

CAPPS UPDATE

Addressing the human and fiscal cost of Michigan's over-reliance on incarceration

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- Adrian Hemond, Campaign Director
- Seema Singh, Communications Coordinator
- Lindsey Mason, Southeast Michigan Organizer
- Elaine Flowers, Detroit Organizer
- Noah Smith, Capital Services
- Josh Pugh, Grassroots Midwest
- Jared Rodriguez, Calder Group

CAPPS has also provided grants to Michigan Faith in Action and Michigan United for additional organizing support.



People attending CAPPS 2015 Annual Membership Meeting. See Page 7 for information on this year's meeting!

LEGISLATION

Reform bills on the legislative agenda before the year ends!

The legislature is preparing to take long overdue action on a broad range of criminal justice issues in 2016.

The Michigan House of Representatives advanced three Smart and Safe parole reforms, all by overwhelming bipartisan majorities. To become law, legislation must be passed by the end of the legislative session in December 2016.

Continued on Page 2

TAKING ACTION!

We hope you will talk to your legislator, pastors, and other leaders of organizations you belong to about CAPPs, our latest report, and the need for reform or encourage your families to do so.

If your family member would like to visit an elected official, please get in touch with CAPPs.

We will provide updated information you can share with legislators or candidates.

Call Judi at (517) 482-7753 or email jmmiller.capps@gmail.com.

ORDERING REPORTS

The entire 96-page report **10,000 fewer Michigan prisoners: Strategies to reach the goal** can be downloaded from the CAPPs website at www.capps-mi.org. If you are a prisoner and have paid membership dues in 2015 or 2016, please write and we will send a summary of the report in the mail.

A hard copy of the entire report can be purchased from CAPPs by mailing \$12 to CAPPs, 824 N. Capitol Ave., Lansing, MI 48906. Please indicate that you wish to purchase the report. Please encourage others to join CAPPs, so that they receive future newsletters and updates.



CAPPs and Crime Survivors for Safety and Justice hosted several meetings in Detroit to help groups assisting under-served crime survivors access Victims of Crime Act (VOCA) funds.

See page 8.

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In late 2015 and 2016, the Michigan House of Representatives advanced three parole reforms, all by overwhelming bipartisan majorities. These included the Smart and Safe parole reform bill (HB 4138), the judicial veto bill, and a package of medical parole bills. To become law, legislation must be passed by the end of the legislative session in December 2016.

These bills include:

- HB 4138, Smart and Safe Parole, previously referred to as “presumptive” parole, pending in the Senate Government Operations Committee.
- HB 5273, the “judicial veto” bill, waiting for a vote by the full senate.
- HB 5078, 5079, 5080, the medical parole bills, pending in the Senate Judiciary Committee (*see page 3*).

CAPPs will be providing ongoing information to supporters, as the the reforms, called the “House criminal justice reform package,” will be acted on this Fall.

There is also a Senate multi-bill reform package and another package to ‘Raise the Age’ of criminal responsibility. CAPPs is advocating for an amendment to one bill in the Senate package, SB 932, which affects technical parole violators, so that it will apply to all prisoners.

If you would like CAPPs's full analysis of the Senate package, please write and request it. Bills may change in the House Criminal Justice Committee, so we are not including the analysis in this issue.

If you would like to receive information about legislation, research and events,



Left and below: CAPPs members at the 2015 Annual Membership Meeting. Join us at the 2016 Annual Membership Meeting at 5:30 PM, Thursday, October 13, at the Radisson Hotel in downtown Lansing. Registration information on Page 7.

Learn what you or your family members can do to help win parole reform in 2016!

Judicial veto bill (HB 5273) passes Senate Judiciary Committee 4-0; next step is the full Senate

CAPPs is very happy to report that the judicial veto reform bill (HB 5273) passed the Senate Judiciary committee on September 6, 2016, by a bipartisan 4-0 vote. CAPPs has worked for many years to advance this reform. The bill now goes to the full Senate for consideration.

HB 5273, sponsored by Rep. Dave Pagel (R-Oronoko Twp.), eliminates the authority of successor sentencing judges to veto grants of parole to lifers.

The bill will still allow the sentencing judge to veto parole as long as he or she is still sitting in the court where the prisoner was convicted. The successor judge would still be notified and able to express an opinion but that opinion would no longer be controlling. The Michigan Judges Association and the American Friends Service Committee's Michigan Criminal Justice Program are among the many organizations supporting the bill.

Your support makes all the difference!

Fixing Michigan's sentencing and parole policies will take the active support of hundreds of people just like you. Our legislative advocacy is funded entirely by membership dues and donations. To help, go to www.capps-mi.org (click the **JOIN** button at the top of the home page), email capps@capps-mi.org, or mail us at CAPPs (see Page 12 for address).

Editors note: We'll be sending more CAPPs Updates with additional detailed information on bills. Please encourage your loved ones to CAPPs so they will receive our electronic newsletter.



