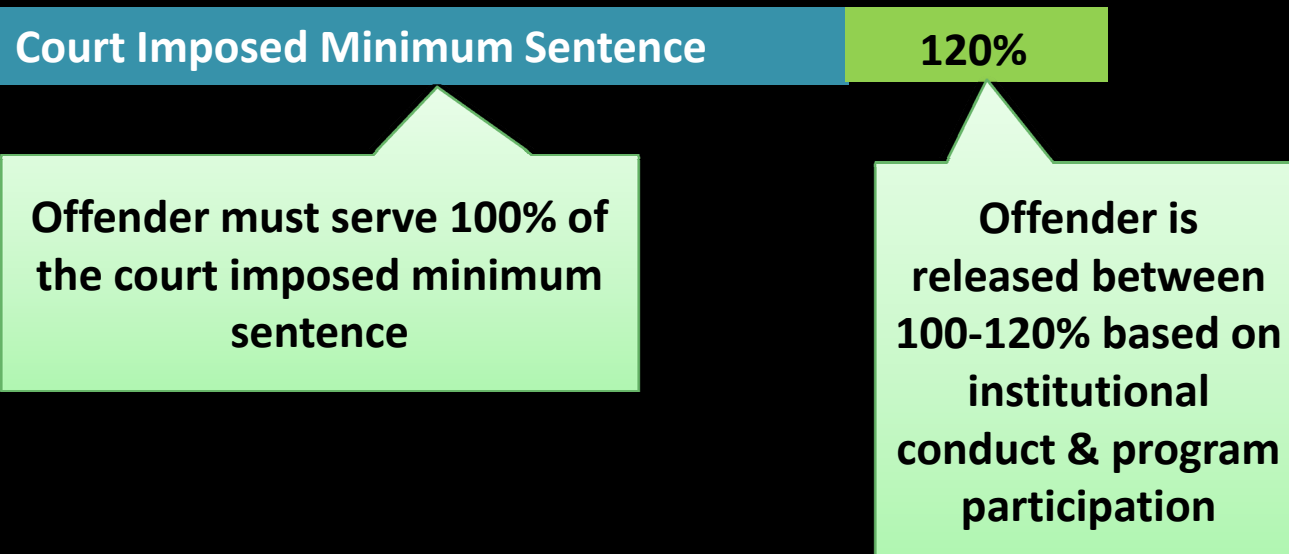
Current Policy of Maximum Sentence Set by Statute



Policy Option of Setting Maximum Sentence at 120% of the Court Imposed Sentence



Similar to North Carolina Sentencing Structure



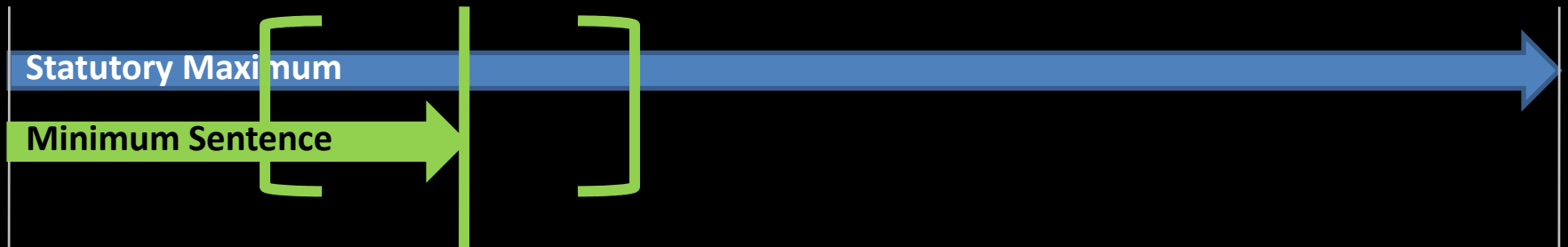
3B.

