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Safe & Just
Michigan

Experts Outline Jails Task Force Proposal to End Disproportionate Sentences for Minor Crimes

Webinar first in SJM's series on jails task force recommendations

LANSING — The [final report](#)¹ of the Michigan Joint Task Force on Jail and Pretrial Incarceration found that most arrests in Michigan are for misdemeanors that harmed no one. Research shows police squander many hours and large amounts of taxpayer dollars to arrest, book and jail people for these minor offenses. For that reason, the task force recommended reclassifying many minor offenses as ticketable infractions.

Safe & Just Michigan hosted a webinar Monday to examine what that change would mean for Michigan and the thousands of people each year who are arrested on these minor charges. The event was moderated by **Erika Parks**, senior policy associate for The Pew Charitable Trusts. She was joined by two task force members on the panel: Sen. **Sylvia Santana**, (D-Detroit); and **Craig DeRoche**, senior vice president for advocacy and public policy for Prison Fellowship and a former Michigan House Speaker (R-Nov). Also joining the task force was **Josh Hoe**, policy analyst for Safe & Just Michigan.

"Last September, I suggested in front of the jails task force that we could drastically reduce Michigan's jail population by simply agreeing to discontinue the practice of incarcerating large numbers of people for non-serious misdemeanors," Hoe said. "In this time of COVID-19, this case for decarceration has grown even stronger."

In its report, the task force recommended, "Reclassifying some misdemeanors as civil infractions, including: non-moving traffic misdemeanors; most snowmobile, offroad vehicle, and marine safety misdemeanors that are not related to operating while intoxicated; most Department of Natural Resources misdemeanors; and most animal-related misdemeanors, except those

¹ <https://courts.michigan.gov/News-Events/Documents/final/Jails%20Task%20Force%20Final%20Report%20and%20Recommendations.pdf>

related to animal cruelty or animals causing injury. Local jurisdictions should be required to align their own ordinances with these statutory changes.”

A bill to resulting from this recommendation to reclassify some misdemeanor traffic offenses as civil infractions has yet to be unveiled to the Legislature, but it is currently being prepared for introduction.

“We do not have a crime problem in this state, we instead have an incarceration problem,” Sen. Santana said. “We need to have common-sense legislation to give people a chance to reform and return to society. Locking a person away and throwing away the key does nothing to make a community better.”

Changing these offenses from ones that bring potential jail time to lesser charges that result in tickets and fees or fines would come as a relief not only to citizens who receive a ticket, but to police officers who write the tickets as well. Civil infractions don’t typically count against a person on a job or housing application like a felony or even misdemeanor could. And police officers told the task force that booking and processing a person on even a minor crime involves hours of time at a desk that could be spent in the community.

“This is about public safety,” DeRoche said. “Eliminating criminal penalties for fines, fees and petty charges will keep police out in the community for more of their shift, is a more proportionate response for the low-level crimes identified in the bills, and will keep people from being weighed down by unnecessary collateral consequences of a criminal record.”

A video of the discussion on ending counterproductive criminal penalties will be available on Safe & Just Michigan’s YouTube channel, located at <http://bit.ly/YouTubeSJM>, later in the week.

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Safe & Just Michigan (www.safeandjustmi.org) works to advance policies that end Michigan’s over-use of incarceration and promote community safety and healing. We partner with Michigan organizations and leaders from across the political spectrum, including business and community leaders, faith communities, crime survivor organizations, formerly incarcerated individuals, prisoners and their families, as well as Michigan taxpayers statewide.