

STATE COMMUNITY CORRECTIONS BOARD MEETING

April 19, 2007

The Lansing Center, Lansing, MI

1 p.m. to 4:30 p.m.

APPROVED

I. CALL TO ORDER – ROLL CALL

PRESENT: Alfred Butzbaugh (1:12 p.m.), John Phillips, Louis Dean, Bernard Parker (1:20 p.m.), Stuart Dunnings (1:10 p.m.), Charles Brown, George Zulakis, Patricia Caruso, Brigette Officer (1:30 p.m.), Larry Inman and Dennis McMurray.

ABSENT: Inez Brown and Carl Solden.

II. APPROVAL OF AGENDA:

Larry Inman specified that the MDOC Budget report and MPRI Update would be given by Dennis Schrantz, Deputy Director Planning and Community Development Administration, Residential Services presentation would be given by OCC Administrator Ken Brzozowski, Substance Abuse Services presentation would be given by SAS Manager Tom Combs, Cognitive Behavior Programming presentation would be given by Abe French, OCC Coordinator and Kelly Sadler, Mason County CCAB Manager and the County Jail Services presentation would be given by CJSS Manager Jack Kann.

Motion by John Phillips, supported by George Zulakis, to approve the agenda as presented.

VOTE: Motion passed unanimously.

III. BOARD MEMBER'S RE-APPOINTMENTS

Larry Inman indicated that three members were up for re-appointment; Bernard Parker, Sheriff Charles Brown and himself. All of them have had discussions with the Governor's Appointment Office and the appointments are pending. This will be discussed at the next State Board Meeting.

IV. APPROVAL OF AUGUST 24, 2006 MINUTES:

Motion by Charles Brown, supported by Louis Dean, to approve the August 24, 2006 Minutes as written.

VOTE: Motion passed unanimously.

V. ADMINISTRATOR REPORT:

Administrator Brzozowski indicated that the purpose of this meeting is for Mid Year reviews. He announced that the Mid Year Reviews are nearly completed and all indications show that the counties are moving in a very positive direction.

Administrator Brzozowski provided a Residential Services handout, data on Residential Service Providers for FY 2005 through FY 2007 and State Summary of Program Participants by Crime Class and Legal Status with Percents of Successful Outcomes.

He indicated that there are four counties who have expended their Residential Services allocation and have no more funds remaining. He indicated that due to the State's budget crisis, bed reallocation is not a possibility.

Administrator Brzozowski indicated that the FY 2008 Application packet has been sent out to CCAB Managers and that the Application is due May 31, 2007. Seventeen proposals will be presented at the August meeting for the State Board to review.

Stuart Dunnings asked if there are counties that have under-utilization and if there were any thoughts in shifting monies to those counties that have over-utilized. Administrator Brzozowski indicated there are some CCABs that are under-utilizing services. Director Caruso then stated that due to the restrictions that MDOC is currently under, the Department does not have any authority to shift monies on their own. She indicated that all lapsed dollars are going to the General Fund.

VI. MDOC BUDGET

Deputy Director Dennis Schrantz indicated that due to the State's budget crisis, the MDOC is looking at continued budget reductions. For FY 2007, MDOC has announced the closing of the Southern Michigan Correctional Facility, the closing of the Riverside Correctional Facility and the reopening of the Reformatory. These closures are expected to have a \$43 million savings and increase bed space.

Deputy Director Schrantz indicated that Michigan's violent index crime rate is 34% higher than the Midwestern states as a whole. If Michigan's prison admission rate were reduced to be in line with the rest of the Midwest, we would experience expenditure reductions in the \$500 million range. He indicated that MDOC will begin recommending amendments to Michigan's Sentencing Guidelines structure to become effective in FY 2008 and expand statewide the successful Michigan Prisoner Re-Entry Initiative (MPRI). MPRI shows double-digit reductions in parolee failure. MDOC will reinvest some of the savings from these improved policies into community treatment options for drug and alcohol addiction that are proven to reduce crime; put more parole agents on the street; and, improve and expand the multi-million dollar investment in the State's jail system to ensure public safety.

Sheriff Brown has concerns with straddle cell offenders and the Sentencing Guidelines. He indicated that jails just can't take anymore offenders and while the State has a one time cost to build new jails, it is ultimately up to the County to run the jail. He questioned Deputy Director Schrantz as to the reduction in the MDOC budget and where that savings was going to go; State and/or County, and personnel. Deputy Director Schrantz indicated that the reinvestments would go to re-entry costs, agents, local funds such as OCC and local sheriff offices. He indicated that MDOC does not plan to eliminate the County Jail Reimbursement Program. Sheriff Brown indicated

that we need to fix the problem together, work together, and not fix the State first and the County second.

Director Caruso indicated that in order to reduce the budget, you need to take the prison population down and close prisons. She indicated that you can't keep people in prisons just to save people's jobs and you can't send people to prison just to keep jobs. Therefore, we need to get the prison population down and keep cutting costs at the same time of keeping everyone safe.

