

CAPPS UPDATE

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Hello and goodbye!

We welcomed **Troy Rienstra** as our new outreach director on September 11, 2017. He has extensive experience using restorative justice practices to promote public safety.

Aayat Ali, our housing consultant, recently accepted a new position in Los Angeles. We wish her well!



Michigan Faith in Action staff and guests at the 2017 CAPPS Annual Membership Meeting on November 2. The event drew over 200 attendees to listen to criminal justice reform updates and keynote speaker, Pulitzer Prize winning author, Dr. Heather Ann Thompson.

Legislation

House of Representatives advances criminal justice reform

In May and June, CAPPS helped organize testimony of national leaders and key experts from the Michigan business community, criminal justice reform and crime survivor organizations before the House of Representatives Law and Justice Committee. The committee is chaired by Rep. Clint Kesto (R-District 39) with Rep. Peter Lucido (R-District 36) serving as vice chair.

This series of hearings helped inform the House of Representatives C.A.R.E.S. Task Force, which was created to improve services for people with mental health issues, especially those affected by the justice system. The Task Force is covered in this newsletter.

In early 2018, the House Law and Justice Committee is expected to hear testimony on a criminal justice reform package focused on parole reforms and removing barriers to employment in the healthcare industry for formerly incarcerated people.

Speaker announces mental health focus

Speaker Leonard announced in December 2016 that addressing mental health issues related to the criminal justice system is a priority. On July 17, Republican House Speaker Tom Leonard (R - District 93) announced a bipartisan task force, C.A.R.E.S. (Community, Access, Resources, Education, and Safety).

The task force hosted a series of community-based meetings and tours designed to gather information to advance mental health and other legislative reforms. Reps. Hank Vaupel (R- District 47) and Klint Kesto (R - District 39) co-chair the 14-member task force.

The House C.A.R.E.S. Task Force is examining services for crime survivors and people with mental illness. The issues are similar to those discussed in House Law and Justice Committee hearings on May 23 and 30 reported on in the July newsletter. We anticipate a report with 40 + recommendations to be issued by the Task Force to be released in mid-January.

CAPPS has long been concerned with the over-incarceration of people with mental illness. This is an important issue and we are pleased that the Speaker and the C.A.R.E.S. Task Force are advancing this discussion.

A call for meaningful treatment and services for the mentally ill

On July 31, veteran service, health, and law enforcement professionals testified before the C.A.R.E.S. Task Force at the Livingston County EMS building in Howell.

Livingston County Sheriff Mike Murphy stated that approximately 50 percent of the jail population is on psychotropic drugs. It costs \$85 per day to confine a person to the Livingston County jail. Noting the jail is not a mental health facility, he said:

I would rather see someone use those dollars to keep people out of my facility.

One solution in Livingston County is the Engagement Center, a twenty-four-hour facility that provides assessments of individuals. Murphy explained the Center offers his deputies a fourth option to serve residents beyond doing nothing, sending them to the hospital, or taking them to jail.

Connie Conklin, executive director of the Livingston County Community Mental Health Authority, described the Engagement Center as a place “**where anybody**” can get services. The Center has a jail diversion grant and also provides discharge planning for returning citizens.

Conklin called for statewide accountability for providing base-level mental health services. She further urged the legislators to provide specialized services for areas such as the Upper Peninsula and Detroit that have specific needs.

Conklin concluded her remarks by saying it is not all about funding and numbers but that it is about “**health and impact.**”

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Judge Carol Sue Reader, of the 53rd District Court, shared a deeply personal experience, indicating her bipolar son has entered the justice system on multiple occasions. She uses this experience to guide her work and said:

Mental illness is a disease. It is nothing to be afraid of. The people who are affected need our help, not judgment.

Ten years ago, Judge Reader was involved in the development of the first mental health court and now there are approximately 25 across the state. Mental health courts allow for specialized treatment of individuals with mental health issues. Judge Reader sees the mental health court as an opportunity to help people access necessary treatment services.

Dave Stanifer, assistant mental health director at the Michigan Department of Corrections (MDOC), acknowledged that 9,000 people currently incarcerated in Michigan suffer from mental illness, or 23 percent of the prisoner population. Of the total 41,000 people incarcerated at the MDOC, 92 percent will eventually return to their communities.

Stanifer said MDOC wants to “**open its doors and be more of a collaborative partner.**” He said the department experiences staff shortages and struggles to attract talented professionals.

