

## Zero gun tolerance for parolees costly, arbitrary

A new mandatory parole revocation policy that may result in the need for bedspace at least equal to another Level 1 prison, at a cost of \$20 million a year, was announced on July 14 by Gov. Granholm. The policy was a response to a rash of gun violence in Detroit.

Standard conditions of supervision have always required parolees not to possess guns or to knowingly associate with others who possess guns. Revocation of parole was routine for those found in possession of weapons. Once parole is revoked, technical violators spend an average of two more years in prison. However, parole officers have

typically exercised discretion when the violation involved association. Given the number of people in Michigan who own hunting rifles or legally registered handguns, it can be difficult for a parolee to return home, find a job or associate with law-abiding friends and relatives without being in the company of someone who possesses a weapon.

Under the new "zero gun tolerance" (ZGT) policy, not only will parole revocation be mandatory for violations involving both possession and association, but the parolee will be required to serve an additional five years in prison (or to complete the maximum term of the original sentence, if that comes first). Parolees who possess guns will also be referred to state or federal authorities for possible criminal prosecution. In addition, probation agents are being directed to recommend that felony probationers who own or possess guns have their probation revoked, that the maximum available penalty be imposed and that the probationer be referred for additional prosecution on a gun charge. While judges will ultimately retain the discretion to decide how probation violators will be treated, the new policy strips the parole board of the discretion to decide whether technical parole violators can be safely released from prison.

ZGT creates a host of problems and raises a host of questions. A Free Press op-ed by CAPPS Executive Director Barbara Levine, reprinted on page 7, addressed such issues as the arbitrary nature of mandatory penalties and the harshness of imposing five years in prison on someone whose only offense is being in the presence of someone else who has legal possession of a gun.

So far, the MDOC has indicated that ZGT will require over 400 new beds next year and about 1,000 by 2009. However, these estimates are extremely rough and may be impossible to make accurately for some time. For one thing, since association violations were often not punished in the past, there is no data about how many occur. It

### CAPPS Annual Membership Meeting Business meeting & Board Election



Speaker: MDOC Deputy Director  
**Dennis Schrantz**

Thursday, Oct. 28, 2004, 6 p.m.  
Faith United Methodist Church  
4301 S. Waverly Rd., Lansing  
Buffet Dinner: \$13  
See insert for registration

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*President*

**Ronald Bretz**  
*President-Elect*

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## Zero gun tolerance for parolees costly, arbitrary

is also impossible to anticipate how much tougher judges will actually get on probation violators.

Why ZGT is needed, in light of the range of other available sanctions, also raises hard questions. First, of course, is why five years in prison is needed to prevent gun violence by a parolee who has shown no propensity for guns or violence simply because a friend or relative legally has a gun. Even where the imposition of some sanction seems reasonable, the MDOC already had plenty of options, such as increased supervision, changed living arrangements, electronic monitoring and commitment to a 90-day Technical Rule Violation (TRV) Program.

As of July, just when ZGT was adopted, the MDOC had developed yet another option. It is renting 150 jail beds in Ingham and Clinton Counties that will be used to sanction parole violators with 30-day jail stays. Although TRV beds are being reduced by 160 to 398, between the two programs parole agents would have the capacity to lock up 3,392 parole violators a year (1,592 in TRV and 1,800 in jail) for periods long enough to get their attention. It is not clear what criteria will be applied in deciding which violators will go to jail and which to a TRV. Field operations area managers have enormous discretion to decide who will be sanctioned for which violations and in what manner. But any community-based sanction that has the possibility of keeping a parolee on the right track would seem preferable to an automatic five-year prison term.

Ultimately, in cases of gun possession, a return to prison may be warranted. However, the question still remains whether five years will be so much more effective than the usual two years as to warrant the 150 percent increase in per prisoner cost.

