Safe & Secure Rehabilitation

Michigan Attorney General Bill Schuette

Alan Cropsey, Director of Legislative Relations

John Lazet, Director of Crime Victim Advocacy

House Committee on Law & Justice

June 13, 2017

Number of prisoners:
2006 - 51,454

2016 - 41,148

Number of Prisons:
2016 - 31
Facilities closed since 2000:
10 prisons
13 camps
4 TRV centers
4 Consolidated

Prison population change in ten years:
-10,306

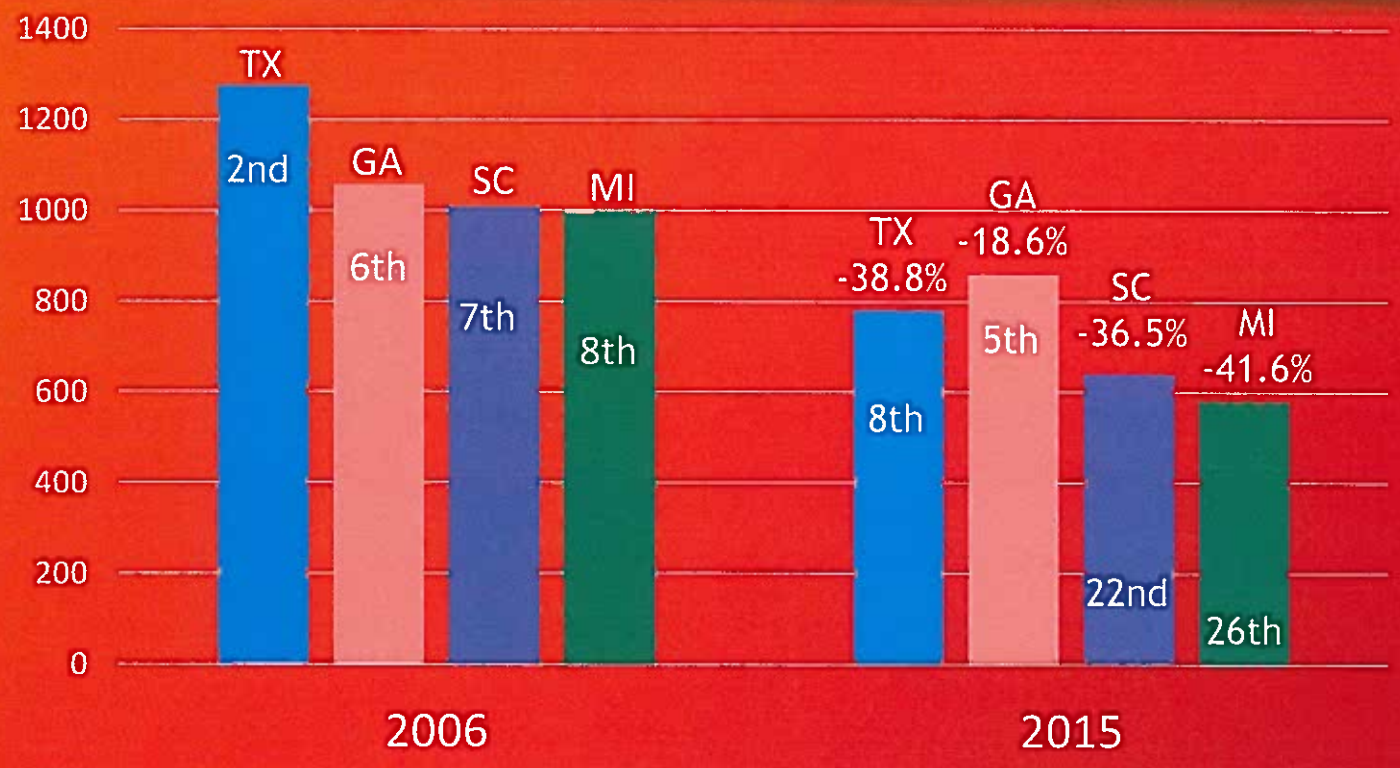
As of 6/2/17: -10,923

Source: 2015 MDOC Statistical Report: http://www.michigan.gov/documents/corrections/MDOC_2015_Statistical_Report_-_2016.08.23_532907_7.pdf