Southwest Michigan calls for improved mental health services

On August 17, the C.A.R.E.S. Task Force hosted a meeting at the Hope Network office in Grand Rapids. Hope Network is an organization providing services that improve the independence of vulnerable populations.

William DeBoer, president of KPEP, a residential and non-residential community-service provider in Kalamazoo, outlined programs proven effective in helping formerly incarcerated people. KPEP partners with the MDOC on the Parole Certain Sanction Program (PCSP), which provides substance abuse treatment services. DeBoer also discussed a variety of KPEP programs offering workforce development training. He said:

There are many employers who want to hire formerly incarcerated people. Employers are desperate for employees and willing to provide on-the-job training for individuals who can pass a drug test and show up for work.

Brian Vork, executive director of the 70X7 Life Recovery, an organization providing housing, recovery, and job readiness services, said the recidivism rate for program participants is under five percent. Relationship development is critical for returning citizens. He said:

We are dealing with a population that has been programmed to death. What people really need is relationships. When people leave prison they are looking for care and trust from service providers and people in the community.

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Retired Judge Harvey Hoffman, legislative director of the Michigan Association of Treatment Court Professionals, discussed Michigan's 180 treatment courts. He is the primary author of Michigan's drug treatment court statute and co-author of the veteran's treatment court statute.

People convicted of violent crimes are not eligible for diversion under the mental health court statute. Under a narrow set of circumstances, people convicted of violent crimes are allowed to participate in veteran courts. Judge Hoffman described pending legislation to amend the mental health court statute to align it with the limited exceptions in the veteran court statute. This will provide increased access to mental health courts for people convicted of violent crimes.

Detroit wants improved health and safety through improved systems

On September 11, health and law enforcement professionals testified before the House C.A.R.E.S. Task Force at the Team Wellness Center in Detroit.

Dr. Tolulope Sonuyi, an emergency medicine physician at DMC Sinai Grace Hospital, established DLIVE (Detroit Life is Valuable Everyday) a hospital-based, community-focused violence intervention initiative in partnership with Detroit Medical Center – Sinai Grace Hospital and the Wayne State University Department of Emergency Medicine.

Dr. Sonuyi described the cyclical nature of violence, noting most people are treated and released back into the community without intervention or services. He said:

We must invest in evidence-based and unapologetic solutions to promote community safety. The best way to intervene in violence is to swim upstream and approach the drivers of crime.

Ray Winans, violence intervention specialist at DLIVE, shared his personal story – one filled with exposure to trauma and violence – that ultimately resulted in his incarceration. Winans now mentors young people in the Detroit community. He encouraged the Task Force to understand “**hurt people, hurt people and healed people, heal people.**”

Andrea Clark, founder of Mothers of Murdered Children, spoke of the hopelessness and lack of opportunities offered to young people in her community. Mothers of Murdered Children support victims of violent crimes and strive to reduce the number of homicides of children in Detroit. She said:

Our communities have been devastated by crime and violence. Too many families have been pushed aside by the justice system.

She urged Task Force members to invest in a justice system that holds people accountable and prioritizes rehabilitation over punishment. Clark called for crime prevention services and services that help crime survivors heal.

Violence, accountability, and restoration



Danielle Sered, executive director of Common Justice, a nonprofit organization that operates a restorative justice diversion program for assaultive offenders, in collaboration with the Brooklyn District Attorney's Office.

As Danielle Sered notes in her recent report, *Accounting for violence: How to increase safety and break our failed reliance on mass incarceration*, since 53 percent of the people incarcerated in the U.S. were convicted of assaultive crimes we will not end mass incarceration in this country unless we address the problem of violence.

On October 12, CAPPs co-sponsored two presentations in Lansing and Ann Arbor by Danielle Sered, executive director of Common Justice.

Sered's experience has shown that the policies and practices designed to address violence should be consistent with four core principles. They should be 1) survivor-centered, 2) accountability-based, 3) safety-driven, and 4) racially equitable. The principles provide a roadmap for both safety and justice.

Sered told Lansing and Ann Arbor audiences:

The people who experience the pain and loss associated with serious harm should be at the center of how we think about addressing that harm. In this country we have enacted draconian legislation in the name of crime victims and we have done that largely without asking them what they want and without their permission.

Encourage your friends and family members to watch Sered's entire presentation located at <http://2015capps.capps-mi.org/2017/11/violence-accountability-and-restoration-a-conversation-with-danielle-sered/>

Too many prisoners: Undoing the legacy of getting too tough

By Barbara Levine, founder of CAPPS

Michigan Bar Journal Issue September 2017

(Excerpt only)

Barbara Levine, the founder of CAPPS, is a featured author in the Michigan Bar Journal September 2017 issue. Levine's article, *Too many prisoners: Undoing the legacy of getting too tough*, outlines policies the legislature could adopt to safely reduce Michigan's prison population.