Limit time served on first parole revocation for condition violations

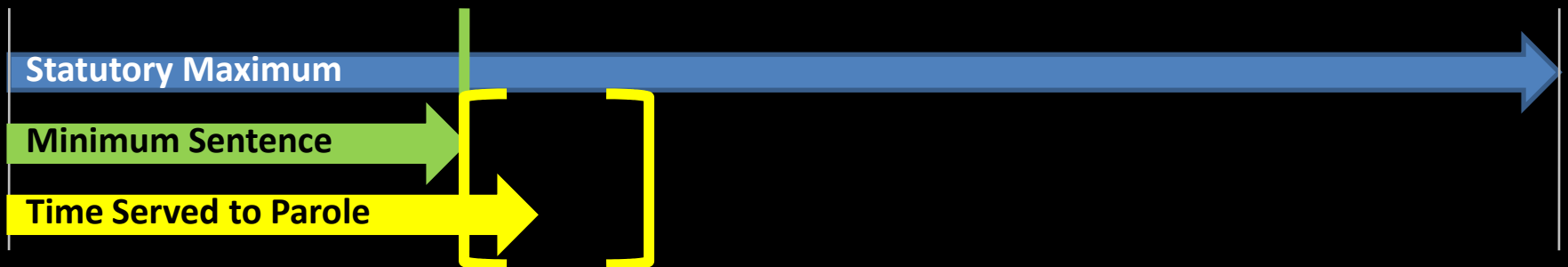
- **Require people revoked for the first time from parole for condition violations to serve no more than 9 months in prison**
- **Apply this policy to anyone admitted to prison after April 1, 2009, for their first parole revocation**

Sentencing Structure in Michigan with Option 3A + 3B

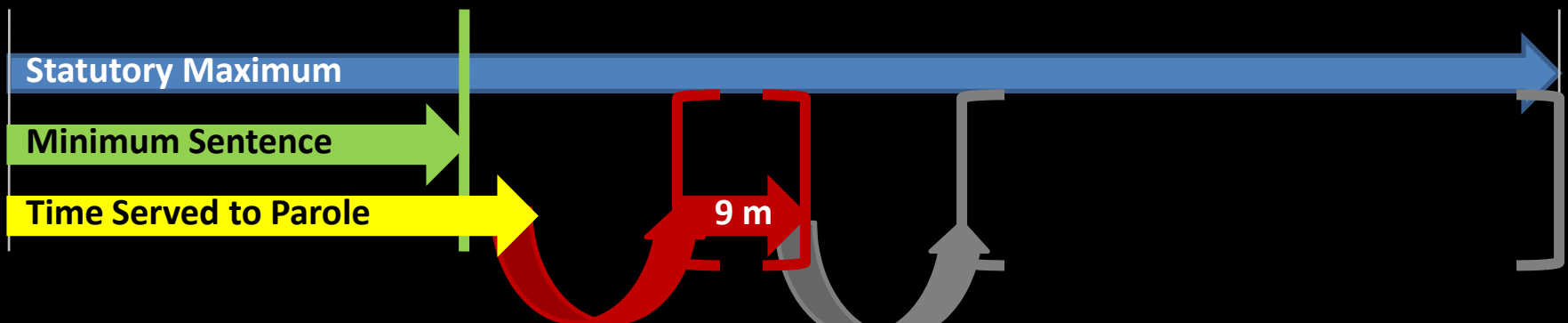
1. Judge Sentences Burglar Within Sentencing Guidelines to 3.7 years



2. Parole Board Releases Burglar Between 100% and 120% of Minimum Sentence



3. Parole Board Returns Burglar to Prison for up to 9 Months on First Revocation



3C.

Ensure supervision for everyone released from prison.

- **Require offenders who have served 100% of their minimum sentence to be released 9 months prior to their statutory maximum sentence in order to ensure a period of intensive supervision in the community**

Avg. 100% Minimum Sentence Date for this Group: 43 months

Current

Average Maximum Sentence Length: 99 months
No community supervision following release

Policy Option

Require 9 months of community supervision prior reaching maximum sentence

Supervision

3D.

Continue the parole board's administrative actions to reduce the population that has served more than 100% of their minimum sentence.