Source: MDOC budget bills, FY 2001 - 2017

Source: MDOC Offender Census Report 6-2-17

Incarceration Rate Per 100,000: 2006 and 2015, and National Ranking



Sources:

2006: BJS, Prisoners in 2006 (released Dec. 2007): https://www.bjs.gov/content/pub/pdf/p06.pdf

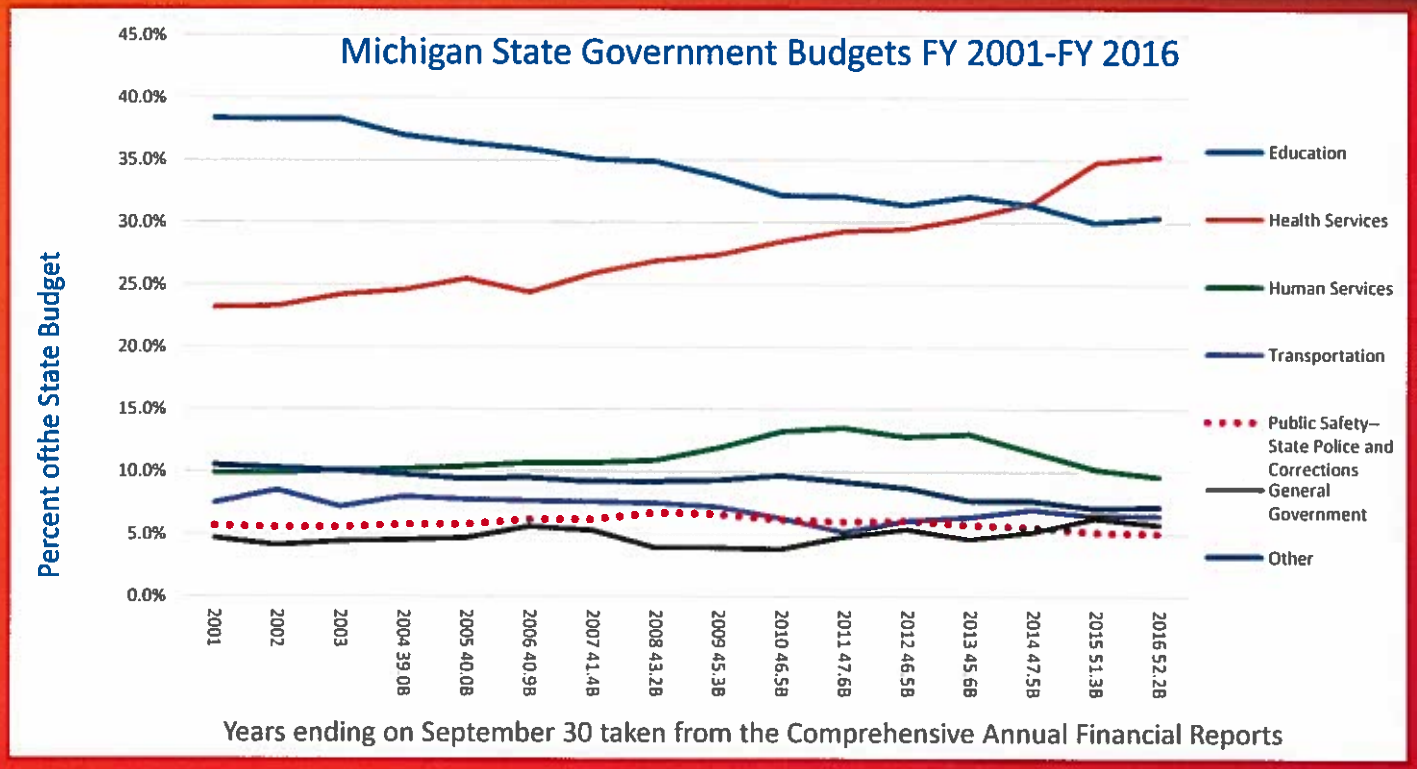
2015: BJS, Correctional Populations in the United States, 2015 (released Dec. 2016): https://www.bjs.gov/content/pub/pdf/cpus15.pdf

