

# Safe & Just Michigan

Spring  
2022



*Scenes from the 2022 Day of Empathy, clockwise from upper left: Redeeming Kimberly founder **Kimberly Woodson**, a former juvenile lifer, snaps a photo of friends before a panel talk on incarcerated women; State Sen. **Jeff Irwin** discusses his legislation to end juvenile life without parole sentencing; Former juvenile lifer **Edward Baraka Sanders** shares his experiences.*

## LOOK INSIDE

**Page 2: From the Director's Corner**

**Page 3: Michigan is ready to 'Change the Narrative'**

**Page 4: Study finds Michigan's sentencing guidelines fail to meet objectives**

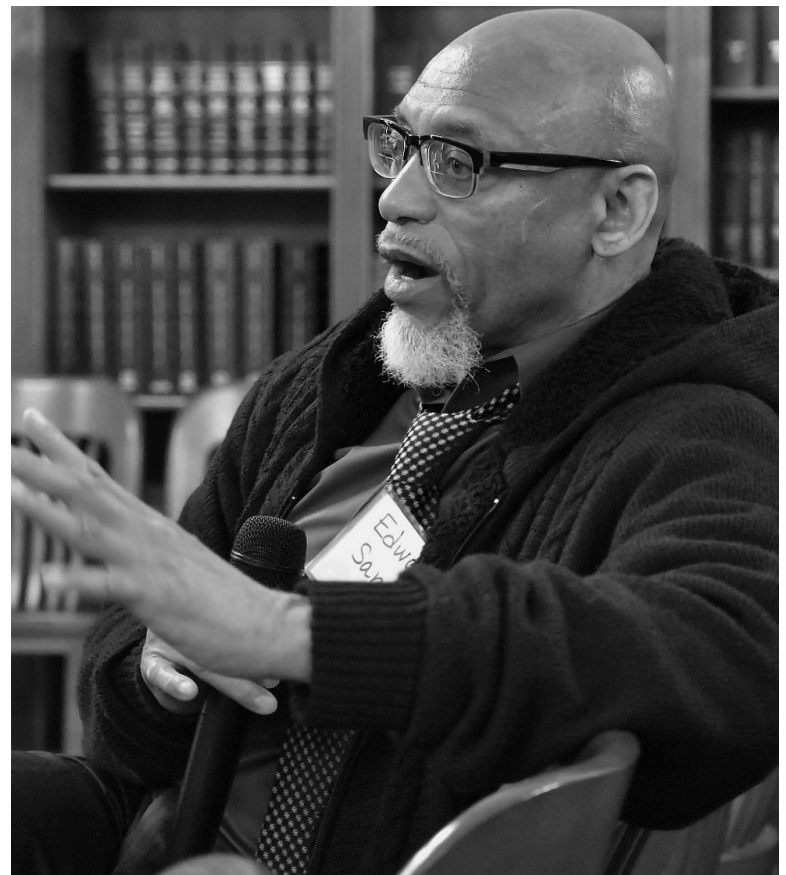
**Page 5: Plans to get rid of phone fees, JLWOP**

**Page 6: Why should we support a restoration of 'good time'?**

**Page 7: UP poll finds support for DUI expungement**

I wish I would have known how little time I had left to spend with my mother before she passed. ... I would have spent more time with her and treasured every moment we shared.

— Ronnie Waters, page 7



# Safe & Just Michigan

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Monday-Friday  
9 a.m.-5 p.m.

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[www.facebook.com/safeandjustmi](https://www.facebook.com/safeandjustmi)



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## Stay Connected After Your Parole

We are always delighted when any incarcerated member is paroled. If you would like to stay in touch, please call or write us with your new information.

## Take Action

Encourage your friends, family and networks to tell their legislators, pastors and leaders of organizations about Safe & Just Michigan, our latest reports and the need for sensible justice reforms that will make our communities safe.

# From the director's corner

For much of 2021, we heard talk of “criminal justice reform fatigue” and rising crime rates across the country. In spite of this, criminal justice reform continues to be a priority in the Michigan legislature, and bills on several major issues — from bail, to phone fees, to juvenile life without parole — have bipartisan support and appear likely to see movement in the months to come. This is particularly notable given that 2022 is an election year featuring new legislative maps. Lawmakers tend to avoid taking up “controversial” issues during election season.