- **During the last 6 months, the parole board has administratively taken steps to expand community-based options, utilize new risk assessments, and pursue other strategies to reduce the population currently in prison who have served 100% of their court-imposed minimum sentence.**
- **If the parole board is able to continue pursuing these administrative options as they have for the past 6 months, the policies and practices will have an impact on the resulting prison population from the baseline projection.**

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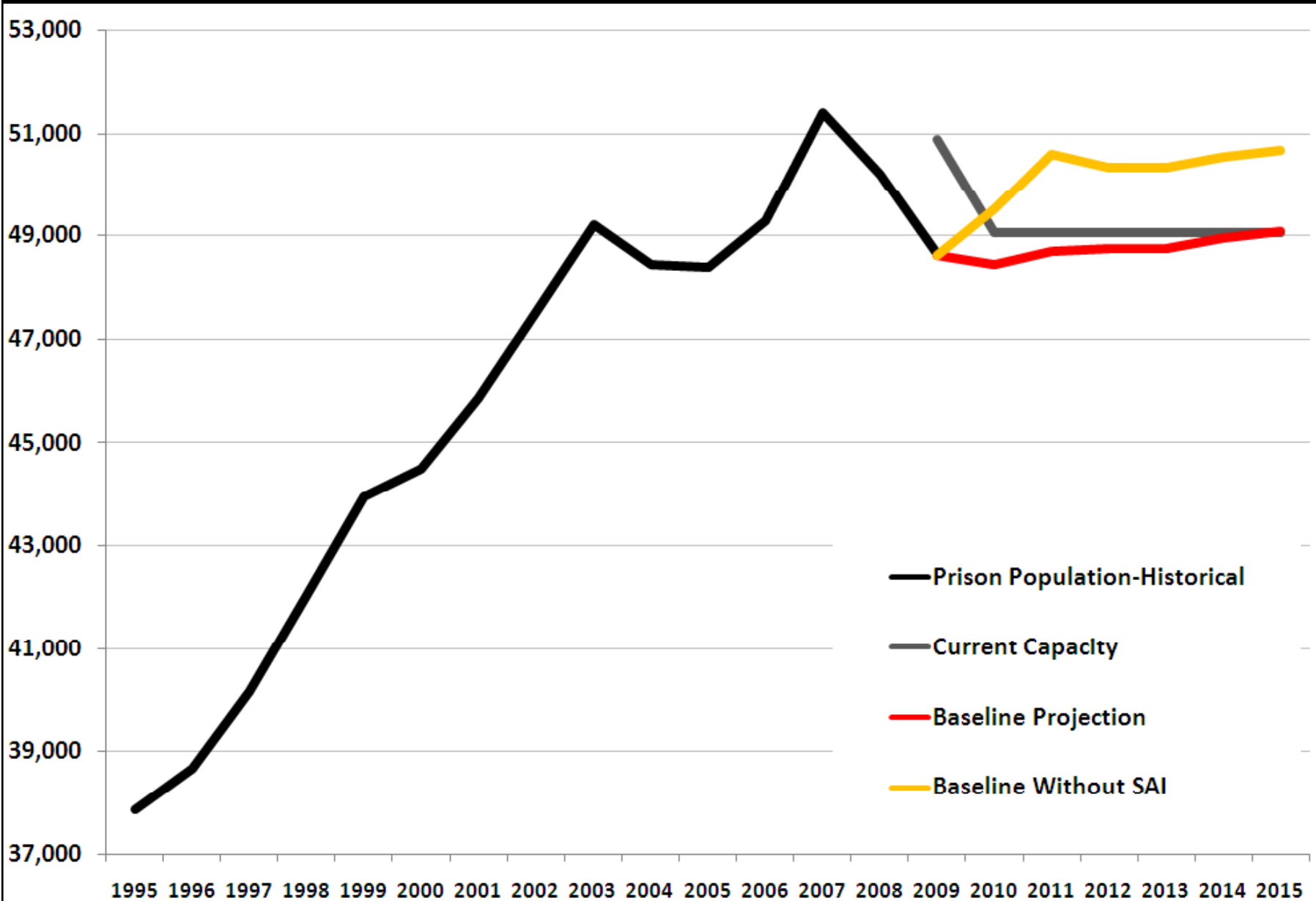
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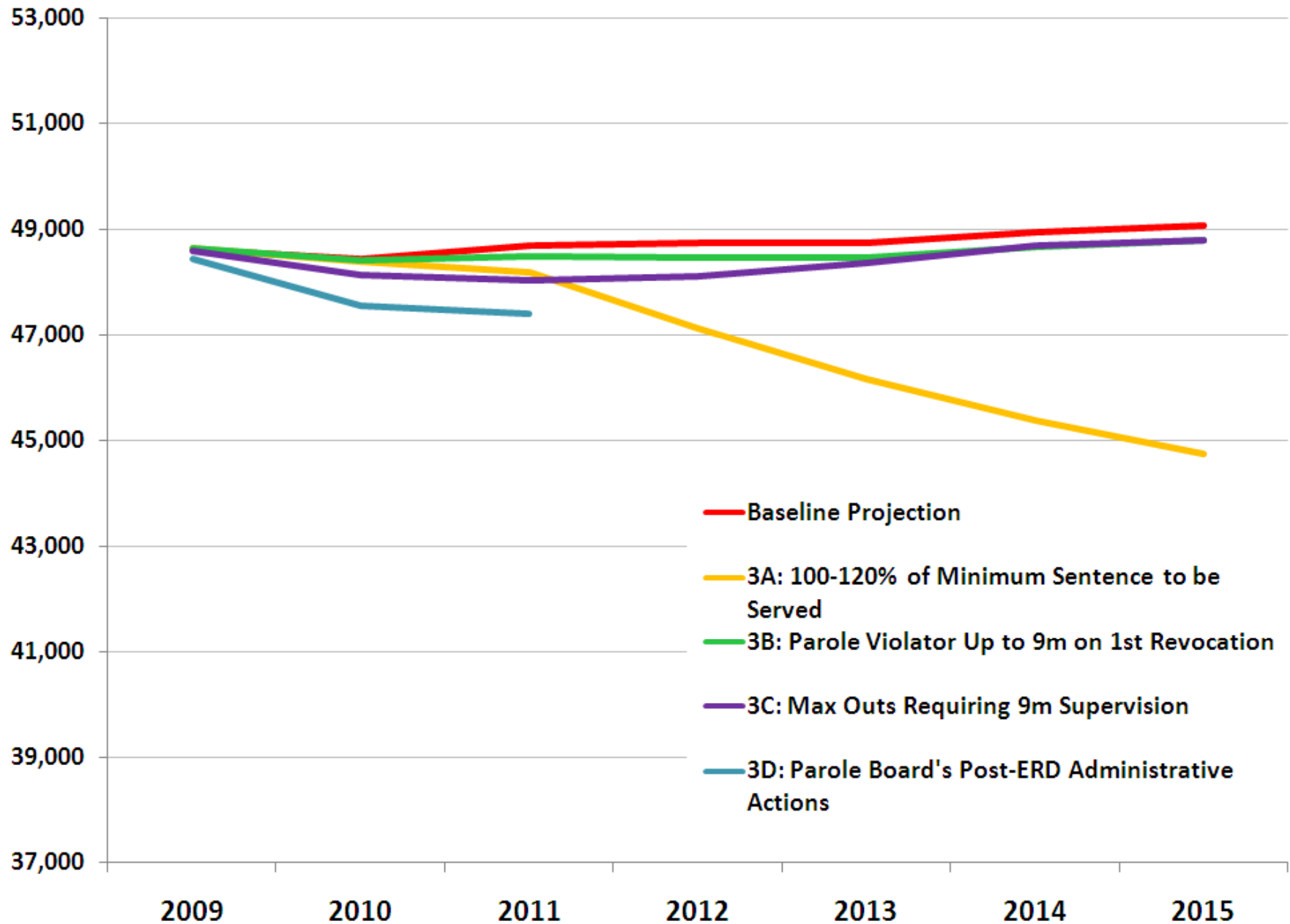
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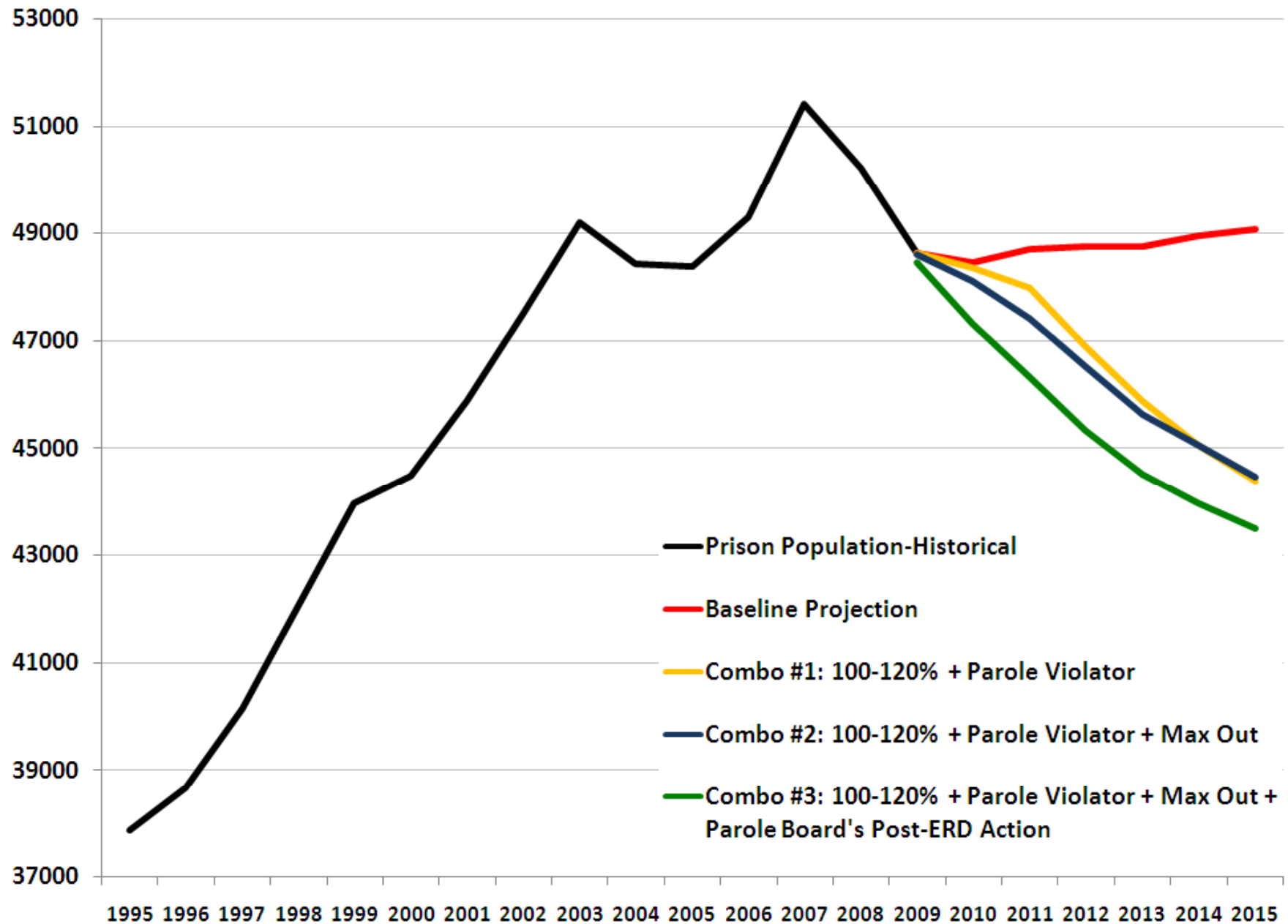
Population Projection