Beyond the expense, arbitrariness and doubtful utility of the new policy lie broader concerns about the philosophy that is driving it. When the legislature has rejected harsh mandatory sentencing for drug offenses and the MDOC has focused on finding new ways to help prisoners re-enter society successfully, ZGT seems extraordinarily punitive. When corrections already consumes 20 percent of all general fund spending, ZGT will divert even more resources from programs, like substance abuse treatment and children's mental health, that might better succeed in preventing gun violence in the long run. For many parolees, a five-year prison return under ZGT will be much longer than the minimum sentence they already served for their original crime. Thus a technical parole violation that has caused no one any injury would be the basis for a longer period of incarceration than the sentence imposed by the judge. And if the Governor can simply order mandatory five-year continuances for this group of offenders, other inroads on the theoretical independence of the parole board might also occur. Could all prisoners who committed certain offenses be mandated to serve their maximum sentences regardless of sentencing guidelines or individual circumstances?

There is much to be learned about what the consequences of ZGT will be. CAPPS will monitor closely its impact on parolees, taxpayers and corrections policies.

## Meet the CAPPS Board of Directors

*CAPPS' 21-member board of directors brings together a wealth of expertise and a variety of perspectives.*

**Elizabeth Arnovits**, executive director of the Michigan Council on Crime and Delinquency, has been involved in human services for the past 27 years. She began her career as a community liaison for a Model Cities Community Center Program, where she was involved in the juvenile and adult criminal justice systems. She has organized coalitions to advocate for reforms in policies that affect children, including foster care and adoptions. As president of the Michigan Coalition Against the Death Penalty, which she organized in 1984, Arnovits also successfully led efforts to keep Michigan free of the death penalty. She has a bachelor's degree in criminal justice from Michigan State University and advanced training in various organizational skills.



**Arnovits**

**Gary Ashby** is director of the Restorative Justice Ministry for the Catholic Diocese of Lansing, a post he has held for the past 10 years. The Ministry provides religious services to inmates of prisons, jails and youth facilities and tries to impact public policy in accord with the values of reconciliation, healing and restitution to victims as well as opportunities for reform and self-improvement for offenders. Previously, Ashby was a consultant for young adult ministry with the diocese. He holds graduate degrees in social work from Washington University in St. Louis and pastoral studies from Loyola University in Chicago.



**Ashby**

**Gene Beerens**, a staff member of the Bella Vista Church in Rockford, is active as a volunteer in many racial healing and justice advocacy groups, including the Restorative Justice Coalition of West Michigan. A graduate of Calvin College and Calvin Theological Seminary in Grand Rapids, Beerens served as pastor of churches in Terre Haute, Ind. and Grand Rapids with a focus on ministry to impoverished and urban communities. From



**Beerens**

1988-2000, he founded and directed Exodus Correctional Ministries, which provided case management, vocational training and placement as well as mentoring for probationers and parolees returning to Kent County.

**Kenneth W. Bensen**, president of Habitat for Humanity Michigan, developed the Habitat Prison Build Program with the Michigan Department of Corrections. He is also coordinator of international church relations with the National Council of Churches in Christ and Habitat for Humanity International. Working with Habitat for Humanity since 1985, Bensen organized 81 affiliates in Michigan, supervised the building of more than 2,200 houses and helped house more than 9,900 individuals in Michigan. He developed the public private partnership between Habitat for Humanity Michigan and Michigan State Housing Development Authority and has raised more than \$20 million for Michigan affiliates. He has a doctor of ministry degree from the University of Chicago.



**Bensen**

**Tony Benavides**, mayor of Lansing, has a long history of public service as executive director of the Cristo Rey Community Center, one of Lansing's largest human service organizations. For 33 years Benavides led the organization which serves thousands of children, youth and seniors. He established medical and mental health clinics that serve low income and immigrant families and oversaw one of the most successful employment and training programs in Lansing. Benavides serves on a number of boards including the Greater Lansing Urban League, the National Conference of Catholic Charities and the League of Women Voters. Before becoming mayor he was third ward city council member for more than two decades and served as Lansing City Council president.



**Benavides**

**Prof. Ronald Bretz** was an assistant defender with the State Appellate Defender Office for 20 years before



**Bretz**

joining the Thomas Cooley Law School faculty. He has served as a board member of Legal Aid of Central Michigan and taught at seminars sponsored by various organizations of judges and lawyers. He is an expert on the use of serology and DNA scientific evidence, and has published and lectured extensively in this area.

He holds a law degree from Wayne State University and a bachelor's degree from Michigan State University.