Data Based Conclusion

Michigan is outperforming other states:

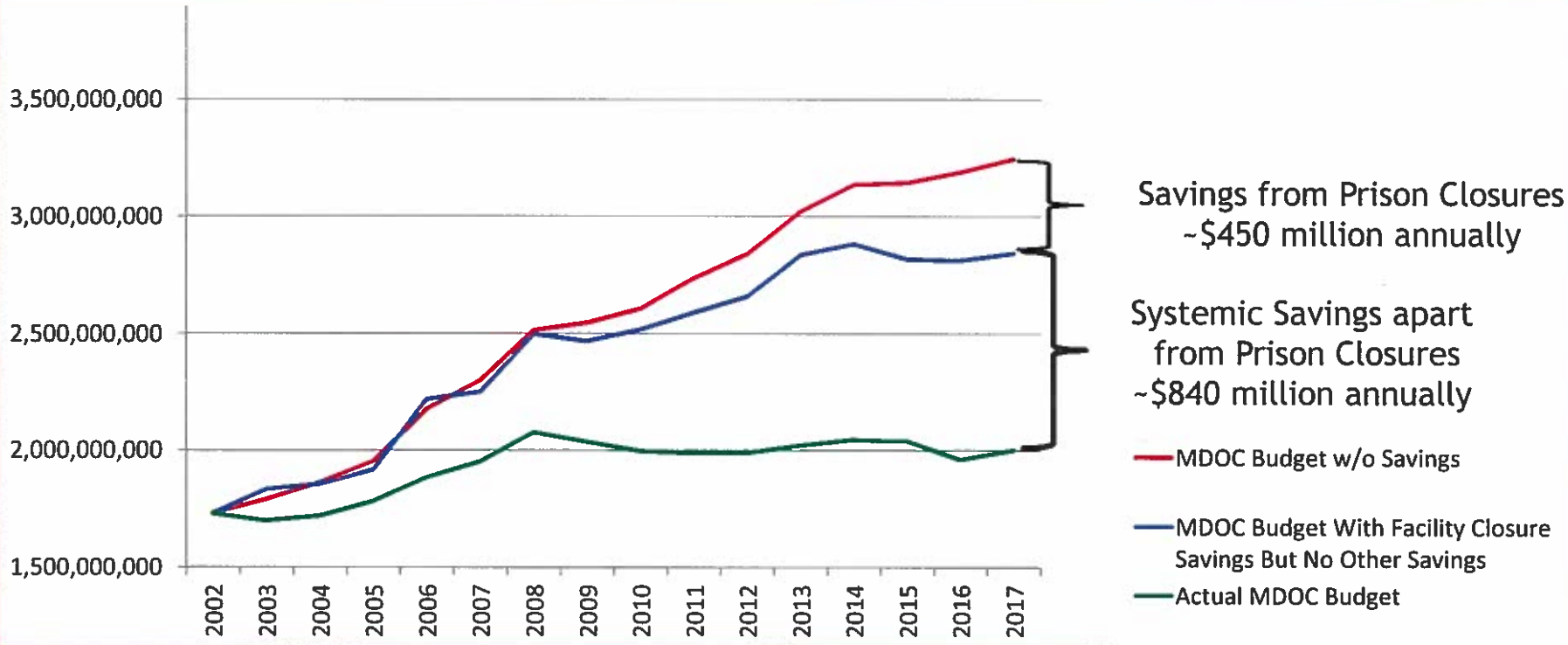
- In reducing DOC Population
- In reducing Incarceration Rate

MDOC as a Percentage of the State Budget



Source: State Budget Office, Comprehensive Annual Financial Reports (CAFR) for fiscal years 2001-02 through 2016-17.