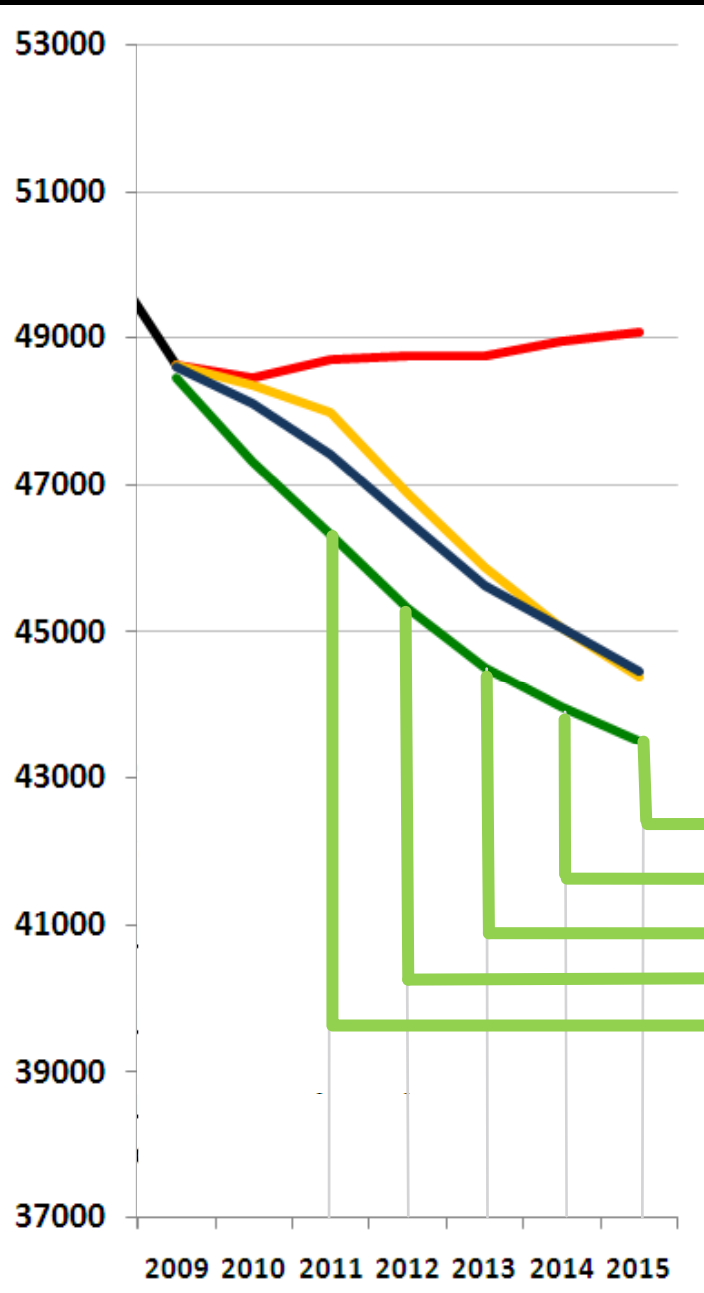
Impact of Individual Policy Options



Impact of Combined Options



Estimated Savings & Potential Reinvestment



**Estimated FY Savings
According to MDOC from Combination 3**

**FY2011-2015 Cumulative Savings: \$262 million
(Savings Below Represent Reductions from FY2010 Budget)**

Successful implementation of the policy options described in strategies 1, 2, and 3 depends on upfront and sustained reinvestment of a substantial portion of the projected savings.

**FY2011
\$15.6m**

**FY2012
\$31.2m**

**FY2013
\$62.4m**

**FY2014
\$62.4m**

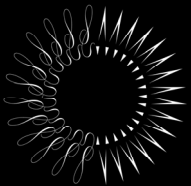
**FY2015
\$90.7m**

Thank you

JUSTICE CENTER

THE COUNCIL OF STATE GOVERNMENTS

Collaborative Approaches to Public Safety



THE
PEW
CENTER ON THE STATES

Public Safety
Performance
Project



BJA Bureau of Justice Assistance

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