The success of criminal justice reform in Michigan is a credit to the many advocates working both within the Legislature and outside it — and shows that political support for reform is more durable than previously thought.

Thanks,

John S. Cooper  
Executive Director



*Executive Director  
John S. Cooper*

# New faces and names at SJM

We've seen many staff changes at Safe & Just Michigan recently. We had to say goodbye to Development Director **Amy Smitter** and Research Specialist Dr. **Anne Mahar**, and also to Fund Development Fellows **Justin Counts** and **Tamir Bell** as their program wrapped up at the end of the year.



*Justin Counts*

Smitter returned to the field of education nonprofits, where she spent most of her career. While here, she expanded and secured our financial standing with donors. She also created the fund development fellows program, which gives formerly incarcerated people a chance to learn fundraising and grant writing skills.

Dr. Mahar's expertise in criminology and statistical analysis brought us a rare set of skills. Her

knowledge was instrumental in creating research reports such as “Changing the Narrative” (see page 3) and “Do Michigan's Sentencing Guidelines Meet the Legislature's Goals?” (see page 4). She now works at the Michigan Criminal Justice Information Center.

We wish Counts and Bell the best as they put knowledge gained during their fellowship to work in their communities — Jackson and Detroit, respectively. We're thrilled with the success of the fellows program and look forward to continuing it.

Finally, we're excited to introduce you to new members of our team: Clean Slate Program Manager **Kamau Sandiford** and Social Media Specialist **Ashley Bellant**. Please turn to pages 6 and 7, respectively, to meet them.



*Tamir Bell*

# RESEARCH NOTES

## SJM research finds Michiganders ready for significant criminal justice reforms

Michigan voters believe the current way criminal justice is administered in Michigan is failing, and they are open to further criminal justice reforms, according to a study from Emma White Research commissioned by Safe & Just Michigan.

The report, titled “Changing the Narrative on Criminal Justice: Michiganders Ready for Reform,” also found that support for reform is widespread throughout Michigan despite people’s political beliefs, education level, race, frequency of attendance at religious service or region of the state in which they live. This held true for questions regarding support for second look policies, restoring a “good time” system for good behavior and ending mandatory minimum sentences.