MDOC Budget, Population, Savings, and Effect of Prison Closures



May, 2017, Michigan was praised by the Vera Institute for its criminal justice reforms

In **Michigan**, annual prison spending declined by $221 million (or 12 percent) between 2010 and 2015, and the state was able to close several prison facilities and consolidate others because of a variety of policies that have helped keep the prison population down — including those that have kept probationers and parolees from being sent to prison for a violation

(Vera Institute calculated costs by using the 2010 budget "Inflation adjusted to 2015 dollars.")

Web access at: https://www.vera.org/publications/price-of-prisons-2015-state-spending-trends

Last week the Council of State Governments praised Michigan for its reform efforts

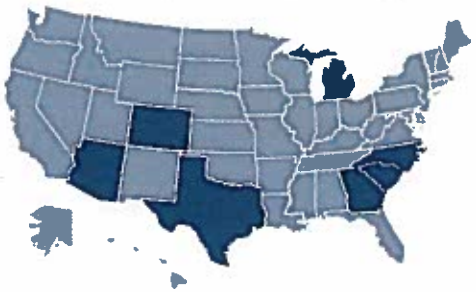
REDUCING RECIDIVISM

STATES DELIVER RESULTS

JUNE 2017

Efforts to reduce recidivism are grounded in the ability to accurately and consistently collect and analyze various forms of data. To that end, states have developed increasingly sophisticated and comprehensive recidivism tracking methods. By improving the accuracy and consistency of data collection, using more timely measures, and expanding the types of recidivism metrics that are tracked as well as the populations to which these metrics are applied, states are now better positioned to understand and respond to recidivism trends. This brief highlights seven states in which recidivism has significantly decreased according to several different measures. These same states have also experienced reductions in violent crime rates over the last decade. The recidivism data included in this brief is not meant to be compared state by state; it is meant to show individual examples of state successes across various recidivism measures.

STATES HIGHLIGHTED IN THIS BRIEF



RECIDIVISM-REDUCTION HIGHLIGHTS

Source: Council of State Governments, Justice Center, June, 2017, at: https://csgjusticecenter.org/wp-content/uploads/2017/06/6.8.17_Reducing-Recidivism.pdf

Prioritizing corrections reform will keep offenders on right track

BY JOHN WETZEL AND HEIDI WASHINGTON, OPINION CONTRIBUTORS - 06/12/17 05:00 PM EDT

16 COMMENTS

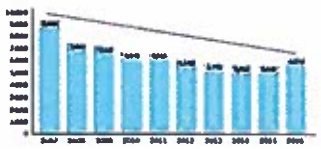
Source: The Hill, at: http://thehill.com/blogs/pundits-blog/crime/337430-prioritizing-corrections-reform-will-keep-offenders-on-right-track

Making People's Transition from Prison and Jail to the Community Safe and Successful

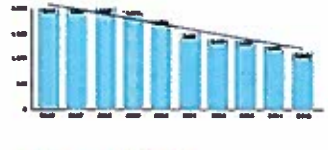
A Snapshot of National Progress in Reentry

June 2017

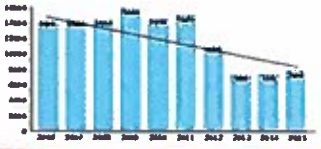
State and local governments' efforts to apply the latest science are producing results.



In Texas, the number of people revoked to prison from parole declined 33 percent.



The number of people returning to Michigan prisons from parole with new convictions dropped 43 percent.



The number of people admitted to North Carolina prisons for probation revocations declined 42 percent.

Looking ahead

Align state and local policy with what research demonstrates is effective in reducing recidivism

Develop a workforce that understands, embraces, and applies the latest research

Improve state and local governments' capacity to collect and analyze data

Source: https://csgjusticecenter.org/wp-content/uploads/2017/06/6.12.17_A-Snapshot-of-National-Progress-in-Reentry.pdf

PEW recommended sentencing reforms:

- Raising the threshold dollar amount required to trigger certain felony property crime classifications.

  STATUS: **DONE,** as part of the adoption of the 1998 Sentencing Guidelines – retail fraud, false pretenses, and embezzlement.

- Revising drug offense classification in the criminal code to ensure the most serious offenders receive the most severe penalties.