**Robert Brown Jr.** was director of the Michigan Department of Corrections for six and one-half years, retiring in 1991. During his 30 years with the department, Brown served as deputy director in charge of the state prisons, a deputy warden, a parole officer, and a prison counselor. Now a criminal justice consultant, he is a consent agreement monitor for a federal court in Illinois and has worked with the prison systems of Connecticut, Illinois and Pennsylvania. Among Brown's many honors are awards from the American Correctional Association and the Association of State Correctional Administrators. He is a graduate of Michigan State University.



**Brown**

**Rev. Neil Davis** is pastor of the Faith United Methodist Church in Lansing. He formerly worked for the Southwestern Michigan Urban League as an employment specialist and youth programs director. Davis also was director of the "I Have a Dream" Foundation of Battle Creek, which helps children from low-income areas reach their education and career goals by providing long-term mentoring, tutoring, and enrichment with an assured opportunity for higher education. Davis has a bachelor's degree from Spring Arbor College and master's degrees from Western Michigan University and Garrett-Evangelical Theological Seminary, Evanston Ill.



**Davis**

**Robert C. Grosvenor**, executive director for the Michigan Conference of the American Association of University Professors, served as executive director for the

Michigan Trial Lawyers Association from 1972 to 1990. Grosvenor was director of the Michigan State Employees Union, Council #7, AFSCME, AFL-CIO from 1952 to 1972. In that capacity he worked with other unions for passage of the Michigan Public Employment Relations Act, which brought collective bargaining to the public services in Michigan. Grosvenor earned a master's degree from Michigan State University and has bachelor's and master's degrees from Bucknell University in Lewisburg, PA.



**Grosvenor**

**Rev. Dr. Robert Henning**, pastor of the United Methodist Church in Stockbridge, was an assistant professor and coordinator for the Spring Arbor College Prisoner Education Program from 1990 to 2000, having taught in the program from 1983 to 1990. An ordained elder in the Detroit Conference of the United Methodist Church, Henning earned a Ph.D. from Michigan State University and a master's degree in divinity from Asbury Theological Seminary, Wilmore, Ky. He is a member of the Wesleyan Theological Society where he recently presented a paper on restorative justice.



**Henning**

**Rose Homa**, executive assistant for the Michigan Federation for Children and Families, has been with this association of private, nonprofit child



**Homa**

and family service agencies for 26 years. The federation works to protect children, build families and strengthen communities by influencing public policy and enhancing the ability of Michigan's private nonprofit agencies to provide human services. Homa produces the organization's periodic communications to members and legislators and serves as staff to member interest networks as well as to the board of directors and executive committee. She also prepares and oversees the budget, develops corporate sponsors, coordinates workshops, handles surveys and is liaison to the MSU School of Social Work federal grant steering committee.

**Ronald Jimmerson** is a human resources manager for Cascade Engineering. As manager of the Community Partnership and Workforce Diversity



**Jimmerson**

Department, Jimmerson is responsible for the company's Welfare-to-Career program which has the highest retention rate in the nation. Cascade is the only company in the state that has two specialists from the Family Independent Agency on-site. He also runs the School-to-Career Progression program which helps at-risk high school students graduate and enroll in college or go to work. The program also provides Cascade volunteers to work with elementary students in reading, writing, math and other subjects. Jimmerson helped develop a program called Reentry Roundtable that helps ex-offenders return successfully to the community.

**Deborah LaBelle**, a human rights attorney, focuses on the rights of people in jails and prisons. She has been lead counsel in more than a dozen class action cases that have successfully challenged policies affecting the treatment of prisoners and their families. She advocates for recognition of the applicability of international standards to those in detention in the United States and has been instrumental in initiating model projects for change. As a senior Soros Justice Fellow, LaBelle began working in 2003 on issues involving juveniles incarcerated in adult facilities and is continuing as project director of the Juvenile Life without Parole Initiative, sponsored by the ACLU of Michigan.