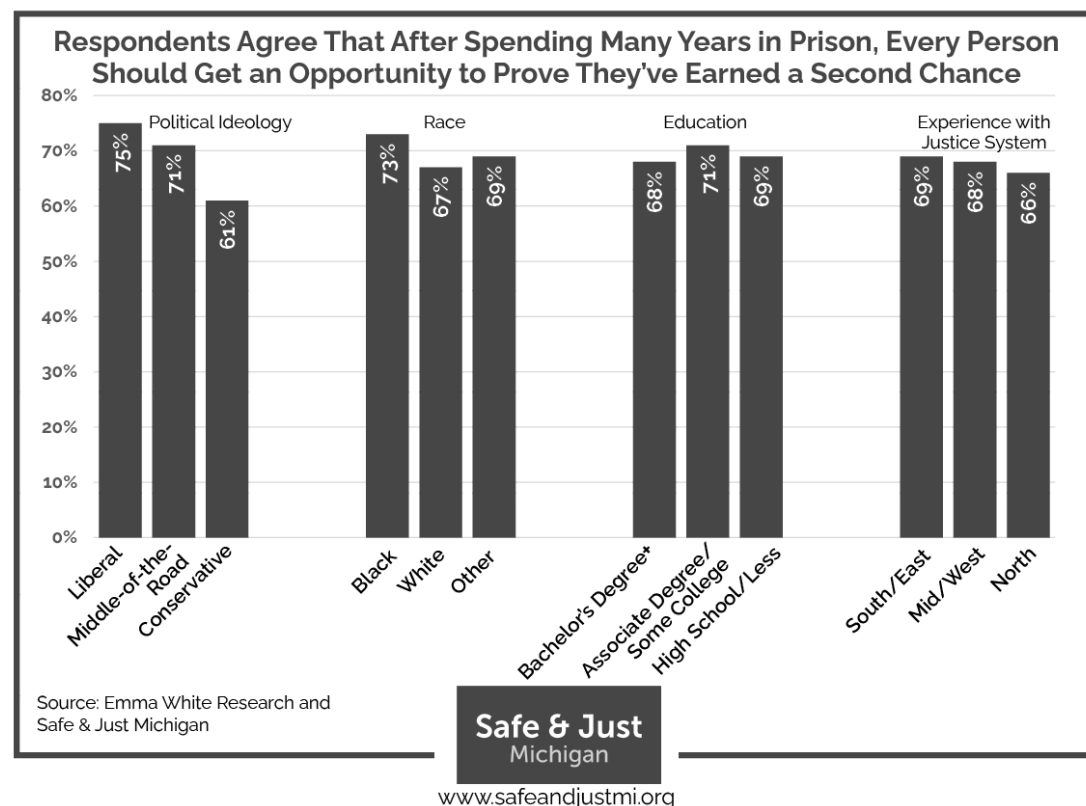
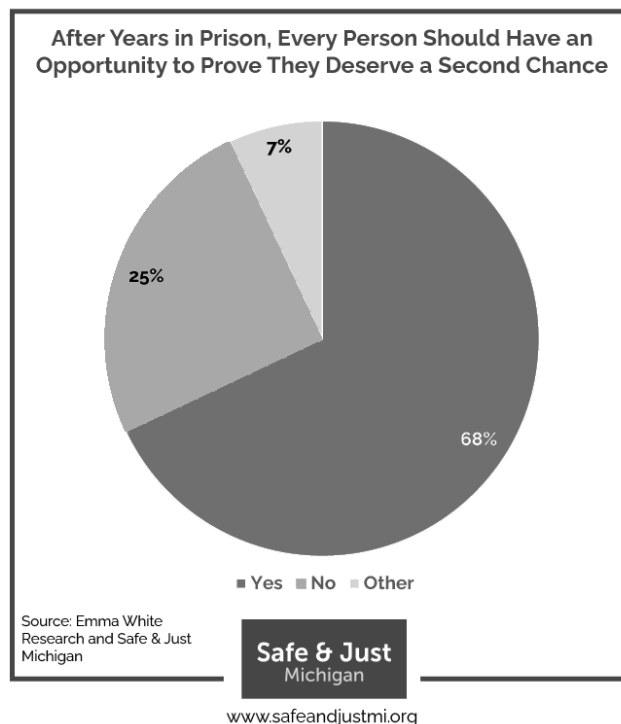
Safe & Just Michigan plans to use these results as we speak with lawmakers about initiatives we support, such as ending juvenile life without parole sentencing, second look and a restoration of “good time” or similar credits.

These findings are essential to combat myths that assert that people believe criminal justice reforms have

gone too far, or that survivors of crime don’t support criminal justice reform efforts. Our findings also give support to lawmakers who want to continue forward with reform legislation against claims of their colleagues that they’ve already done enough.

These results only reflect where Michiganders stand on criminal justice reform at one point in time. Our goal is to move those attitudes toward a greater acceptance of reforms — including reforms that will benefit those sentenced for violent offenses. This is work that will take time, but we are committed to putting in the effort to make that change a reality.

We will share the results of our “change the narrative” efforts with you in the future.





# MI sentencing guidelines—drafted to create a fairer justice system—instead do the opposite, study finds

*Study stresses need for sentencing commission, guideline compliance*



Barbara Levine at a conference detailing report findings on Jan. 31, 2022.

Analysis of Prison Terms for Life-Maximum Offenses,” also offers suggestions to accomplish the original goal of the Legislature’s sentencing guidelines: to ensure that similar offenses committed in different parts of the state or by different kinds of people — such as people of different races, or people relying on public defenders instead of private attorneys — will receive similar sentences.

The 235-page report was authored by Safe & Just Michigan founder and former Michigan Criminal Justice Policy Commission member **Barbara Levine**, former Safe & Just Michigan Research Specialist Dr. **Anne Mahar** and Dr. **Justin Smith** of the University of North Carolina-Wilmington.

“Equal justice under the law’ is one of the basic values of our legal system,” SJM Executive Director **John S. Cooper** said. “The sentencing guidelines enacted by Michigan’s Legislature in 1998 were meant to uphold this value, but our report shows that, in numerous ways, the guidelines have failed to do so.”

