

# **Proposed principles for sentencing and corrections reform**

Citizens Alliance on Prisons and Public Spending  
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## **Proportionality**

Criminal penalties should be imposed in proportion to the seriousness of the offense and the criminal history of the offender.

Punishment should not be enhanced repeatedly by counting the same conduct (whether prior record or offense characteristics) multiple times.

Consecutive sentences should be reserved, as they historically were in Michigan, for cases where a new offense was committed while the defendant was in custody or under supervision for a prior offense, e.g. while in prison, on parole or released on bail.

Mandatory minimums should be eliminated. If enacted, they should always allow for downward departures.

All sentences imposed on people who were younger than 18 at the time of the offense should take appropriate age-related factors into consideration.

Penalties for violations of probation or parole conditions should be based on the seriousness of the violation, not the underlying crime.

## **Consistency**

People with similar criminal histories who are convicted of similar crimes should receive similar sentences, regardless of the sentencing county or other factors not related to these two criteria.

The exercise of discretion by judges and parole boards should occur within relatively narrow ranges and be subject to enforceable guidelines.

## **Predictability**

Absent post-sentencing conduct that objectively demonstrates a current high risk to public safety, time served should equate to the minimum sentence imposed by the court.

Risk assessment should be based on current, objective, relevant evidence.

## **Cost-effectiveness**

Resources should be allocated and funded to maximize the effectiveness of the system as a whole.

Conditions of community supervision should be tailored to each individual probationer or parolee's actual risks and needs; more expensive or burdensome restrictions than are warranted by a demonstrable, individualized public safety risk should not be imposed.

Prisons should be treated as a scarce resource.

- Incarcerate only people who present an ongoing risk to public safety or whose crimes require the harshest punishment.
- Make the period of confinement sufficient but not greater than necessary to achieve the goals of sentencing policy.
- Do not send technical probation or parole violators parolees to prison unless their conduct demonstrates that any level of community supervision would pose a danger to the public.

The time during which someone is under community supervision or incarcerated should be utilized to address the person's risks and needs to the full extent possible.

***All reforms should be applied to current prisoners, probationers and parolees to the full extent allowable by law.***

### **Policy development, evaluation and monitoring**

Sentencing and parole policies should be informed by a thorough analysis of Michigan data, current research on the most effective practices and the experiences of other jurisdictions.

The process for developing corrections reforms should involve all key stakeholder groups equally and provide ample opportunity for public input.

Sentencing and corrections outcomes should be routinely monitored and evaluated by an independent, adequately staffed sentencing or criminal justice commission that represents diverse stakeholders. Evaluation criteria should include proportionality to the offense and offender, consistency, predictability, cost-effectiveness, prison and jail capacity, and any disproportionate impact on particular populations.

Amendments to sentencing and parole guidelines should be made only through the commission process to avoid legislative "tinkering" in response to isolated high profile crimes.