CAPPs board members Ronald J. Bretz and Robert Brown, Jr.

Medical parole bills pending in the Senate

On February 17, 2016 the House Appropriations Committee voted to approve an amended package of medical parole bills, HB 5078, 5079 and 5081.



Barbara Levine

The full House of Representatives voted out the three CAPPS-supported bills on May 4. The bills were then referred to the Senate Judiciary Committee, where they are still pending after an initial “no” vote on May 24.

Barbara Levine, CAPPS research and policy director, testified before the Senate Appropriations Committee in support of the package on May 24.

Highlights of Levine’s testimony:

CAPPS has long advocated the re-enactment of medical paroles. We are grateful to Reps. Pscholka and Pagel for taking the lead in restoring the ability of the board to do what is safe, compassionate and cost-effective on a case-by-case basis. And we are grateful to Sen. Jones for taking the bills up so promptly. HB 5078 and 5079 establish an excellent process:

- They define “medically fragile” in a realistic way that allows the board to address various disabilities while keeping the potential threat to society as the core consideration.
- They provide for appropriate involvement by prosecutors and victims.
- They do not require public hearings so that people who are infirm, in pain or incapable of remembering what they’ve done need not be questioned about their crimes.
- They define “medical facility” with sufficient flexibility to allow for the placement that is most suitable for the individual parolee.
- They ensure that people remain under supervision until they reach what would have been their earliest parole date for the sentence they are serving.
- They require that people who have been released continue to meet the criteria for a medical parole unless they have otherwise become eligible for parole.
- They protect the safety of vulnerable, medically fragile parolees by requiring the board to monitor their condition and by requiring any medical facility used by the Department to ensure the safety of its residents.

Medicaid issues

Further action on the bill is expected once federal Medicaid rules regarding which parolees or prisoners might qualify under the program are clarified. There is strong support for HB 5273 in both the House and Senate.

Stay connected!

We are always delighted when any of our prisoner members are paroled. If you would like to stay connected to CAPPS once you are released, please email capps@capps-mi.org or call us with your new contact information. We will then keep you on our mailing list.

Statewide campaign for Safe and Smart Parole reform

CAPPS is mounting a statewide campaign to ensure Safe and Smart Parole reform, HB 4138, moves forward this legislative session. (Details about the bill, also called presumptive parole, were in the last newsletter. Write if you need a copy.) We now have a greatly expanded staff that is working hard to organize support for this important reform. New campaign staff include: Adrian Hemond, campaign director; Seema Singh, communications coordinator; Lindsey Mason, southeast Michigan organizer; and Elaine Flowers, Detroit organizer. Sue Long has also joined CAPPS staff as office assistant. We have retained Grassroots Midwest to provide strategic communications services and the Calder Group to do outreach to business and West Michigan faith communities. CAPPS has also provided grants to Michigan Faith in Action and Michigan United for additional organizing support. The campaign is bringing many new organizations into the reform movement.

Senate or “Proos package” of criminal justice reforms

The Senate voted out the “Proos package” of criminal justice reforms in June. While the bills have many sponsors, the overall package has been spearheaded by Senator Proos (R - St. Joseph). CAPPS is continuing to meet with legislators about these bills and to make recommendations. The package is currently pending in the House Criminal Justice Committee.

Barbara Levine, CAPPS associate director for policy and research, testified at each of the three Senate Committee on Michigan Competitiveness hearings held on the package in May. CAPPS is especially supportive of HB 932, which would reduce both the number of parole technical violators returned to prison and the time they serve for the violation. However, CAPPS is urging legislators to amend the bill to ensure it applies to all eligible prisoners (*see page 2*).

We will be sending out an update soon with additional information. Family members and friends can find testimony and CAPPS's analysis of all the bills in the package at www.capps-mi.org.

Raise the Age bill package under consideration this fall

In April, the House also approved a package of "Raise the Age" bills by an overwhelming majority. The bills provide more protections for incarcerated young offenders and increase the age of criminal responsibility to 18. For more information visit the Michigan Council for Crime and Delinquency website at www.miccd.org and raisetheagemi.org.

Prisoner Benefit Fund donations making a difference!

We are especially grateful for donations from Prisoner Benefit Funds to CAPPS. We have received donations from the following correctional facilities since our August 2015 newsletter:

Facility	City	Donation
Carson City	Carson City	\$500
Chippewa	Kincheloe	\$500
Handlon	Ionia	\$500

Facility	City	Donation
Huron Valley Women’s Complex	Ypsilanti	\$1200
Lakeland	Goldwater	\$841
Marquette Branch Prison	Marquette	\$500

Rep. Dave Pagel op ed

Smarter parole for a safer Michigan

Over the last year, bipartisan efforts to reform Michigan's corrections system have intensified. Reducing Michigan's corrections spending is critically important, as evidenced by a recent report from the U.S. Department of Education: Over the last three decades, Michigan increased spending on corrections more than five times as fast as it did on public education.



