

**STATE COMMUNITY CORRECTIONS BOARD MEETING**  
**APRIL 17, 2003**  
State Library & Historical Center  
Lansing, Michigan

**APPROVED**

**PRESENT:** Louise Alderson, Norman Donker, Lawrence Emery, Larry Inman, Roger Kahn, William Overton, Jim Quinlan, Mary Kay Scullion, John Wynbeek.

Chair Larry Inman offered congratulations on behalf of the State Board to Dennis Schrantz, who was present to address the Board on the "Fiscal Year 2004 Budget Highlights" and "The Five Year Plan to Control Prison Growth". Mr. Schrantz was recently appointed as Chief Deputy Director in Field Operations Administration, Michigan Department of Corrections.

Chair Larry Inman noted that on November 24, 2002, Leah Kay Harris died. Ms. Harris was very active within the criminal justice arena and a plaque had been presented to her family from the State Community Corrections Board at the Michigan Association of Counties Meeting in February 2003. The plaque read, "Tribute to Leah Kay Harris, February 9, 2003 - This dedication is to recognize the life of Leah Kay Harris. Leah devoted her career at the Michigan Council on Crime and Delinquency and assisted the State Community Corrections Board and local advisory boards throughout the State, providing technical and policy assistance. Leah had a deep passion for helping others and contributed greatly to making Michigan a model State. We will deeply miss her friendship, kindness and leadership." After the tribute was read, everyone stood and there was a moment of silence in honor of Ms. Harris.

**I. APPROVAL OF AGENDA:** Motion by Mr. Quinlan, supported by Mr. Donker, to approve the agenda as presented.

VOTE: Motion passed unanimously.

**II. NEW BOARD MEMBERS:** Chair Larry Inman noted that Dr. Roger Kahn was appointed to the State Board on December 20, 2002 to represent city governments. Dr. Kahn, who is from Saginaw, replaces The Honorable Edward J. Gaffney of Grosse Pointe Farms, who resigned when he was elected to the House of Representatives. Dr. Kahn's term expires on March 29, 2005.

**III. RECOGNITION OF CHIEF JAMES H. BARTHOLOMEW:** Chair Larry Inman presented a plaque to Chief James H. Bartholomew, who resigned from the State Board on November 1, 2002 to accept a position with the State Parole Board. Mr. Bartholomew served on the State Community Corrections Board from June 30, 2000 to November, 2002 representing city police departments. The plaque read, "Presented to James H. Bartholomew in deep appreciation for your leadership on the State of Michigan Community Corrections Board." Chief Bartholomew accepted the plaque and expressed his appreciation to the Board.

**IV. APPROVAL OF THE AUGUST 15, 2002 MINUTES:** Motion by Mr. Donker, supported by Judge Alderson, to approve the August 15, 2002 Minutes with the correction that John Wynbeek be listed as being present at the meeting.

VOTE: Motion passed unanimously.

**V. ADMINISTRATOR REPORT: Updates:** Administrator Ken Brzozowski reported that due to the early retirements last year, the Office of Community Corrections' organizational structure had been modified. The responsibilities of two abolished management positions have been assigned to a newly created financial specialist position and other staff within the office. Mr. Brzozowski noted that the office has functioned very effectively as a result of these changes.

Budget: In December 2002, former Governor Engler signed Executive Order 2002-20 that reduced the community corrections budget by \$1.3 million, Probation Residential Services was reduced by 8.75% across the Board. These reductions were identified based on prior program utilization in order to have the least impact on the local units of government with community corrections services.

In February 2003, Governor Granholm signed Executive Order 2003-03 that reduced the community corrections Comprehensive Plans and Services appropriation by approximately \$640,000. The Executive Order was based on historic levels of lapsed funds. If the lapsed funds are less than the reduction amount due to increased use of programs, the cuts will be obtained from other departmental sources.