There are four major policy changes that are projected to reduce the MDOC's budget by 5%, or \$92 million, in FY 2008: 1) Commute some prisoners within specific groups, including the medically fragile, foreign nationals, and non-assaultive prisoners 65 years of age or older; 2) Amend Michigan's Sentencing Guidelines structure by reducing the number of offenders who are scored in the "straddle cell" category of the sentencing grids and provide intermediate sanctions for them; 3) As part of the MPRI, place eligible parolees into the new MPRI Community Placement Program; and 4) Expand the MPRI statewide in FY 2008 and take it up to scale for all new admissions in FY 2009.

Chair Inman indicated that they came together as a Board to discuss Sentencing Guidelines and he would like to continue to set up structure and review guidelines periodically with regard to capacity issues in the counties and county jails. He welcomes, on the County level, the opportunity to talk and debate about Sentencing Guidelines and the possibility to look at new revenue as a group and consensus.

VII. MPRI UPDATE

Deputy Director Dennis Schrantz provided handouts regarding the MPRI Community Placement Program along with Comparison and Analysis Information.

Deputy Director Schrantz indicated that the MPRI Community Placement Program (CPP) reduces crime and substance abuse relapse through a system of integrated transitional services coupled with rigorous drug testing and sanctions. The goal of the program is to enhance or create protective linkages for parolees within the first days of their release from prison and move towards reducing known risk factors associated with relapse and criminal behavior.

The proposed FY 2008 budget includes the establishment of the MPRI CPP which dovetails with the MPRI Model to gradually transition offenders back into the community while maintaining strict supervision. In order to achieve maximum cost savings this new MPRI CPP for parolees will be tie-barred to the changes to the Sentencing Guidelines by targeting offenders who under the new guidelines structure would likely no longer be sentenced to prison. The new MPRI CPP will require working closely with the Parole Board to identify prisoners who can be safely paroled through the additional safeguards of a thorough Reentry Plan that includes this residential placement option, and electronic monitoring as necessary.

MDOC is now prepared to implement the MPRI CPP. Decisions by the Parole Board for prisoner placement into the program are beginning this month. This special program is designed for only those prisoners who are past their earliest release date (ERD) and who, therefore, have served more than the minimum term of imprisonment required by the sentencing judge. This program has been designed with significant input from the MDOC Field Operations Administration and the Michigan Parole Board as MDOC determines the most effective ways to manage parolees' risks and address their needs. The program is built on the solid MPRI Model foundation that is already in place and then adds several critical components to model for risk management and risk reduction.

Deputy Director Schrantz indicated that the MPRI Community Placement Program is a special program and will be monitored and evaluated as a separate cohort in the MPRI evaluation. He also indicated that he has spoken at public forums and will continue to educate the public on MPRI.

VII. CONSENT CALENDAR ITEMS:

Residential Services: OCC Administrator Brzozowski provided packets of information on Residential Services as well as showed a Power Point presentation on same. Administrator Brzozowski indicated that the FY 2007 Appropriation is \$16,925,500 which supports an average daily population of 976 with a maximum per diem of \$47.50. Funds are awarded to local jurisdictions to purchase residential substance abuse services and residential services for eligible felony offenders. Emphases continues to be on utilizing residential services as part of a continuum of sanctions and services, i.e., short-term residential stays followed by outpatient services.

Due to lapsed funds in the previous fiscal years, the Michigan Association for Community Corrections Advancement has approached the Department requesting that OCC explore contracting directly with the providers. There are currently 45 CCABs that are awarded funds for residential programs. If each CCAB were one bed under-utilized, that equals \$17,337 lapsed dollars for each CCAB, or nearly \$800,000 total lapsed dollars for the fiscal year.

Currently, through the application process, CCABs project local need for residential services. Annual awards respond to local needs and program utilization patterns. In previous years, the State reallocated funds to support those CCABs that over-utilized residential services. No funds will be reallocated this fiscal year due to budgetary constraints.

Currently, forty-five CCABs contract with thirty-two Residential Service providers. CCABs enter into multiple contracts with the same Residential Service providers; 124 contractual agreements have been entered for this fiscal year. Services are restricted to offenders from local jurisdictions and the offenders' needs may not be addressed due to the lack of flexibility for placing offenders into programs with specific services to address their needs. The CCABs, service providers and OCC have to process multiple invoices monthly which have made the process very inefficient. Lastly, the Department's Substance Abuse Services Section has contractual agreements with over 60% of the CCABs contracted providers which represents nearly 75% of total beds.

OCC is proposing that the State enter into one contract with the provider rather than numerous CCABs entering into individual contracts. This will create more flexibility to allow offenders to be placed into residential beds which are currently being under-utilized. Administrator Brzozowski indicated that CCABs would be required to continue identifying residential services as part of the local community corrections planning process with OCC. Substance Abuse Services has already issued an "Invitation to Bid for Residential Services" as an exploratory measure. To ensure that the local jurisdictions maintain the necessary level of control regarding service providers, the selection review panel (3 members) would include a CCAB appointed representative for their local area.