  - STATUS: **DONE.** As the Pew report states, "…reforms in Michigan may have been the most far-reaching." (p. 42)

PEW recommended sentencing reforms:

- Rolling back mandatory minimum sentencing provisions. "States include Delaware, Indiana, Michigan, Minnesota, and New York." (p. 5)

  STATUS: **DONE**.

- Increasing opportunities to earn reductions in time served by completing prison-based programs. States include Colorado, Kansas, Pennsylvania, and Wisconsin.

STATUS: **NOT DONE**, as this would repeal truth-in-sentencing. As noted separately, at least 17 sentence-reducing laws were adopted in exchange for adopting truth-in-sentencing.

PEW recommended sentencing reforms:

- Revising eligibility standards for parole consideration.

STATUS: **SUBSTANTIAL PROGRESS**, as the post-ERD population has dropped, from over 18,000 in 2003 to under 5,000 today. Also, the Sentencing Guidelines allowed for departures from the mandatory drug minimum sentences until they were repealed.

Source for the 5 PEW recommendations: "Time Served: The High Cost, Low Return of Longer Prison Terms", PEW Trusts, June, 2012, at:
http://www.pewtrusts.org/~/media/legacy/uploadedfiles/wwwpewtrustsorg/reports/sentencing_and_corrections/prisontimeservedpdf.pdf

Criminogenic factors

Ms. Anderson asked (4-25-2017) that you look at the drivers of DOC populations

There are 8 widely accepted factors that have direct correlation to risk of offending:

Anti-social attitudes

Anti-social behaviors

Anti-social Friends

Marriage/Family Problems

AND

Substance abuse

Education

Employment

Leisure time

What has MI done to Address Criminogenic Factors?

2014 PA 466, effective January 12, 2015, updating PA 511, the Community Corrections Act.

This broad reform requires programming that is:

Evidence-based

Effective

Cost-effective

Why are Criminogenic Factors Important?

Nowhere to run: Survivor of brutal abuse faces death threats, ex's parole

Kristen Jordan Shamus, Detroit Free Press Published 11:23 p.m. ET June 3, 2017 | Updated 46 minutes ago

Domestic violence survivor Nicole Beverly of Ypsilanti Township plans to disappear with her children when her ex-husband gets out of prison in two months. He has been threatening to kill their children in front of her and then torture her to death. Junfu Han/Detroit Free Press

4842 CONNECT TWEET 18 LINKEDIN 112 COMMENT EMAIL MORE

Sapphire was pacing, whining and not acting like herself on a Wednesday night in mid-May.

Nicole Beverly got up to let out the pit bull she rescued three years ago and noticed the light was on in the backyard shed.

Nicole Beverly, victim of sustained domestic violence

Ex-husband twice convicted, finally sent to prison

At least 4 times, he solicited others to kill her children and kill her

He will max out; her only option is to disappear

Drug Treatment Courts, and Therapy Courts
The goal is to address the criminogenic factors of each individual offender.

Legislation authorizing DTCs was passed into law in 2004 (MCL 600.1060, et seq.).

The law requires national best practice (10 Principles) to be followed by each court for each defendant, addressing criminogenic needs.

10 Principles: http://www.nadcp.org/learn/about-dwi-court/-guiding-principles

Other specialty courts, such as mental health courts (MCL 600.1090, et seq.), likewise require Evidence-Based Practices (EBP).

Criminogenic Factors – Bottom Line

Reforms need to directly address and change offender attitudes and behaviors

One size fits all approaches may not adequately take into account evidence-based practices.

What has Michigan Done to address Probation and Parole?

- In 2017, a comprehensive 20-bill package was signed into law
  - Focus on data
  - Focus on sanctions predicated on evidence-based practices (EBP)
  - Swift and sure application of sanctions
  - Allow for judicial reduction of probationary period, based on success
  - Expedite Parole Board reviews of medical commutaitons/paroles
  - Strengthen community engagement for re-entry
  - MDOC focus on appropriate programming

What has Michigan done to address re-entry?