**LaBelle**



**Oxer**

**Edward A. Oxer** is a licensed psychologist who is currently in private practice treating adults with such issues as anxiety, depression and substance abuse. From 1981-2000, Oxer was program director and staff psychologist of the Community Mental Health Board for Clinton,

Eaton and Ingham counties. His duties included substance abuse and mental health treatment for

adolescents, adults and families and evaluations for involuntary hospital admissions. Oxer received his Ph.D. from Michigan State University and his M.S.W. from Adelphi University School of Social Work in Garden City, N.Y.

**Sharon Claytor Peters** is president and CEO of Michigan's Children, a statewide, multi-issue advocacy organization for children. She co-chairs the Michigan Coalition of Children and Families. A member of advisory boards for organizations that include the Michigan Public Policy Institute and the Skillman Center for Children. Peters also served on the Lansing Board of Education from 1994-2000 and was president for two years. She served as assistant secretary of state for Michigan and was on the speaker's policy staff for the Michigan House of Representatives. A former teacher at the junior college level, Peters holds a master's degree in medical anthropology from Michigan State University.



**Peters**

**Michael F. Reagan** is president and CEO of Project Rehab, a statewide non-profit health care organization based in Grand Rapids that provides substance abuse and mental health treatment and prevention services. Many of its clients are offenders. Reagan, who has a master's degree in counseling psychology, is president of the Association of Michigan Licensed Substance Abuse Organizations. A member of the Criminal Justice Alcohol and Other Drug Abuse Statewide Task Force, Reagan teaches graduate level courses at Western Michigan University and Grand Valley State University.



**Reagan**



**Ryder**

**Penny Ryder** has been director of the Criminal Justice Program of the Michigan Area Office of the American Friends Service Committee since 1987. As a prisoner advocate, she has focused especially on health care and pre-parole planning. She is founder and consultant to MI-CURE, the

## Citizens Alliance on Prisons and Public Spending

Michigan Chapter of Citizens United for the Rehabilitation of Errants and has served on the board of the Children's Visitation Program, which helps women in prison see their children in a less-structured environment. She is also an associate member of the governing council of the State Bar Prisons and Corrections Section. A former practicing LPN, Ryder earned a bachelor's degree in human resource administration from Concordia College.

**Laura Sager**, executive director of Families Against Mandatory Minimums (FAMM), has more than 25 years of experience in social justice movements. Sager joined FAMM in 1997 as Michigan project director. In that role she coordinated a media, coalition-building and grassroots lobbying campaign for reform of mandatory sentences for



Sager

non-violent drug offenders that ended mandatory life sentences for delivery of 650 grams of drugs. More recently, Sager spearheaded the successful campaign to reform Michigan's entire structure of mandatory minimum drug sentences and to repeal "lifetime probation."

A three-bill package was signed into law on Christmas Day, 2002. She now heads sentencing reform campaigns in North Carolina and New Jersey and continues to work on Michigan sentencing reform initiatives.

**Maia Justine Storm**, an immigration attorney who earned her law degree from the Thomas M. Cooley Law School, also has a Ph.D. in anthropology from Northwestern University and a masters degree in clinical psychology from Indiana State University. Storm was staff attorney for Prison Legal Services of Michigan, Inc., and for the Michigan Protection and Advocacy Service, Inc. in its assistive technology program. She has been a senior social worker for Guardian, Inc. of Battle Creek handling probate court appointments and was a clinical supervisor for brain injured clients for the Battle Creek Neurorehabilitation Center. Storm teaches at Davenport University and is active in community organizations in Kalamazoo.



Storm

**William S. Tregea**, an associate professor at Adrian College, is a founder of the Michigan STEPP Coalition, Inc. (Accredited Skills, Training and Education for Prisoners and Prevention) and works to educate Michigan legislators and national audiences about the value of post-secondary education for prisoner success in reentry and for crime prevention. He directs the bachelor program in criminal justice at Adrian College and has won an award for introducing service learning in his college classes, including having students tutor in a medium-security prison and in a halfway house.



Tregea

Tregea has 20 years of teaching accredited college classes in 11 prisons in both Michigan and California. He is also active in a community crime prevention organization in Adrian. He has a Ph.D. and two master's degrees, all from Michigan State University.

