

1-28-08 DRAFT BLUEPRINT FOR A SAFER MICHIGAN: Principles and Strategies

A Safer Michigan is a top priority for Michigan's citizens. The Blueprint for *A Safer Michigan* presents a model or a vision to assist policy makers in the development of core guiding principles and strategies that will best contribute to a total effort for *A Safer Michigan*.

This Blueprint presents key strategies for building a safe and just Michigan. Logic makes it clear that it is better to prevent a person from committing a crime than to put the resources of the State into motion after a crime has been committed. However, the reality of human nature remains; some will continue to commit crimes. While it will take years until the Blueprint pays dividends, we cannot shortchange our investment in police, prosecution, and corrections issues for now and the foreseeable future.

The Blueprint for *A Safer Michigan*, as broad as it is, is a beginning. The Blueprint for *A Safer Michigan* is a starting point of strategies and guiding principles to guide the task of creating *A Safer Michigan*.

PRINCIPLES:

A Safer Michigan reduces the number of victims and prioritizes services to victims.

A Safer Michigan invests in identifiable programs that have demonstrated success in reducing and preventing crimes.

A Safer Michigan protects public confidence in the justice system by maintaining truth in sentencing.

A Safer Michigan provides adequate and necessary resources for police, prosecutors, the attorney general, judges, and indigent defense.

A Safer Michigan provides adequate and necessary resources for community based treatment and programs, including drug treatment courts, and provides adequate county jail space as a necessary alternative to sending an offender to prison.

A Safer Michigan maintains a prison system sufficient to keep prisoners committed for an appropriate length of time and provides treatment and programs for prisoners to reduce the likelihood that they will re-offend after release.

STRATEGIES

CRIME PREVENTION

Invest in programs, such as those identified by Fight Crime-Invest in Kids, which identify at an early age at-risk kids and which provide services to kids to reduce the risk of kids from becoming involved in criminal activities, such as:

- **Pre and Post Natal Care.**

Healthy babies develop properly and have fewer developmental problems that may contribute to criminal activity later in life.

Services should target pregnant women and fathers to educate and assist them with parenting, and provide services and assistance necessary to raise a healthy child.

- **Head Start, Early On, Success by 6, Kindergarten at 4.**

The studies on early education and preschool programs demonstrate that such early education programs serve as the foundation for success in later life and reduce the number of children entering the juvenile and criminal justice system. Schools are an important partner in identifying children at risk.

- **BullyProof: Violence Prevention Blueprints**

Bullying prevention programs reduce school violence and student-initiated violence.

- **Truancy Prevention Programs**

Elementary school truancy is a leading indicator of juvenile/adult criminal activity.

Every school must have a truancy prevention program, with the necessary resources to make it effective.

Every school must have meaningful alternative education programs for junior high/middle school and older students that engage and educate the student, not babysit them.

- **After-School Programs**

Statistics show that the primary time for juvenile criminal activity is immediately after school. Studies have shown that after-school opportunities such as reading, computers, drama and athletics reduce crime and improve school performance.

- **Child Protective Services**

DHS staff has been reduced by ***3100 workers since 2001. Child protection and foster care workers with appropriate caseloads keep our children safe; therefore, appropriate staffing levels should be restored.

Best practices should drive care and service decisions for families in need of services. CPS should be required to develop a local/county policy in collaboration with law enforcement, the prosecutor, family court, and the treatment community to determine when intervention is appropriate, at what level, and what services will be provided.

- **Community Crime Prevention Programs**

Too often community policing and neighborhood watch are the first programs cut. An active involved community is essential to improved crime prevention. The law enforcement community should reach out to the local community, community organizations, and churches/civic groups to partner in preventing crime.

Michigan should develop and maintain the infrastructure to maximize community volunteers for mentoring and community crime prevention programs.

People need to feel safe in reporting crime and safe in participating in the criminal justice system. A witness protection program is critical.

THE CRIMINAL JUSTICE SYSTEM

Invest in the resources that provide safe communities and a fair and just criminal justice system, such as:

- **Adequate Police Resources.**

Backlogs at the State Police crime labs range from 6 to 18 months, depending on the service required. Properly funding the crime lab and regional labs will save time and money, because the timely analysis of evidence results in quicker elimination of

suspects, moves cases faster, gets criminals off the street sooner, and decreases the length of pretrial incarceration.

The state should provide resources to equip courts to use interactive video testimony for lab scientists and expert witnesses in court.

Michigan has 1,566 fewer police officers in service since September 11, 2001. The most dramatic losses have occurred both at the local and state level. For example, DPD has lost 921 police officers (23% of their force) and MSP has lost 362 troopers (17% of their force). Saginaw and Pontiac have lost more than 50% of their officers. Community policing programs and other proactive policing programs, proven to reduce crime, have been cut in recent years.