Michigan Prisoner Re-entry Initiative (MPRI) - 2003

Over the past 14 years, the focus has increasingly shifted to Offender success:

- self-sufficiency
- employment
- education and skills
- having vital documents

Eventually MDOC obtained Pell grants, and is working with Calvin College

Ionia now has the Vocational Village

Over the years the shift has been away from numbers and to being performance based

Re-entry especially needs to be carefully considered

2009 -

Parolees often become repeat offenders

By John S. Hausman | jhausman@mlive.com
Follow on Twitter
on October 24, 2009 at 10:07 PM, updated October 25, 2009 at 7:23 AM

Print
Email

MICHIGAN

2012 -

5 of Michigan's worst parole and probation offenders
Detroit Free Press *September 30, 2012*
When Reiner reported to his parole officer on July 7, 2010, he admitted he had used heroin the day before. His agent documented his parole violation, but didn't take him into custody. He was placed in treatment centers several times and walked away ...more »

2013 -

"Lax controls leave Michigan's ex-cons free to kill" — *Detroit Free Press*

The number of recently released Michigan prisoners who were accused, charged or convicted of murder doubled between 2010 and 2011, and the numbers could be even higher this year, report L.L. Brasier and Gina Damron of the *Free Press* (@freep). In a three-part

The Pew Charitable Trusts / Research & Analysis / Stateline / Best of #StateReads: Michigan Confronts Crime by Parolees and Probationers

STATELINE

2013 - Stephen Henderson: Prisoner releases, dangerously done

http://archive.freep.com/article/20120930/COL33/309300147/

"Revolving door on cells has violent consequences for Flint, analysis shows" – MLive, Flint Journal June 19, 2015

Ryan Garza | MLive.com Flint Police and detectives hold back a family member struggling to get close to a person who was shot and killed on the 200 block of Mary Street off of MLK in Flint's north side on Wednesday. The victim's brother identified the 55th homicide victim this year as Darrius Robinson, 23.

By Gary Ridley | gridley@mlive.com The Flint Journal
on June 19, 2015 at 6:00 AM, updated June 19, 2015 at 8:09 AM
http://www.mlive.com/news/flint/index.ssf/2015/06/repeat_offenders_regularly_cha.html

Reform Can Take Time, Especially Implementation

- Sentencing Guidelines (reform) - started in 1983, finally hit stride in 1994; implemented in 1998
- Re-entry - started in 2003, really hit stride about a decade later.
- Community Corrections - started around 2005, really hit stride about a decade later
- EBP Supervised Oversight - started around 2003, really hit stride around 2014
- EPIC (Estates and Protected Individuals Code) - took 9 years
- Expungements (setting aside convictions) - ongoing
- Major structural shifts:
  - Evidence-Based Practices (EBP)
  - Collaboration
  - Focus on success v. failure

Since the First Systemic Impaired Driving Reforms in 1991, U of M has been tracking the data.

UMTRI

Societal Costs of Traffic Crashes and Crime in Michigan: 2011 Update

- Web access at:
- http://www.michigan.gov/documents/msp/2011_Crash_and_Crime_Final_Report_361083_7.pdf

2009 - Cost of Crime to Michigan Citizens

Index Crime Category	Number of Crimes	Crime Costs
Murder	579	$ 2,482,263,324
Rape	4,357	$ 829,202,455
Aggravated Assault	27,270	$ 376,353,270
Robbery	12,422	$ 240,875,002
Larceny	177,555	$ 276,808,245
Burglary	75,066	$ 279,095,388
Motor Vehicle Theft	29,647	$ 233,736,948
Total	**326,896**	**$ 4,718,334,632**

Web access at:
http://www.michigan.gov/documents/msp/2011_Crash_and_Crime_Final_Report_361083_7.pdf

Insurance premiums and taxpayers cover most of the cost of sexual assault

NAESV
THE NATIONAL ALLIANCE TO END SEXUAL VIOLENCE

The National Alliance to End Sexual Violence provides a critical voice for sexual assault advocates in Washington, D.C.