**Heaster Wheeler**, executive director of the Detroit Branch of the NAACP, previously worked as deputy director of communications for the speaker of the Michigan House of Representatives and was co-convenor of the Michigan Legislative Black Caucus Summit. Wheeler, who was a Detroit firefighter and member of Detroit's community relations speaker's bureau, also held the post of manager of state government affairs for Ameritech and later lobbied for Detroit Public Schools. He began his career in government-related employment as a legislative assistant to a state representative. A member of a number of boards including the Advocates and Leaders for Police and Community Trust, the Southeast Michigan Council of Governments and the Michigan Land Use Leadership Council, Wheeler has attended Clark Atlanta University in Atlanta, Ga., Wayne County Community College, and Wayne State University and has extensive training in public relations and public policy.



Wheeler

LOCAL COMMENT

# New gun policy for parolees creates problems, not solutions

By BARBARA R. LEVINE



Under a policy that Gov. Jennifer Granholm recently announced, a parolee who possesses a gun or associates with someone possessing a gun will be returned to prison for 5 years or the remainder of his or her maximum sentence, whichever is less.

While reducing gun violence is essential, the Citizens Alliance on Prisons and Public Spending believes the costs of this approach are too high. CAPPSS advocates shifting resources from excessive spending on prisons to other public services.

Returning to mandatory penalties is a huge step backwards. Just 18 months ago, Gov. John Engler signed legislation eliminating mandatory drug sentences that kept judges from selecting penalties based on all the relevant facts.

The Legislature was persuaded by many stories of people forced to serve far more time than their behavior warranted. While top drug offenders can still be locked up for a long time, judges can now more closely fit the punishment to the crime. Prosecutors and judges supported the change. Taxpayers have saved millions, at no cost in public safety.

But even the discredited mandatory drug sentencing scheme was more flexible than the new parole policy. Judges could depart below the mandated minimum in appropriate cases and prosecutors could negotiate lesser sentences through plea bargaining.

Under the governor's new policy, appointed parole board members will effectively engage in sentencing, with no discretion to depart below 5 years. Parole agents in the field will lack the authority to consider alternative penalties or dismiss a charge.

Most important, even under

the drug laws the defendant had to commit a crime intentionally. The new policy will sweep in people who were merely around someone who possessed a gun. It will apply equally to the man on parole for assault who is found standing guard at a drug house with an AK47 and the woman on parole for retail fraud whose mother keeps a gun at home for protection.

Unless the term "associate" is carefully defined, a parolee who attends a social gathering or accepts a ride risks spending 5 more years in prison if someone present has a gun. No parolee will be able to work at a store where the owner keeps a gun concealed or a security guard carries one openly. Parolees will not be able to associate with police officer relatives or return home to families who have hunting rifles. Either the family must surrender its right to possess legal weapons or the parolee must find somewhere else to live.

This harsh new regimen is based on flawed assumptions. Two-thirds of all parolees were convicted of nonviolent offenses. There is no evidence that parolees commit a significant proportion of gun violence or that being in the presence of guns legally possessed by others increases their risk of re-offending. The critical assumption that lengthy periods of re-incarceration will actually keep the public safer is wholly unsupported by research or experience.

Then there is the matter of money and bed space. Each returned parolee will cost taxpayers about \$150,000 and occupy a bed for 5 years. The Michigan Department of Corrections estimates 400 returns next year, rising to 1,000 in 2009, but says no problem exists because 900 beds are now empty. It is unclear how the policy's impact can be projected accurately. But if we have that much excess capacity, we should be closing a \$20-million-a-year prison, not finding new ways to fill one.

Adequate options for dealing

with parole violators already exist. Those who possess guns can be returned to prison and have their sentences continued for two years at a time. The parole board can and does repeatedly hold to their maximums those prisoners it believes are a risk to the public. And parolees who commit new crimes, including gun law violations, can be prosecuted and given additional stiff terms.

The new policy is especially disappointing because the administration is working on thoughtful measures to contain the use of prison beds. Its re-entry initiative will eventually reduce incarceration rates by better preparing prisoners for release. It has reduced the number of parolees returned to prison for "technical violations" by using a range of community-based sanctions.