For instance, the report found that:

- Defendants with similar backgrounds and offenses receive significantly different sentences depending on the county in which they are convicted.
- “Life-max” guidelines have acted to substantially lengthen sentences, which drains public resources without delivering public safety.

- The application of habitual offender enhancements varies significantly by county, ranging from 13 percent of eligible sentences in Wayne County to 91.7 percent of all eligible sentences in Muskegon and Saginaw counties.

Michigan’s guidelines are designed to be harsher and less consistent than those of other states using guidelines grids — quite possibly because Michigan is the only state with legislative sentencing guidelines that lacks a sentencing commission.

“However,” Cooper added, “the report makes a number of practical recommendations to reduce sentencing disparities and improve the guidelines’ core goals of consistency and proportionality in sentencing.”

Recommendations for change include:

- Establish a sentencing commission with the mandate and scope of authority of the former Criminal Justice Policy Commission.
- Make compliance with the sentencing guidelines mandatory.
- Make fundamental structural changes to the guidelines, such as narrowing sentencing ranges and weighing prior criminal history less than the severity of an offense.

“At a time when both Democrats and Republicans are talking about criminal justice reform, our state remains tied to an outdated sentencing system that costs taxpayers \$2 billion a year without providing associated increases in public safety,” SJM Senior Policy Analyst **Josh Hoe** said. “We should be delivering more accurate and equally applied justice in the smartest, most transparent way possible without squandering tax dollars by locking up people who no longer pose a risk to public safety. This report shows how we can do that.”

As the cost of printing the report makes it impossible for us to send copies to everyone who requests it, Safe & Just Michigan is hoping to send a copy to each prison library in Michigan. We hope the findings in this report are helpful and illuminating to anyone who wants to learn more about why Michigan’s Legislature created its sentencing guidelines, how they are put into practice, and what the results of the state’s sentencing guideline policies are.

# POLICY UPDATE

## Plan in progress to eliminate phone call fees in prison

**S**afe & Just Michigan is one of the stakeholders working on a plan to either eliminate the phone fees incarcerated people and their families pay to speak with each other.

For years, a percentage of those phone fees have been used to pay for Michigan Department of Corrections (MDOC) programming. This year, as part of the budget appropriation, or budget-setting, process, Gov. **Gretchen Whitmer** asked for state funds to cover the percentage of the phone fees that the MDOC was using to pay for programming. Those cuts to the phone fees would amount to 2 cents per minute off the current fee rate of 14 cents per minute.

The appropriation process starts each year in January and it can take until October for a state budget to be completed. Subcommittees are tasked with setting budgets for each department of the state. This year, a coalition of partners including Safe & Just Michigan and the national organization Worth Rises is asking the legislative subcommittee that sets the MDOC budget to go beyond the governor's request.

We believe that the phone fees should be completely eliminated. We are asking the subcommittee setting the MDOC budget to have the state cover the entire cost of the phone calls, eliminating the rest of the 12 cents per minute charged to incarcerated people and their families.

Those fees may sound small to people who don't pay them, but they can pose a large problem to the people who pay them. Prison wages are small, and families with loved ones who are incarcerated often struggle just to pay rent and put food on the table.

Staying in close contact with friends and family benefits an incarcerated person as well as their family and their home community. Several studies have found that maintaining close family ties improves the likelihood of successful re-entry and also benefits the children of incarcerated parents. Communities also benefit when families are stronger and people come home from prison ready to rejoin their families.

Safe & Just Michigan will keep you informed of our work on this project.

## Bill to ban juvenile life without parole sees progress

**E**arlier this year, a set of bills was introduced to the Michigan Legislature that would end the practice of sentencing youth to prison for the rest of their lives. These bills are crucial for Michigan, which the Campaign for the Fair Sentencing of Youth lists as one of the five states responsible for the majority of youth incarcerated for life without parole.

In a story that appeared in *Gongwer*, a paid subscription newsletter serving the Capitol community, legislators voiced optimism that the bills would soon come up for a hearing in committee.