In regard to the FY04 Executive Budget, the FY03 funding reductions for Probations Residential Services and Comprehensive Plans and Services have been fully restored: \$13.033 million for Comprehensive Plans and Services; and \$15 million for Probation Residential Services (the appropriation will support an average daily population of 956 at a per diem of up to \$43.00).

FY 2004 Comprehensive Plan & Application: Administrator Brzozowski stated that OCC staff had re-evaluated the application and instruction manual which has made the application more user-friendly and eliminated nonessential reporting requirements. Staff have received positive feedback from several CCABs regarding the revised application and new formatting. The Midyear Reports were due March 15<sup>th</sup>. OCC staff are currently reviewing these reports and preparing feedback reports to the counties.

**VI. CONSENT CALENDAR ITEMS:** None.

**VII. MDOC FIVE YEAR PLAN TO CONTROL PRISON GROWTH:** FOA Chief Deputy Director Dennis Schrantz presented to the State Board sections of the "MDOC Five Year Plan to Control Prison Growth".

Mr. Schrantz noted that while he served on Governor Granholm's transition team, it was discovered that MDOC was going to run out of beds very quickly; the size and depth of this problem necessitated the need to avert the use of 2,500 prison beds during FY2004. A "Five Year Plan to Control Prison Growth" was developed, and he stated how the various elements in this Plan would be able to have positive fiscal implications for the department.

The department absorbed approximately \$162 million in cuts during the last three years and Director Overton found during the transition and in working on the Five Year Plan, that it would be necessary to make policy changes.

Mr. Schrantz reviewed the handout that had been included in the Board packet entitled, "Priorities of MDOC's Proposed Five Year Plan to Control Prison Growth" and brought the Board's attention to several important priorities that were brought forth by Governor Granholm and the message in the Executive Recommended Budget for 2004. (See Attachment A)

Mr. Schrantz stated that one of the first promises that Governor Granholm made in the State of the State, and which Director Overton implemented in collaboration with Colonel Sturdivant from the Michigan State Police, was a commitment to find the most violent fugitives who are on parole and do a series of statewide sweeps. A sweep was done in March, wherein 107 of the most violent parolees in the state were picked up and sent back to prison. There is a balance in the Governor's message – not only does the prison system need to be used for the most dangerous criminals, there also needs to be a better job done at working with offenders who are addicted to alcohol and drugs; 75% to 80% of the people that are under the authority of the MDOC (prisons, parole and probation) are alcohol/drug involved. Therefore, the Governor's recommendation to expand Drug Courts and to review in earnest, and reform the policies that control the way that drug offenders move through the justice system, are very pronounced and very important on the issues that she wishes to achieve.

The other types of things that the Governor is recommending, according to Mr. Schrantz, include inter-departmental collaboration at a level which has never been experienced by the state. The collaboration that the Director has with Colonel Sturdivant is a good example, which also includes Director Janet Olszewski, Dept. of Community Health, and Director Yvonne Blackman of the Office of Drug Control Policy.

Mr. Schrantz noted that it is very critical that the State Board be aware of and involved in, the work that is before us regarding these drug offender policies. This is an area that the State Board will be able to excel in and will be working for the next couple of months to determine the process that will be employed in order for this to occur.

The other inter-departmental work will be with the Family Independence Agency regarding their area of interest in juvenile justice and juvenile corrections in collaboration with adult corrections. One of the Governor's promises is to tackle juvenile crime and do a better job at reducing the number of at-risk youth who will eventually become our inmates, our probationers and our parolees.

Mr. Schrantz continued discussing the "MDOC Proposed Five Year Plan" and noted that the priorities that the State Board has set over the course of the last few years will continue, but there is a need to be measured objectively and where there is poor performance over the course of time, the OCC will be encouraged to reduce expenditures in areas where there has been no success.

What is needed to be seen with community corrections across the state is a reduction in the prison commitment rate of a specific target group which includes offenders that are straddle cell felons and have prior record variables that tend to be 35 points or more excluding G & H crime classes, probation violators and parole violators.