Getting tough on parolees, while tempting because it is easy, actually creates problems. The new policy blurs the lines between legislative, judicial and executive roles in sentencing. It will make it harder for parolees to find jobs and housing, divert resources that could have been applied to treatment programs, and rob parole agents of the ability to apply rules on a case-by-case basis.

Changing the culture of gun violence is as important and difficult a task as any our political leadership faces. But mandatory 5-year parole continuances provide no real solutions. Hopefully when the new policy is implemented, the terms will be defined to prevent the most foreseeable injustices.

**BARBARA R. LEVINE** is executive director of the Citizens Alliance on Prisons and Public Spending, a Lansing-based non-profit public policy organization consisting of organizations and individuals concerned about the social and economic costs of prison expansion. Write to her in care of the Free Press, Editorial Page, 600 W. Fort St., Detroit, MI 48226.

## CAPPS capacity, strategy to grow

### Grant paves way for enhanced efforts

A generous grant from the JEHT Foundation will greatly enhance CAPPS' ability to advocate for reducing excessive reliance on incarceration and shifting resources to services that prevent crime and improve the quality of life for all citizens.

After beginning four years ago with membership dues and a single donor, CAPPS achieved funding from JEHT and the Open Society Institute in 2003. Those grants allowed CAPPS to add personnel, raise its public profile and undertake its first large project — an analysis of more than 17,000 parole-eligible prisoners that was published in November 2003.

The new multi-year grant will allow CAPPS to pursue a more comprehensive advocacy strategy, develop a more sophisticated public education campaign and conduct more research on the cost-effectiveness of current criminal justice policies.

The JEHT award is designed to provide CAPPS with a stable operating capacity at the beginning of the three-year period while the organization develops additional funding sources for the long-term.



#### **Celebration!**

*CAPPS board members and staff celebrated receipt of a generous grant from the JEHT Foundation with a cake that said: "We get by with a little help from our friends." From left, seated, Michael Reagan, Sharon Claytor Peters, Robert Grosvenor. Front row: Edward Oxe, Penny Ryder, Robert Henning, Barbara Levine, Elizabeth Arnovitz, Gail Light and LeAnn Voigtritter. Back row: Neil Davis, Gary Ashby, Ronald Bretz and Robert Brown.*



### **CAPPS has new suite #, e-mail address**

CAPPS is moving one floor down.

Our new address is:

**115 W. Allegan St. Suite 850,  
Lansing, MI 48933**

Our new e-mail address has also changed. The new address is:

**[capps@capps-mi.org](mailto:capps@capps-mi.org)**

## CAPPS Annual meeting features MDOC deputy director

CAPPS members will have the opportunity to hear and talk with MDOC Deputy Director Dennis S. Schrantz at the annual membership meeting on Oct. 28.

Schrantz, who rejoined the department under the Granholm Administration in 2003, is deputy director of the Policy and Strategic Planning Administration. He is responsible for developing the department's five-year plan to control prison growth and manages its Prisoner Re-Entry Initiative.



Schrantz

Previously he was in charge of the Field Operations Administration, managing probation, parole and the boot camp operation.

From 1989 until 1996 Schrantz was executive director of the Michigan Office of Community Corrections, administering the Community Corrections Act, under which millions of state dollars are awarded to local communities for programs that provide alternatives to jails and prisons. The agency was under the MDOC's jurisdiction during Schrantz's final years.

After he left the MDOC he joined Wayne County as director of the adult services division of the Michigan Department of Community Justice. There he oversaw \$12 million in community corrections programs.

Schrantz is an expert on jail and prison overcrowding, the integration of substance abuse and criminal justice systems and the reduction of racial disparity. He has served as a consultant to national policy organizations and co-authored The Sentencing Project's publication, *Reducing Racial Disparity in the Criminal Justice System: A Manual for Practitioners and Policymakers*.