Rep. Dave Pagel

Corrections spending averages \$2 billion a year, or 20 percent of the state's general fund. Government's job is to keep our communities safe in the most cost-effective way possible. But spending one out of every five general fund dollars on corrections robs our state of the ability to invest in the services proven to make our communities stronger and safer.

The best way to cut corrections spending is by safely reducing the size of our prisoner population. Last fall the Michigan House passed several bills that would do exactly that, with overwhelming bipartisan support. These House bills complement Senate legislation that would help probationers and parolees succeed while they are being supervised in the community, so they do not end up in prison.

Longer prison terms drive up the population. Michigan prisoners serve, on average, far longer terms than those in other states. One reason is that our parole board keeps too many people locked up beyond the time they are first eligible for release. While our parole system operates largely out of the public eye, the decisions made by this small group of appointed officials have an enormous impact on the state budget. House Bill 4138, the smart and safe parole reform bill, will fix that problem by enforcing state law. It applies to people who have served the entire sentence imposed by the courts and who score low risk on the parole board's own evidence-based guidelines.

Currently, the law requires the board to release people who score low risk, unless there are "substantial and compelling" reasons to deny parole. But those reasons were not defined in the statute, leaving parole board members without consistent, objective criteria to guide their decisions.

HB 4138 simply defines the "objective and compelling reasons" to deny release. The board retains its authority to deny parole, whenever the evidence shows that it is in the interest of public safety to do so. All the state and national research shows that simply keeping low-risk prisoners longer does not keep us any safer. Research also shows that evidence-based decisions are more accurate than the gut reactions of individual decision-makers.

The estimated \$75 million per year in savings from this reform could be invested in the Senate's proposed community-based programs for probationers and parolees, for serving victims of crime, for critical mental health and substance abuse treatment services, and for education.

That's why HB 4138 is a smart reform that would also increase public safety. We talk a lot in Lansing about making government smarter and more efficient. HB 4138, smart and safe parole reform, is an important opportunity to do just that. - *Published by the Detroit News, August 11, 2016*



**Citizens Alliance for Prisons
and Public Spending**

Thurs., Oct. 13

5:30 pm, in Lansing

Register today!

2016 Annual Membership Meeting

Please join us on **Thursday, October 13, 5:30 – 8:30 pm**
Radisson Hotel, 111 N Grand Ave, Lansing, Michigan

Buffet dinner | Board elections | Speakers | Awards

\$20 – check, cash, or credit card at the door | Table for 8: \$160

Register by Oct. 10 to reserve your meal! (*Vegetarian option provided*)

Three ways to register: Visit www.capps-mi.org

Call (517) 482-7753 or email jmmiller.capps@gmail.com



Keynote Speaker

Rep. David LaGrand (*R-Grand Rapids*)

Since 2000, LaGrand has worked on criminal justice reform, and frequently speaks and lectures on restorative justice. He was able to establish a restorative justice program in Grand Rapids District Court while he was a city commissioner, and implemented use of restorative practices in Grand Rapids Public Schools while on the Grand Rapids School Board. He is currently forming a Criminal Justice Reform Caucus in the Michigan Legislature.

Guest speakers: Question and answer period will follow the presentation

**CAPPs's 2016 William G.
Milliken Award recipient:**



Rep. Kurt Heise
(R-Plymouth)
**Chair, House Criminal
Justice Committee**



Aswad Thomas
National Organizer
**Alliance for Safety
and Justice**



Kyle Kaminski
Legislative Liaison
**Michigan Department
of Corrections**

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Alliance for Safety and Justice report on crime survivor needs

A recent national survey of crime survivors by the Alliance for Safety and Justice found that two out of three crime victims did not receive help after the incident and of those who did receive help, support came from families and friends. Moreover, those who seek help often face a number of hurdles accessing care including lack of information about crime victim restitution funds and limited access to comprehensive care. The report illustrates that crime survivors prefer criminal justice approaches that prioritize rehabilitation over punishment and strongly prefer investments in crime prevention and treatment to more spending on prisons and jails.



Aswad Thomas and Shakyra Diaz from Alliance for Safety and Justice lead a crime survivors training in south east Michigan.

CAPPS is working closely with the Alliance for Safety and Justice (ASJ), a newly formed national organization. ASJ is providing CAPPS with resources to carry out a comprehensive public education, organizing and media campaign supporting parole reform. CAPPS is also working with ASJ and Crime Survivors for Safety and Justice to better address the needs of crime survivors, especially those in communities hit hardest by crime and violence.

Aswad Thomas, ASJ national organizer, recently visited Detroit for a joint crime survivors' advocacy training. He was quoted in a

New Yorker article “Black Wounds Matter” discussing the large number of crime survivors in communities of color, the lack of resources for these survivors, and the need to elevate survivor’s voices to guide policies that help rehabilitate and heal their communities. He will be one of several speakers at CAPPS’s Annual Membership Meeting on October 13. Please see Page 7 for information about the Annual Membership Meeting and ask friends and family to attend!