A more detailed examination can be found in CAPPS 2015 report, *10,000 Michigan prisoners: Strategies to reach the goal* located at <http://2015capps.capps-mi.org/wp-content/uploads/2015/06/CAPPS-report-10000-fewer-prisoners.pdf>.

The article examines the following questions: What is the relationship between the size of the prison population and public safety? What causes the Michigan population to rise and decline? Who is in our prisons and for what offenses? What strategies could be used to reduce the population further?

Have your friends or family print you a copy of the report at <http://www.michbar.org/file/barjournal/article/documents/pdf4article3206.pdf>

Outreach

In the last six months, we co-hosted three trainings for crime survivors across the state in partnership with the Alliance for Safety and Justice (ASJ). The trainings outlined strategies to advance criminal justice reform policies that account for the needs and healing of crime survivors.

We also co-hosted five information sessions in Detroit, Grand Rapids, Flint, Kalamazoo, and Lansing with Michigan Faith in Action. CAPPS presented the causes and solutions to Michigan's over-reliance on incarceration and offered strategies to engage in reform efforts.



Formerly incarcerated roundtable hosted on December 8, 2017 in Lansing.

CAPPS's new partners are raising their voices in support of reform and lawmakers are listening. The more that legislators listen to and understand their constituents' calls for common-sense reforms, the more open to change lawmakers become. We will continue our outreach efforts in the new year.

A farewell message from Barbara Levine

After nearly 45 years working on criminal justice issues, it is time for me to step aside. But I'm grateful to have been part of the movement to undo the excesses that bloated our prison population and caused so much pain and waste. I'm grateful for my caring, dedicated, enormously competent co-workers at CAPPs, our patient and ever-supportive board of directors, and the colleagues I have come to know and appreciate at many other organizations. And I am grateful for the trust and faith so many prisoners and their families have put in our efforts.

When we started CAPPs in 2000, we made numerous proposals for reducing the prisoner population. We worked hard to back them up with research. But just being rational, fair and cost-effective is not enough to get criminal justice reforms enacted. It takes persistent public education and legislative persuasion, both of which are complicated by the emotions raised whenever crime is discussed and the turnover among legislators caused by term limits.



CAPPs founder Barbara Levine

Today, many of those proposals have yet to be adopted while important new ones have been added to the mix. But the conversation has changed dramatically, both nationally and in Michigan. Ideas once dismissed as radical are now being seriously considered. The basic notion that taxpayer dollars can be spent on better things than incarcerating people who present no threat to public safety has gone mainstream.

CAPPs has been nothing if not persistent. We've pushed the envelope on ideas before they became widely discussed. We have tried to be realistic about making change incrementally without ever giving up basic principles. We have fiercely guarded the integrity of our work in order to maintain our credibility. There is still an enormous amount to be done. But I believe that our efforts contributed to changing the conversation in Michigan. And I'm sure that under Laura's leadership those efforts will continue and be increasingly effective.

John Cooper, policy director, advancing our policy reforms

John Cooper has extensive experience working on complex criminal justice policy issues in Michigan – both as the founder of the Coalition of Justice Voters and as special counsel for criminal justice policy for Rep. David LaGrand (D - District 75). Prior to joining Rep. LaGrand's office, John spent seven years as a litigator in the Washington, D.C., office of a large international law firm. He served as a law clerk to Hon. Boyce F. Martin, Jr., of the U.S. Court of Appeals for the Sixth Circuit. Since April 2017, he has worked to advance our legislative priorities.



CAPPs Policy Director John Cooper

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STAY CONNECTED AFTER YOUR PAROLE!

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 or write us with your new contact information. We will then keep you on our mailing list.

Family members: if you move or change your email address, you'll miss important information. Please send updated info to capps@capps-mi.org.

TAKE ACTION AND HOLIDAY WISHES!

Encourage your friends, family, and networks to talk to their legislators, pastors, and leaders of organizations they belong to about objective, smart parole policies and the removal of unnecessary barriers to employment. Please urge others to join CAPPS!

We wish you a happy holiday season! Please know you are in our hearts and minds.

Your friends, family, and networks can contact capps@capps-mi.org to request full articles and publications referenced in the newsletter.