## 20 case histories challenge lifer stereotypes

### Report to illustrate impact of 'life means life' stance

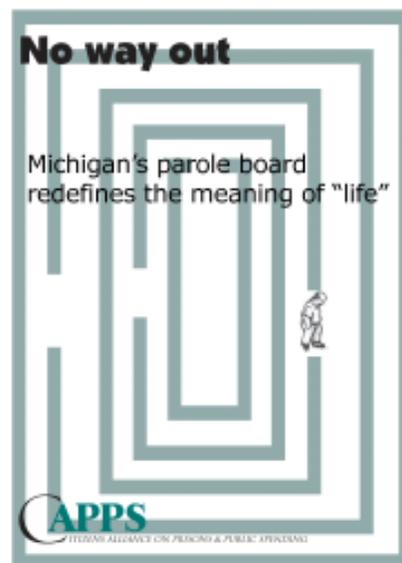
Twenty case histories of men and women serving parolable life sentences in Michigan prisons are the highlight of a soon-to-be published report on the impact of the parole board's position that "life means life."

Entitled "*No way out: Michigan's parole board redefines the meaning of 'life'*," the report was prepared by CAPPS to draw attention to the roughly 850 lifers who became eligible for parole after serving 10 years but have now served an average of 22. These prisoners are the focus of controversy about whether the parole board is correctly interpreting the state's "lifer law" under which they were sentenced.

The report will explain the history of the lifer law and the expectations judges had when they imposed life sentences in the 1960s, '70s and '80s. It will describe the parole-eligible lifers as a group, then illustrate the board's handling of these cases through examples that represent a wide variety of offenses and offenders.

CAPPS will offer practical recommendations on how to make the lifer review process rational, fair and more cost-effective.

The report will be distributed to legislators and other policy makers, the news media and CAPPS members in late September.



# Faces behind the figures

## Are we safer because they're behind bars?

Another in a series of CAPPs profiles of prisoners currently eligible for parole

### William Cousino, No. 255186

*William Cousino has been battling substance abuse all his life. His parole was revoked twice and he has served 43 months for technical parole violations, not because he is a danger to the community but because he is an addict who relapses.*

William Cousino had no prior adult or juvenile record, but struggled with substance abuse most of his life. His mother, who had a history of paranoid schizophrenia and manic depression, died in Northville State Hospital when Cousino was nine. He began drinking at age 8, using marijuana at age 12, cocaine at 25, and crack at 36.

A journeyman plumber, Cousino married in September 1987. The couple had three children. His wife also had a substance abuse problem, but she succeeded in treatment. In 1989, Cousino joined the Detroit Fire Department. He maintained a good employment record until October 1996, when his supervisors noticed he was having personal problems. Cousino entered residential treatment programs voluntarily six times between 1992 and 1996. He also sought mental health treatment in November 1996. In late November, Cousino and his wife separated. In January 1997, he was suspended from his job for excessive absence.

That same month Cousino broke into the mobile home where his wife had moved a few days earlier and assaulted her male friend. He inadvertently kicked his wife in the face when she tried to intervene. At that point, Cousino stopped the assault and waited for police to arrive.

Cousino pled guilty to first-degree home invasion and assault with intent to do great bodily harm. He was sentenced to concurrent terms of 2-10 and 2-20 years in prison, but was diverted to boot camp.

In September 1997, Cousino was paroled for 18 months. He used drugs and was sent to a treatment center. His parole was extended. In 1998 he was placed in a Technical Rule Violation Center

(TRV) for drug use. In early 1999, he was placed in TRV again, this time for alcohol use. He used drugs within 30 days of release from TRV, and in July his parole was revoked.

In July 2000, Cousino was granted a 36-month parole. He worked as a plumber throughout his parole, except when he was in treatment.

After testing positive for cocaine for three successive months in early 2001, Cousino was sent to drug treatment for two months. In June, he again tested positive for cocaine, but arranged for treatment on his own.

In October, 2001, Cousino was arrested for driving on a suspended license in a car with expired plates. He served 44 days in jail, then his parole was revoked.

The hearing examiner wrote, "It appears he has been making an honest effort to comply [avoiding drugs and alcohol]. There have been no positive drug tests in nearly five months. He is a low assault risk and has caught no new cases. A six-month return seems sufficient to remind him of his obligations."

The parole board continued Cousino for 12 months. In 2002, it continued him for another 12 months, citing his many opportunities on parole and the assessment that "he refuses to leave drugs alone." He had a high parole guidelines score and no misconduct citations.

In the meantime, MDOC criteria changed and Cousino was told for the first time that he had to complete the Assaultive Offender Program (AOP). While waiting six months to begin the program, he was on gate-pass, going out to work in the community every day.