The Costs and Consequences of Sexual Violence and Cost-Effective Solutions
April 2011

The best available research tells us that crime victimization costs the United States $450 billion annually (National Institute of Justice, 1996). Rape is the most costly of all crimes to its victims, with total estimated costs at $127 billion a year (excluding the cost of child sexual abuse). In 2008, researchers estimated that each rape cost approximately $151,423 (DeLisi, 2010). Sexual abuse has a negative impact on children's educational attainment (MacMillan, 2000), later job performance (Anda et al., 2004), and earnings (MacMillan, 2000). Sexual violence survivors experience reduced income in adulthood as a result of victimization in adolescence, with a lifetime income loss estimated at $241,600 (MacMillan, 2000). Sexual abuse interferes with women's ability to work (Lyon, 2002). Fifty percent of sexual violence victims had to quit or were forced to leave their jobs in the year following their assaults due to the severity of their reactions (Ellis, Atkeson, & Calhoun, 1981). In 2008, violence and abuse constituted up to 37.5% of total health care costs, or up to $750 billion (Dolezal, McCollum, & Callahan, 2009).

In 2008, consequences of violence and abuse "constituted up to 37.5% of total health care costs".

Source: http://www.nsvrc.org/sites/default/files/CostsConsequencesSV.pdf

Cost of Crime – National Institute of Health

PubMed Central
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NIH Public Access
Author Manuscript
Accepted for publication in a peer reviewed journal
About Author manuscripts | Submit a manuscript

From: Drug Alcohol Depend. Author manuscript; available in PMC 2011 April 1.
Published in final edited form as:
Drug Alcohol Depend. 2010 April 1; 108(1-2): 96–109.
Published online 2010 January 13. doi: 10.1016/j.drugalcdep.2009.12.002

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Table 3

Tangible Per-Offense Costs (Including Crime Victim, Criminal Justice System, and Crime Career Costs) for Different Crimes in 2008 Dollars

Type of Offense	Crime Victim Cost	Criminal Justice System Cost	Crime Career Cost	Total Tangible Cost
Murder[a]	$737,517	$392,352	$148,555	$1,278,424
Rape/Sexual Assault	$5,556	$26,479	$9,212	$41,247
Aggravated Assault	$8,700	$8,641	$2,126	$19,537
Robbery	$3,299	$13,827	$4,272	$21,398
Motor Vehicle Theft	$6,114	$3,867	$553	$10,534
Arson	$11,452	$4,392	$584	$16,428
Household Burglary	$1,362	$4,127	$681	$6,170
Larceny/Theft	$480	$2,879	$163	$3,523
Stolen Property[b]	N/A	$6,842	$1,132	$7,974
Vandalism[b]	N/A	$4,160	$701	$4,860
Forgery and Counterfeiting[b]	N/A	$4,605	$660	$5,265
Embezzlement[b]	N/A	$4,820	$660	$5,480
Fraud[b]	N/A	$4,372	$660	$5,032

Note: Formulae used for the calculations were based on Rajkumar and French (1997). Sources: Cohen and Miller (1998); Federal Emergency Management Agency (2007); U.S. Department of Health and Human Services (2004); Max et al. (2004); U.S. Bureau of Labor Statistics (2008a); U.S. Census Bureau (2007); U.S. Department of Justice, Bureau of Justice Statistics (1999, 2001, 2004a, 2006a, 2007a, 2007b, 2007c); U.S. Department of Justice, FBI (2004b, 2008).
N/A = no available or not applicable.
[a]Crime victim cost for murder was calculated as the mean present value of lifetime earnings for a homicide victim.
[b]Because these are generally considered "victimless" crimes, they do not include crime victim costs.

- Source: NIH, "The Cost of Crime to Society: New Crime-Specific Estimates for Policy and Program Evaluation", Drug and Alcohol Depend., April, 2010, at:

https://www.ncbi.nlm.nih.gov/pmc/articles/PMC2835847/

VIOLENT CRIME COSTS MICHIGAN FAMILIES

Using National Institute of Health estimates and 2015 Michigan crime data:

Murder/homicides	610 victims	$780 M tangible costs
Sexual Assault	6,310 victims	$260 M tangible costs
Aggravated Assault	25,952 victims	$507 M tangible costs
Robbery	7,536 victims	$161 M tangible costs

$1,708,000,000

For just these four crimes alone, Michigan families are facing over $1.7 Billion in annual tangible costs. Including intangible costs to victims and communities raises the estimates for 2015 to just over $10 Billion.