The Regional Administrators will be reviewing the probation violation guidelines, follow the policy and adapt the local guidelines to suit local available programs so that the subsequent reduction of admissions to prison takes place. The other part of this communication to FOA Administrative Staff and CCABs is that "IF" the mix of programs that is offered to probation violators is not supported by the judiciary (not being used by the judiciary), cannot be recommended by probation to the courts – then it needs to be thrown out and those programs need to be redesigned, recalculated and implemented in a new and fresh way, otherwise there will be no impact.

The final target population in the “Five Year Plan” relative to community corrections is felons that receive short-term sentences. Note the Administrative Policies on page two of Attachment A.

Another area that is receiving attention this year has been the expansion of Drug Treatment Courts. Mr. Schrantz has been working with Director Janet Olszewski (FIA), the Office of Drug Control Policy and the Office of Community Corrections to make available \$150,000 - mostly of federal money – to be able to work with two jurisdictions that are operating successful drug courts for some time (Kalamazoo, run by Judge Schma and Flint, run by Judge Ransom). These judges have agreed to experiment with a target population in drug court that is prison-bound, which is alcohol and drug addicted parolees, who are paroled from the prison system, and while they are on parole are arrested and convicted of new non-violent felonies.

Seven out of every ten of the persons who meet the above description, go to prison and it is by far the most prison-bound group that may be identified. The discoveries from this specific target population will be used to analyze additional expansion in 2004 when an additional \$3 million will be made available in drug court funding. Consistent with the demonstration pilots that are being done this year, \$1.8 million of the \$3 million expansion must be dedicated to work with offenders who otherwise would be sentenced to prison in collaboration with guidelines developed by the Department of Corrections.

Mr. Schrantz discussed some other initiatives that the department is working on, i.e. collaborating with Habitat for Humanity (teaching inmates carpentry skills) and using inmate labor to assist in destroying abandoned buildings.

Long range policies (FY 2005 to FY 2007) include: reducing juvenile crime; reform alcohol and drug addicted offender policies; reform mentally ill and developmentally disable offender policies; review Michigan Sentencing Guidelines (PA 317); reviewing and improving parole guidelines.

The Question and Answer session began with Mr. Quinlan noting that at the recent Regional Planning Sessions that had been held across the state, some participants stated that there were not local instruments for probation violation response guidelines. There are statewide guidelines, but at the meeting it was suggested that each CCAB should have local, written probation response guides and that these don't exist.

Mr. Schrantz stated that they do exist, but there are very few at the local level. Mr. Brzozowski stated that in Region III, there are 60 counties and the Regional Administrator has only received three since the early 90's to authorize. The policy is there, but they have not been activated.

Mr. Schrantz noted that he had directed the Regional Administrators to work with each county and re-visit this policy and adapt those guidelines; he will receive a status report at their next meeting.

Mr. Emery stated that one of the problems that he foresees is that judges have not, to date, “bought-into” community corrections; and without their “buy-in”, it doesn't matter if you change the sentencing guidelines, parole/probation guidelines, etc. and the problems will continue without the cooperation of the judicial system. Mr. Schrantz commented that with the current budget crisis and the certainty that we need to do a better job at getting the community corrections dollars to have an impact on the prison system, as well as the local jail system, that this may be the “push” that is needed to bring the judges on board. A great amount of collaboration has been evident from the Prosecuting Attorney's Association of Michigan and the

Mr. Schrantz continued to explain the connection between policy, funding and impact which needs to be evident in another important part of the budget for FY 2004, which has to do with the County Jail Reimbursement Program. In the past 12 years, \$156 million was spent reimbursing counties and sheriffs for housing felons who “would otherwise be going to prison.” In the course of that time, there has been very little impact on the change of the prison rates – many of the counties there was a good impact, but in very rare circumstances can any connection be made between that funding and prison commitment rates. Now, because we will have the data to do so, we will be able to see if there is an impact. The Executive Administration recommended and the House, so far, has supported – as has the Michigan Sheriffs' Association, is that the County Jail Reimbursement Program is going to be changed. Part of it will continue the way that it has, and there is part that will be changed.