"This is an issue that we need to take some time and have robust testimony," said state Rep. **Roger Victory** (R-Hudsonville), who is the chairman of the Senate Judiciary and Public Safety Committee. Victory added that this was a "complicated issue" that would likely require several hearings with input from stakeholders — such as criminal

justice reform advocates, prosecutors, defense attorneys, judges and others — before the committee before being voted out to the floor of the Senate.

Those hearings could begin in May.

Under the four-bill package, life without parole would be taken off the table as a sentencing option for juveniles. A maximum sentence of 60 years would be put in its place, with a first opportunity for a parole hearing after 10 years.

If Michigan succeeds in passing the law, our state would join 32 other states and Washington, D.C., which already ban the practice.

"Hopefully Michigan can bring this state in line with more than half of the country," said Safe & Just Michigan Community Engagement Specialist **Ronnie Waters**, who was interviewed for the *Gongwer* article. "We're going to keep working hard on educating people. There's still work to be done."



*Interior of the Michigan Capitol dome on March 22, 2022.*

# Why do we support Good Time? Let's count the reasons ...

For most of its history, Michigan had a “good time” system that reduced a person’s parole eligibility date for every month they didn’t receive a misconduct citation. This incentive system played an important role in limiting length of stay, size and cost of the prison system.

A 1978 ballot proposal ended good time in Michigan and brought on an overcrowding crisis. The Legislature responded by creating disciplinary credits in 1982. These were eliminated by passage of the “truth in sentencing” law in 1998. Michigan is now one of a few states with no form of earned time.

## Michigan is an Outlier on Sentence Length

The Pew Center on the States found in 2009 that Michigan had the longest average length of stay of 35 states studied, at nearly 17 months more than the national norm. Michigan’s “truth in sentencing” law, which requires all people serving a term of years to spend every day of their minimum sentence in prison. It bans all early release, including good time.

This has driven up sentence length system-wide. Between 1998 and 2020, Michigan’s average minimum prison sentence increased from 7.1 years to 11.7 years, and the average age of someone in the prison system increased from 34 to 40. Meanwhile, evidence-based research has piled up showing longer sentences aren’t correlated to increased public safety — and that was the justification for ending good time.

## Eliminating Good Time was Expensive

In 1998, people in Michigan prisons served, on average 88 percent of their minimum sentence. Less

than 15 years later, this figure had increased to 125 percent of the minimum. With a \$2 billion corrections budget and per-prisoner costs of about \$45,000 annually, truth in sentencing cost taxpayers millions upon millions of dollars.

Restoring good time would save money. We estimated in 2015 that restoring good time would cut the need for 1,255 MDOC beds — enough to close a prison and save tens of millions of dollars annually. A 2009 House Fiscal Analysis of a proposal to restore good time estimated even greater savings — 5,650 beds within four to six months.

## Good Time is Good Policy

Former MDOC Director Robert Brown, Jr., noted, “Michigan ... (has) given up a widely accepted incentive system that can be used to reward good conduct, productive work habits and participation in rehabilitative programs, leaving only the threats of punishment and parole denial as management tools.

Michigan sheriffs also see the benefits of good time. They have the authority to award good time to jail inmates and routinely do so.

## Good Time is Popular

A 2020 poll of 1,002 registered Michigan voters conducted on behalf of Safe & Just Michigan found that 84 percent of those surveyed supported bringing back good time. That result holds true no matter the political ideology or geographical location of the respondent. Even crime survivors support restoring good time.

# Clean Slate program director steps up expungement outreach



Kamau Sandiford

Safe & Just Michigan has hired Attorney Kamau Sandiford as Clean Slate Program Manager. He organizes expungement fairs, prescreens applicants and consult with people seeking expungements.

Helping expunge records has been Sandiford’s focus since earning a law degree from Cooley

Law School in 2014. Rather than pursuing a high-power, high-dollar career path, he finds meaning in assisting people find a fresh start.

“I saw people convicted of crimes that I didn’t even know were crimes,” Sandiford said. “They were not able to get the housing that they want or the job that they’re seeking, even though they have a conviction

that is 20 years old. There were parents who couldn’t go on a field trip with their children. I really saw it impact people from a particular socio-economic class.”

Sandiford grew up in Trinidad and Tobago, an island nation off the coast of Venezuela. He came to Michigan to attend university. West Michigan’s lake effect snow came as a shock, but he soon adapted to his new surroundings.