In 2003, the parole board continued Cousino's imprisonment for 12 more months, this time so he could finish AOP. The continuation was until November 2004, even though Cousino was scheduled to complete AOP in February. After he received an excellent termination report, Cousino was interviewed ahead of schedule. He was released on June 30, 2004 on a 24-month parole.

## Expected to replace face-to-face interviews in future

### Use of video conferencing for parole interviews growing

Use of video conferencing for parole interviews is being expanded by the Michigan parole board with the long-term goal of making it available systemwide. Eventually, it is likely to replace face-to-face interviews.

Parole officials said video conferencing equipment, some of which is also used for telemedicine, is on site for interviews at about half the prisons in the system and is being used whenever possible now. Video conferencing is expected to save travel money and to speed up parole decisions because the notes taken by the hearing member can be passed off to the next member reviewing the file within days rather than weeks as is the case with the current system.

In video conferencing, the parole board member remains in Lansing. The prisoner is seated in a hearing room at the institution along with a resident unit manager (RUM) or supervisor (ARUS) and an advocate, if the prisoner has requested one. Electronic equipment allows the prisoner and the

board member to view and talk to each other via monitors and sound equipment. The interviews are not recorded, and there are no plans to do so, officials said.

Documents the prisoner wishes to make available to the interviewing parole board member are to be given to the RUM who passes them through to the board prior to the hearing by mail or by fax, depending on the time frame. If the board member wishes to see material during the course of the interview which is not in the prisoner file and the equipment is available onsite, it can also be seen with a document viewer, special electronic equipment allowing viewing during the transmission, which is made over secure lines. If material is brought to the hearing which is not in the file and a document viewer is not available, the material will be sent to the board by the RUM.

Parole board officials said training for institutional staff on making sure prisoners' materials get to the board members in time for consideration at the video interviews was recently completed.

## Pending bills to help released prisoners gain IDs

A package of five bills with impressive bipartisan support has been introduced in the House to help people released from prison obtain driver's licenses or state identification cards.

Currently, people leaving prison often do not have the forms of identification the Secretary of State requires. The inability to secure adequate identification makes it difficult for prisoners re-entering the community to find employment and housing, cash checks and obtain medical benefits or other critical services to which they may be entitled. These difficulties, in turn, increase the possibility that the person will end up returning to prison because of a technical parole violation or a new crime.

The primary legislation — HB 5933, sponsored by Rep. Jack Hoogendyk (R-Kalamazoo), would require the MDOC to provide each released prisoner an identification card, including a photograph. The MDOC would also have to help prisoners get copies of documents required by the Secre-

tary of State prior to release. The bill would also give the Secretary of State electronic access to prisoner biography information to verify the identity of prisoners who apply for driver's licenses or state personal identification cards.

HB 5934 would require prisoners to supply correct names and other identifying data. Under HB 5935, the MDOC would have to issue a debit card to people leaving prison so they can access their institutional accounts if any money remains after release. Currently people are issued checks they are often unable to cash for lack of ID. HB 5936 and 5937 would include a corrections identification card among the forms of identification that can be used to apply for a drivers' license or state ID.



**CAPPS**  
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*The Citizens Alliance on Prisons and Public Spending, a non-profit public policy organization, is concerned about the social and economic costs of prison expansion. Because policy choices, not crime rates, have caused our prison population to explode, CAPPS advocates re-examining those policies and shifting our resources to public services that prevent crime, rehabilitate offenders, and address the needs of all our citizens in a cost-effective manner.*

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## Be part of the solution -- Join CAPPS

### Citizens Alliance on Prisons and Public Spending Membership Form

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Fax: (517) 482-7754; E-Mail: [capps@capps-mi.org](mailto:capps@capps-mi.org); web site: [www.capps-mi.org](http://www.capps-mi.org)  
My tax deductible contribution, payable to "CAPPS," is enclosed.

My membership category is:

- Prisoner — \$10    Student — \$10    Friend (individual/family) — \$25  
 Supporter — \$50    Partner (individual/organization) — \$100  
 Patron -- \$250    Benefactor -- \$500

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