Under the County Jail Reimbursement Program there have been reimbursements for many years of an offender population that is statutorily barred from the state prison system. They cannot be sent to prison, absent some type of departure for compelling and substantial reason by the judge. That population in the past four years has been responsible for approximately \$28 million moving from the MDOC into local counties. This population was never prison-bound, they are not going to be prison-bound because they are statutorily unable to be prison-bound, and this practice will end. The public statute that defines the CJRP is a sentencing guidelines law and that law states that we shall reimburse for a population that would otherwise be bound for prison, and we have to make the funding consistent with that policy. (See Attachments B & C)

The Michigan Sheriffs' Association has recommended, the House of Representatives have endorsed and the MDOC concurs, the concept whereby drunk drivers will be able to be the recipients of funds that are dedicated to reduce the length of stay in jail or jail stay altogether. The House has voted to put \$3 million into the Drunk Driver Jail Reduction/Community Treatment Fund, which would be provided for expanded community-based treatment as part of the local PA 511 process.

A committee has been established of the Drunk Driver Jail Reduction/Community Treatment Fund and the Michigan Sheriffs' Association representative chairs this committee with stakeholders from various associations participating, i.e., Michigan Association of Counties, Community Corrections Association of Advisory Boards, Office of Drug Control Policy, the Michigan State Police Office of Highway and Safety Planning, Mothers Against Drunk Drivers, Michigan Association of Substance Abuse Coordinating Agencies, Michigan Association for Community Corrections Advancement, Prosecuting Attorney's Association of Michigan, etc. This committee will be trying to reach the goals of the fund, which while it does have a secondary goal of opening up jail beds so they may be backfilled and there could be revenue going to the counties, the goal of the fund is to reduce drunk driving and to reduce drunk driver death.

**VIII. OLD BUSINESS:** None

**IX. NEW BUSINESS:** None

**X. PUBLIC COMMENT:** Barb Hankey, CCAB Manager for Oakland County and President of MACCAB addressed the State Board on behalf of both entities. She wanted to advise the Board of a situation that was occurring in Oakland County with severe jail overcrowding. In an attempt to avoid declaring an “overcrowding emergency”, the county has been boarding out an average 179 inmates a day for the past several months. This has cost the county so far this year approximately \$1.4 million and it is expected there will be further adjustments in that line item

into

the fourth quarter. In addition, they are over-utilized in their PRC line item by 114% but rather than discontinue this alternative, the county has agreed to earmark approximately \$340,000 to cover the projected overage for this year. They have maintained a prison commitment rate that is below the state average, about 21% and a below average straddle cell prison commitment rate that is approximately 33%, compared to the statewide 45%. Ms. Hankey renewed the request to the State Board that was included in the midyear application, a reallocation of an additional 8 beds, which are the beds that were in their original allocation.

On behalf of MACCAB, Ms. Hankey wanted to express the appreciation of MACCAB to Mr. Brzozowski for the support that he has shown in instituting many timely suggestions and responses that MACCAB had requested in the Midyear format, PRS summary reports availability and the development of the feedback report for the Midyear, which has proved to be very useful.

Also, Ms. Hankey wanted to express appreciation to Director Overton and Chief Deputy Director Schrantz for the Regional Planning Meetings that were held recently and for the inclusion of all CCABs in those sessions. She also thanked the Administration for the restoration of the community corrections budget to its full level for FY04.

As CCAB Managers move into the implementation phase of new changes, that there will continue to be questions and issues raised, and they hope that they can look to this Board, to the OCC, as well as MDOC Administration for support, technical assistance and continued open dialogue to solve any challenges that may arise.

She also urged the State Board to review the reallocation of PRC funds, to set up a system now, so that no PRC money is lapsed or goes unused because there are many counties that are over-utilizing in that budget line item.

Meeting adjourned.