While he worked at the Cooley Law School Access to Justice Clinic, nonprofits asked for expungement help. That’s when he learned of Safe & Just Michigan.

“Safe & Just Michigan and other partner organizations want to see people benefit from the new law,” Sandiford said. “The way we can do that is by having these expungement fairs, getting the word out about Clean Slate and its benefit to people.”



# MEDIA MENTIONS

Here are some of the stories related to criminal justice reform that have been in the local news lately:

**Poll Finds Readers Support DUI Expungement** — *Marquette Mining Journal*, March 8: A poll of readers taken between Feb. 28-March 7 found that 53 percent of respondents support a new state law allowing people to expunge a first DUI that didn't result in a death or serious injury. The new law took effect on Feb. 19. In addition, 39 percent didn't support it and 8 percent were unsure. The poll wasn't scientific but does align with SJM research finding Michigan voters support further criminal justice reform.

**Michigan prison recidivism declines as vocational skills rise** — *Capital News Room*, March 18: The state's recidivism levels among inmates who've been out of prison for less than three years have been on the decline since 2016, and they continue to drop. ... Jennifer Cobbina-Dungy, an associate professor at Michigan State University's School of Criminal Justice and an SJM board member, said recidivism is only a limited measure of success. "If I am struggling to find a good-paying job, if I am homeless ... if I have a strained or no relationship with my family — that's not someone who's successfully integrated back into the community. But currently I would be 'successful' because I haven't committed a crime."

## Social media manager joins SJM team



Ashley Bellant

Safe & Just Michigan has hired Ashley Bellant as our new social media specialist.

Bellant grew up in a Lansing family that stressed the importance of community organizing and social action. "(My father) always made it a point to explain to me in age-appropriate ways what was going on. ... He taught me the importance of standing up for what's right, even if it means making sacrifices."

Bellant attended Michigan State University and sought work in New Orleans after graduation. She worked her way up from an entry-level position at the large human

services organization Catholic Charities Archdiocese of New Orleans to the position of grants manager for the organization.

That's where she came across the statistic that 1 in 7 Black men are in prison, on probation, or on parole. Criminal justice reform became a priority for her.

She returned to MSU to obtain a master's degree in social work. She took one internship at the reform-friendly Ingham County Prosecutor's Office and a second with the State Appellate Defender Office's juvenile lifer unit.

When she heard SJM was hiring a social media specialist, she applied. She'd relied on SJM's research since her days at the New Orleans nonprofit. "This pandemic has highlighted the utility of social media — I'm excited to use this medium to reach people."

## Three things I wish I knew *Life after release*

**Name:** Ronnie Waters

**Title:** Safe & Just Michigan Community Engagement Specialist



**City:** Detroit area  
**Years since release:** 1.5

*Advice to others looking forward to release:*

**1** I wish I would have known how little time I had left to spend with my mother before she passed. My mother passed away unexpectedly six months after my release. If I had known this, I would have spent more time with her and treasured every moment we shared.

**2** I wish I had known how extensively the automation of technology has taken over the world. People-less checkouts at grocery stores, keyless entries to hotels rooms and vehicles too ... imagine that!

**3** I wish I had known that if you walk into a grocery store with \$100, you're more than likely to walk out with no more than two bags of groceries.

# Safe & Just Michigan

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Please note this newsletter was printed and distributed  
by BRD Printing Inc., located in Lansing, Michigan.



Safe & Just Michigan hosted the Michigan observance of the 2022 Day of Empathy on March 22 inside the state Capitol. We offered panel talks on voting rights for justice-involved people, bail reform, ending juvenile life without parole and concerns of incarcerated women. State legislators participated in most of the panels, and each featured at least one formerly incarcerated person — most had several. It was wonderful to see so many people come together to raise our voice for criminal justice reform and to see each other in person again.



We thank our co-sponsors for this event: AFSC - Michigan Criminal Justice Program, A.R.R.O., Campaign for Fair Sentencing of Youth, the Carceral State Project, Citizens for Prison Reform, Friends of Restorative Justice, Michigan Center for Youth Justice, Michigan Collaborative to End Mass Incarceration, Michigan Faith in Action, Nation Outside, Prison Creative Arts Project and national sponsor Dream Corps Justice.