Source: NIH website, "The Cost of Crime to Society: New Crime-Specific Estimates for Policy and Program Evaluation", Drug and Alcohol Depend., published April 2010

Source: MSP crime data for 2015, at: http://www.michigan.gov/documents/msp/Crime_At_A_Glance_528343_7.pdf

Possible Changes in how we Address Persons with Mental Illness

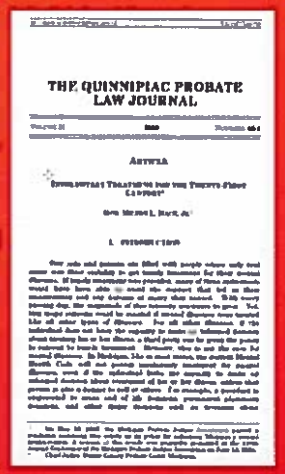
Civil Process

Standards for Guardianship - while this article is dated, Judge Mack and others have spent a decade plowing ground for next steps.

If the major stakeholders are supportive, you have the opportunity to adopt major initiatives to better serve our communities, families, and persons with mental illness.

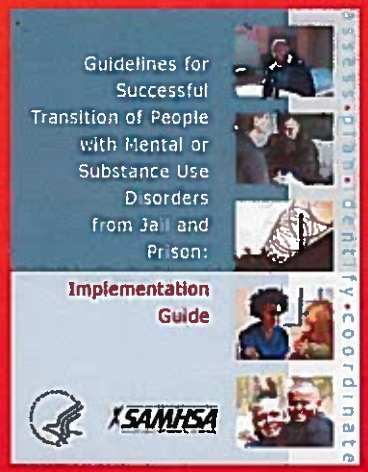
<u>Reform will not be free.</u>

To be successful, appropriate funding will be needed.


THE QUINNIPIAC PROBATE LAW JOURNAL

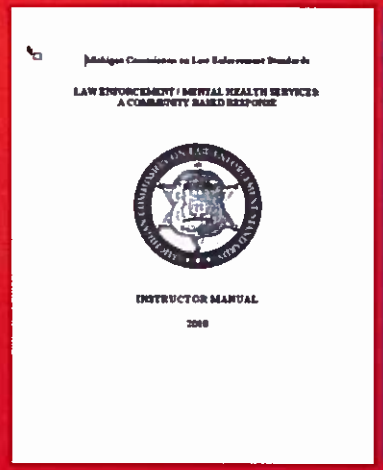
While Incarcerated

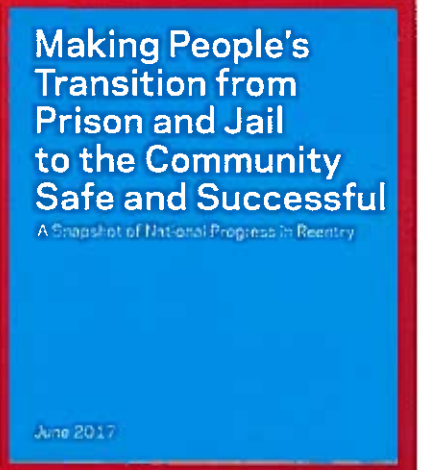
10 Guidelines - Federal Substance Abuse and Mental Health Services Agency (SAMHSA)



Re-Entry/Community

MCOLES has developed training modules, as Oakland County testified previously. The Council of State Governments just released a report with recommended principles for reform





Reforms – Local Stakeholders Involved: They've been through the process, and remember the issues and compromises

MSA	MACP	MSP
MACCAB	CMH	MDOC
PAAM	CDAM	AG
POMC	MADD	MDSVPTB
CAPPS	MCCD	ACLU
MAC	MML	MTA
Victims	Communities	Researchers
MJA	MDJA	MPJA
NAMI	State Bar Sections	NOVJM

Reforms Are

Often Incremental.

Overhauls take time.

Questions?

Attorney General Bill Schuette