Going to one contract per provider would a) increase residential services availability to counties; b) maintain CCABs involvement in selecting providers; c) eliminate CCABs multiple contracts with service providers; d) eliminate CCABs and service providers processing multiple invoices; e) reduce OCC monthly invoice processing; f) reduce delays in provider reimbursements; g) reduce/eliminate County liability; and h) reduce annual lapsed funds.

Administrator Brzozowski indicated that not only would this plan save money, but it would also offer additional services to those counties that are over-utilized every year. Bernard Parker asked if the CCABs would lose administrative funds due to these changes. Administrator Brzozowski indicated

that the counties would not lose funding and are not currently awarded funds to administer these services.

MACCA (Michigan Association for Community Corrections Advancement) Bill DeBoer, Director of KPEP, representing residential programs, ALSAO (Association of Licensed Substance Abuse Organizations) Mike Reagan, representing licensed residential treatment providers, and MACCAB (Michigan Association of Community Corrections Advisory Boards) Barb Hankey, Oakland County CCAB Manager, representing community corrections advisory boards, all provided comments in support of the proposed plan presented by Administrator Brzozowski.

Chair Inman asked Administrator Brzozowski if he was looking for Board approval and Administrator Brzozowski indicated "yes, he would like a recommendation from the Board on record".

VOTE: There was a roll call vote to approve an evaluation and process, for one year, of entering into one State contract with each Residential Service provider. Alfred Butzbaugh-Yes, John Phillips-Yes, Louis Dean-Yes, Bernard Parker-No, Stuart Dunnings-Yes, Charles Brown-Yes, Patricia Caruso-Yes, Brigette Officer-Yes, Larry Inman-Yes, Dennis McMurray-Yes. Motion passed unanimously.

Substance Abuse Services: The Substance Abuse Services Manager Tom Combs gave a Power Point presentation on Substance Abuse Services. Manager Combs described the MDOC Residential Gatekeeper function, background information, Gatekeeper Pilot, Gatekeeper Implementation, and Gatekeeper In-Source. He also provided a historical overview of the process prior to the implementation of the Gatekeeper System. Since the implementation this function has a) reduced the cost of referring offenders into treatment by 43.5%; b) referrals have increased by 17.8%; c) utilization has increased 14%; d) 95% of contractors are now contacted within 24 hours of agent referral; e) 98% of agents are notified within 24 hours of provider's acceptance; and f) 87% of all referrals are placed in treatment within seven days of availability, an increase of 20%. Manager Combs also described the Residential Treatment Referral and Service Network processes.

Manager Combs introduced three staff members: John Robinson, Contract Compliance Instructor; Maurice Hills, Placement Coordinator; and Gwen Thelen, Placement Coordinator.

Cognitive Behavior Programming: OCC Coordinator Abe French and Mason County CCAB Manager Kelly Sadler were scheduled to give a presentation on Cognitive Behavior Programming. This has been rescheduled for the August 16, 2007 State Board Meeting.

County Jail Services: CJSS Manager Jack Kann was scheduled to give a presentation on County Jail Services. This has been rescheduled for the August 16, 2007 State Board Meeting.

VIII. SETTING ASIDE CONVICTIONS:

Per the request of Bernard Parker at the August 2006 State Board meeting, Mr. Parker wanted something in place from OCC which would keep offenders knowledgeable on how to set aside their convictions if/when they were eligible.

Administrator Brzozowski provided an informational only pamphlet "Erase Your Record – A Guide to Setting Aside Your Conviction" for the Board's review as well as the Setting Aside Convictions (Excerpt). He indicated that the pamphlet has been distributed to the State Board members for review and comments then it would be distributed to all CCABs to be distributed to offenders.

Stuart Dunnings indicated that if offenders have more than one conviction regardless, they cannot expunge. For example: If they have an OUIL and Driving While License Suspended, they cannot expunge. If they have a Possession of Marijuana and an OUIL, they cannot expunge, even if they have gone more than ten years without a problem. Prosecutors feel that this is up surd and that it is blocking a lot of people who have been otherwise rehabilitated from having access to really reintegrating into the community. Prosecutors really want people to successfully reintegrate into the community so that they are not reoffending. The Prosecutor's Association is in favor of expanding the criteria for expungement and stressed to everyone to let their Legislators know.

Bernard Parker had no remarks; only indicated that he was glad things were moving forward.

X. PUBLIC COMMENT

Barb Hankey – MACCAB, voiced her concerns regarding the Sentencing Guidelines and CJRP. She announced that MACCAB will be holding training for “Evidenced Based Practices in the Pre-Trial Arena” for June 8th at the Kellogg Center.

XI. OLD BUSINESS:

No old business.

XII. NEW BUSINESS:

Director Caruso indicated that the Social Security Office has agreed to accept the MDOC I.D. cards as a form of identification from offenders who are newly released from prison.

Administrator Brzozowski shared a Macomb Daily newspaper article regarding “County jail program rated the best”. The Macomb County program that keeps troubled mentally ill people out of jail and out of trouble has earned a place on the national stage where it will be singled out as one of the best programs of its kind in the country.

XIII. ADJOURN

Chair Inman moved to adjourn the meeting. Motion by Carl Solden, supported by Brigette Officer. Motion passed unanimously.

Meeting adjourned.