The state should restore police officer strength so they can focus on crime investigation and crime prevention programs, like community policing.

Crime is not limited to local communities, it is now inter-county, interstate and international; criminals do not observe jurisdictional boundaries. It is critical that the State fully fund an integrated criminal justice information system to respond to the changing nature of crime and homeland defense.

▪ **Adequate Prosecution Resources**

Over the last five years, the number of staff for prosecutor offices is down almost seven percent. The legislature continues to create new crimes at a record pace. The prosecuting attorney has over 250 statutory mandates. In the last five years the legislature passed over 500 laws creating new crimes or imposing additional procedural responsibilities on Michigan's prosecuting attorneys.

Equally, the Supreme Court is putting additional mandates on local trial courts to expedite cases, which correspondingly impacts the prosecuting attorney. While many of those changes were welcomed by the criminal justice community, they have placed significant additional burdens on prosecuting attorneys. Many prosecuting attorneys are now forced to choose between which criminal laws to prosecute as they prioritize prosecution of serious crime.

Michigan is one of the few states in the country and in the Great Lakes region that does not provide state funds for prosecutors. Michigan's prosecuting attorneys enforce violations of state law. As more burdens are placed upon local prosecutors, Michigan should examine examples of other states' funding of the prosecutorial function.

Appellate review of criminal cases is an important part of the criminal justice process. Indigent defendants' appeals are partially funded with funds from the State of Michigan. In recent years with the continued reduction in the prosecutor and AG office staff, prosecutors and the AG have continually triaged these services. The

state should expand funding to the AG to restore adequate appeal services for small counties.

Adequate and improved funding for the Prosecuting Attorneys Coordinating Council is essential for all of Michigan's prosecuting attorneys to complete training to keep up with growing problems of cyber criminals, elder abuse, and the explosion of new forensic evidence techniques. Adequate funding and staffing for PACC's information technology resources for 78 prosecutor offices and the AG is essential in order to maintain the case management software and electronic interfaces between police, courts, and state agencies.

- **Adequate Indigent Defense Resources**

Every defendant is entitled to a well trained and competent lawyer. Michigan's current system of attorney appointment is a hodge-podge and attorney compensation is generally inadequate.

While the indigent defense attorney does not have the same statutory responsibilities as the prosecuting attorney, attorneys who accept criminal appointments should be fairly compensated and state funds should be appropriated directly to counties to supplement, and not supplant, the funds currently spent on indigent defense.

- **Adequate Court Resources**

Integrated Information Technology systems between the courts, law enforcement and prosecutors are essential to save time, avoid duplicate data entry, and improve accuracy of criminal justice records. Accordingly, we need to fund expanded integrated information technology services throughout the justice system.

Court programs which have demonstrated success in reducing repeat offenders, such as drug treatment courts, are not being adequately funded. We must expand court services that have demonstrated success, whether through drug treatment courts, mental health courts, or other programs that use protocols worked out among the stakeholder agencies.

VICTIM RIGHTS

Invest in resources that protect our victim's rights and quality of life, such as:

- **Truth in Sentencing**

Every victim deserves to understand the sentence given to the person who victimized them. They deserve to know that a person sentenced to prison for a set minimum period, say two years, will actually serve those two years in prison, and not

in the community. They deserve to know that the judge's assessment of the appropriate penalty will not be reduced later on in the correction system.

- **Restitution is a Constitutional Right**

Restitution collection for victims needs to become a state funded priority, not an afterthought. For an initial investment of \$2.7 million Colorado established state funded collection units in every judicial circuit. In addition to collecting restitution for victims, they collect court costs and fines. They collect over 70% of the restitution, fines and costs ordered each year. After the first year, the units are self-funded. Over a recent five year period, they collected full restitution on 43,000 cases, and total restitution of \$100 million.

- **Increase Victim Participation in the Legal Process**

We must better fund witness protection programs. When a witness is afraid to participate in the criminal justice system, the system collapses and predatory criminal behavior is rewarded. Witnesses need to feel protected to participate in the criminal justice system.

To maintain victim dignity, Michigan should reform the preliminary exam process.

Victims and witnesses deserve fair reimbursement when they attend court. Twelve dollars a day and ten cents a mile won't even cover the cost of parking in many cities, much less address the cost of child care and missed work.

The William VanRegenmorter Crime Victim Rights Act should be amended to allow notifications to be provided electronically to victims who have Internet access.

- **Create a Victim's Caucus in the Legislature.**

Victim's voices should be as critical in legislative proceedings as are defendant voices. A caucus would serve as a clearinghouse on all victim issues.

