

Facts, not headlines, should drive corrections policy

The recent Free Press series (“Free to kill”) is sensationalized, misleading and unbalanced. Before policymakers react, it is crucial that they assess the content realistically and place the implications in a meaningful context.

- The inflammatory image of large numbers of released prisoners roaming the streets assaulting and murdering citizens at will is wholly unsupported by the facts.
- If that image is allowed to drive policymaking, needed corrections reforms and the opportunity to reduce prison spending will be set back by years.
- Michigan has made great progress in reducing its prison population and containing its corrections spending. There is no evidence that this progress has compromised public safety.
- The MDOC is already responding to the number of high profile cases by slowing the grant of paroles and returning more parole violators to prison. Our prison population -- and prison spending -- are once again starting to rise, even though crime rates, including violent crimes, fell steadily from 2007-2011.

The individual cases the Free Press described are gut-wrenching and some expose tragic system failures. But they are not representative of the behavior of tens of thousands of probationers and parolees.

- The vast majority of crimes, including murders, are not committed by people under MDOC supervision.
 - In 2007, parolees accounted for only 3% of Michigan arrests for so-called “index crimes”, which include murder and rape. Felony probationers accounted for 7%.
 - Michigan State Police figures show the total number of murders fluctuates annually. Of 556 reported for 2010, 21 (3.8%) are being attributed to probationers or parolees. Of 615 reported for 2011, 38 (6.2%) are being attributed to them.
- The proportion of probationers and parolees who do commit murder or assault is small.
 - It is reasonable to estimate that 85,000 different individuals were under supervision over the 32-month period covered by the series. The 85 the Free Press connected in some fashion to murders equal only a tenth of one percent -- one in one thousand probationers and parolees.
 - The number of parole violators returned to prison with new sentences declined significantly for the period from May 2011 – April 2012 compared to the same period a year before. The largest drop was in new assaultive offenses.
 - Of 110 parolable lifers convicted of violent offenses (most commonly murder) who were released over the past eight years, only one was returned for a new assaultive crime.
 - According to research conducted by CAPPS, of more than 76,000 Michigan prisoners released between 1986 and 1999, fewer than one in five were returned to prison within four years for any new crime and only 4.5% went back for new violent or sex offenses. Notably, homicide and sex offenders had the lowest rates of return and rarely repeated their crimes.

The Free Press caused great confusion by treating probationers and parolees interchangeably.

- The series referred to everyone currently under MDOC supervision as “ex-cons”.
 - Alleged problems with the release and supervision of parolees were illustrated with stories about crimes committed by probationers.
 - The actual breakdown of cases between probationers and parolees was not provided.
- These are two very different populations.
 - People are sentenced to probation by judges for relatively less serious crimes and judges decide how to penalize violations of probation conditions. The point of probation is to keep the offender in the community.
 - Prisoners have typically committed more serious crimes or have much longer criminal histories. They have been removed from the community for years or decades and have experienced the deterrent effect of incarceration. Decisions to grant and revoke parole are made by the parole board.

A year in prison costs \$34,000 while a year on community supervision averages \$2,100. Increased parole grant rates and the use of more community-based sanctions for parole violations have helped reduce the prison population and contain prison spending.

- Vocal allegations that public safety was being compromised have never been proven.
- The actual impact of these policies and the cost-effectiveness of changing them cannot be measured if the behavior of probationers is attributed to parolees.

Identifying which crimes might have been avoided by better supervision requires a thorough analysis of each case. It also requires recognizing when communication issues between labor and management may have contributed to problems.

- Even with statistical risk assessment tools and electronic monitors, no one can anticipate all human behavior and foresee all triggering circumstances. Sadly, some amount of crime – including additional crimes by some probationers and parolees – is inevitable.
- Murder, in particular, tends to be situational and hard to predict.
- It is neither feasible nor reasonable to lock up for decades everyone we think might commit a crime because we can’t predict who actually will.

While we must keep our expectations realistic, we can do a much better job of using people’s entry into the criminal justice system as an opportunity for positive intervention.

- The Free Press series should be a wake-up call to improve supervisions and to give both prisoners and probationers more coping skills, more education and job training, and more motivation to succeed.
- It should not be an excuse to return to “get tough” policies that will not make anyone safer.