

Four Research Reports Address Michigan Prisoners' Length of Stay

Citizens Research Council of Michigan, *Growth in Michigan's Corrections System: Historical and Comparative Perspectives*, (June 2008)

The average length of stay increased 57 percent from 28 months in 1981 to 44 months in 2005.

Controlling for offense type, in 2003 Michigan's length of stay was 1.2 years longer than the national average.

CAUSE: Adoption of sentencing guidelines, elimination of disciplinary credits, declining parole approval rates,

- The average annual parole approval rate was 66% prior to the 1992 parole board change from civil service to appointees and declined to 54% from 1992 to 2006. The most dramatic declines were for assaultive and sex offenders.
- Prisoners serving past their earliest release date went from 16% of the total population in 1991 to 31% in 2006.

EFFECT: If length of stay had been one year shorter starting in 1990, in 2005 Michigan would have:

- Incarcerated roughly 14,000 fewer prisoners
- Spent about \$403 million less
- Employed roughly 4,700 fewer Corrections employees

Justice Center, The Council of State Governments, *Justice Reinvestment in Michigan: Analyses of Crime Community Corrections and Sentencing Policies* (January 2009)

The average minimum sentence imposed by Michigan judges for various violent crimes is comparable to the average length of incarceration for people nationally. Nevertheless, people sentenced to prison in Michigan for various violent crimes stay in prison considerably longer than is the case nationally.

- For robbery, Michigan prisoners spent 52% longer in prison than those nationally.
- For sexual assault, Michigan prisoners spent 33% longer.

The overwhelming difference between the lengths of time served nationally and in Michigan appears to be due to the unique level of discretion available to the state's parole board.

The average Michigan prisoner serves 127% of the minimum sentence imposed by the court before they are first paroled.

More than 1,000 offenders released in 2007 "maxed out", i.e., they served the maximum period of imprisonment allowed by statute and were released without community supervision.

In 2007, parolees accounted for just 3% of all arrests for index offenses

Citizens Alliance on Prisons and Public Spending, *Denying Parole at First Eligibility: How Much Public Safety Does It Actually Buy?* (August 2009) [Reviewed nearly 77,000 people released from prison in Michigan from 1986-1999]

After the composition of the parole board was changed in 1992, time served went from 93% of the minimum to 106%. From 1993-1999, the new board's policies required 2,229 more beds per year.

The increases were dramatically greater for homicide and sex offenders, even though the Michigan data, like that from other states, showed these offenders have the lowest recidivism rates.

- Only 3 % of sex offenders were returned for another sex offense.
- Less than 1% of homicide offenders were returned for another homicide.

Incarcerating people for an extra year or two after their earliest release date had very little impact on returns to prison within four years.

To avoid increasing returns for new crimes against people from 4.5% to 6.9%, 9,664 assaultive and sex offenders who would not have returned with any new offense were imprisoned for one to four years after they became eligible for parole.

If everyone denied parole for up to two years had been released when first eligible:

- It would have saved more than 2,300 beds a year.
- The rate of parolees returned to prison for new crimes would have increased by 1.7 points.
- Annual arrests would have increased by less than 0.4%.

Pew Center on the States, *Time Served: The High Cost, Low Return of Longer Prison Terms* (June 2012) [Reviewed people released from prison in 35 states from 1990-2009]

Nationally, average time served for all crimes increased 36%; for Michigan it increased 79%. Nationally, the time served for assaultive offenses increased 37 %; for Michigan it was 97%.

Michigan currently has the longest length of stay of all the states.

- In 2009, Michigan prisoners served nearly 17 months longer than the national average.
- Those convicted of assaultive crimes served 30 months longer → 50% above the national average and two to three years more than Georgia, Texas, Louisiana, Florida and California.

Of Michigan non-assaultive offenders released in 2004, 24% "could have been safely released after serving between two months and three years less time behind bars."

- The prison population would have been reduced by 3,280 at a savings of \$92 million.
- Arrests for violent crimes would have increased by 0.2%.