- **Implement the Recommendations of the Governor's Task Force on Elder Abuse**

The fastest growing segment of our community is the elderly. Criminals target the elderly for abuse and financial exploitation. The financial exploitation of the elderly is devastating, and often results in the victim's early demise due to a loss of will to keep living.

The Task Force identified 58 recommendations to prevent the exploitation and abuse of the elderly and to properly punish those who prey on our most vulnerable citizens. Many of the recommendations are low cost and relatively easy to implement. A copy of the report is available at: <http://www.michigan.gov/miseniors>

THE CORRECTIONS SYSTEM

▪ Adequate Community Corrections Resources

Many criminals have substance abuse issues or mental health issues. Accessing existing and new treatment programs is essential to changing criminal behavior.

Adult Education/GED programs need to be integrated into the community corrections program as a requirement for all probationers who lack a high school diploma.

GPS monitoring should be a standard component available for felony probationers.

Diversion programs for non-violent, first time offenders, coupled with treatment and education programs, have proven effective in reducing recidivism. Michigan should expand drug treatment courts, juvenile diversion programs and mental health courts statewide, as an effective investment against future incarceration.

Juvenile court treatment programs for first offenders must be improved so the juvenile's first contact with the criminal justice system is their last.

▪ Adequate Jail Resources

Jail space for felons is a state responsibility. Too many jail inmates are being released early under the Jail Overcrowding Emergency Release Act. Several counties have multiple releases every year. In these counties, the population released consists almost exclusively of either sentenced felons or felons held pre-trial.

Inadequate bed space effectively decriminalizes certain misdemeanors and felonies.

Communities should create less costly alternative housing options, such as a day release center, for convicted drunk drivers, drug users, and bad check passers.

Every jail should have a pre-trial services program to assess bail risks, and that includes GPS monitoring as a condition of bond. This will allow more inmates to be safely released pre-trial, alleviating pressure on jail beds.

Every jail should coordinate available community work training programs and adult education programs with its sentenced population so that time spent on a jail sentence is not idle, wasted time.

Michigan should create a state and local partnership with dual jail/prison facilities to save on infrastructure and staffing costs.

In 2004, Governor Granholm created the Michigan Task Force on Jail and Prison Overcrowding to engage key criminal justice system stakeholders in a collaborative dialogue regarding the relationships between jail and prison population and overcrowding. The recommendations of the Task Force should be implemented.

- **Adequate Probation/Parole Services**

When prisoners are released, Michigan should assure that they do not victimize law-abiding citizens. The highest commitment rates to prison are offenders who have failed on probation or parole. Current parole and probation caseloads are too high. Agents juggling too many defendants with multiple problems from substance abuse to lack of education cannot be expected to prevent re-offending. Considering that over 58% of annual prison intake consists of probation and parole violators, even a small increase in the percentage of successful probationers and parolees will impact public safety.

Monitoring needs to be 24/7. If a probationer/parolee knows the monitoring schedule, he/she can easily violate conditions with little risk of detection. Programs like Operation Nighthawk should be the norm, not the exception.

Probation/parole supervision requirements should be consistent and uniformly enforced. They should not be adjusted to reduce violations simply to reduce prison or jail capacity.

The transition from prison to parole or from probation to release needs more planning and greater involvement of community resources. Housing, identity cards, job or welfare assistance, transportation, and treatment services all need to be planned and implemented early in a prisoner's term.

- **Adequate Prison Resources**

All prisoners should receive education or GED and/or job skills training.

Apprenticeship programs with skilled trades should be developed to improve the inmate's chance of success on parole.

Mental health and substance abuse treatment must be provided early and throughout the prisoner's sentence.

Allow parole at a prisoner's earliest release date *only* if he or she has earned it through successful completion of a GED program, a skilled trade apprenticeship, or for participation in a government/community work project.

Correctional officers have a difficult enough job without having to work shifts with reduced staff. Until reduction in prison capacity is achieved through the strategies contained in this Blueprint, staffing levels of prison guard staff and prison capacity to house all violent felons and all habitual criminals must be preserved.

The state should not alleviate prison overcrowding by shifting responsibilities to the county level unless full funding for all related costs are also appropriated.

CONCLUSION:

It may take years to realize this investment in the future, but Michigan must start a dialogue with business, education, community service groups, law enforcement, and the criminal justice system to expand on these ideas and others to bring safety to our state. We encourage Michigan's universities and foundations review this plan, to identify issues of interest, and to bring their resources and expertise to the table. A *Safer Michigan* must be everyone's goal, and by working together, we will reach it.

February 2008

* Approved by Michigan Association of Counties, 1/28/08