The Michigan Legislature has codified the use of an objective, evidence-based scoring system that determines a prisoner’s probability of parole success. Under HB 5377, signed into law in September, individuals who score highly will be released from prison after completing their minimum sentence — unless the Parole Board provides one of 11 “substantial and compelling objective reasons” for not doing so.

The scoring system, which is based on a set of guidelines including mental and social evaluations, has been used for years and generally scores parole applicants as having a high, average or low probability of parole success. However, only about 75 percent of highly rated prisoners have been approved for release. This partly led to the explosion of Michigan’s prison population from about 14,000 in the 1970s to 39,000 today. Additionally, Michigan’s corrections spending as a percentage of the state budget increased from about 3 percent to about 20 percent during the same period.

“[HB 5377] will ensure more offenders are given a chance at being productive citizens in our state and lessens the burdens on taxpayers for corrections spending,” says Rep. Klint Kesto, the bill’s main sponsor.

Independent organizations such as Safe & Just Michigan, the ACLU of Michigan, and the Alliance for Safety and Justice estimate that HB 5377 could reduce Michigan’s prison population by between 1,800 and 2,400 over the next five years. These organizations also claim that the legislation will save Michigan taxpayers between $40 million and $75 million annually within five years.

The legislation passed with overwhelming bipartisan support in the Michigan House and Senate. HB 5377 eliminates some of the Michigan Parole Board’s discretionary authority. Still, the board can continue to deny parole for prisoners rated as having a high probability of success — by citing one of the 11 “substantial and compelling reasons”. Some of these reasons include “the prisoner is a suspect in an unsolved criminal case that is being actively investigated” or “the prisoner refuses to participate in programming ordered by the department to reduce the prisoner’s risk.”

According to the University of Minnesota’s Robina Institute of Criminal Law and Criminal Justice, more than half of the Midwest’s states have abolished discretionary parole since 1977. Illinois, Indiana, Kansas, Minnesota, Ohio and Wisconsin all use a system of “determinate” prison sentencing, the institute found, in which a prisoner’s release date can be accurately predicted by the judge’s determination at the end of the offender’s trial.

John Cooper, associate director of policy and research for Safe & Just Michigan, does not believe Michigan should follow in these states’ footsteps. “I think the Parole Board serves a necessary and important purpose, because the judge is thinking primarily in terms of punishment,” Cooper says. “There is good reason to believe that judges underestimate a person’s ability to change.”

By:

Thursday, January 24, 2019 at 11:29 AM

Attachment Size

- Stateline Midwest: December 2018 2.76 MB

Tags:
- Criminal Justice
- Michigan
- Midwest
- Objective Parole
- Public Safety
- Policy Area
- Corrections
- Policy Area
- Public Safety
- Justice System
The Council of State Governments
Sharing Capitol Ideas.

© 2016 The Council of State Governments. All Rights Reserved.

Source URL:
http://knowledgecenter.csg.org/kc/content/michigan-turns-objective-parole-reduce-strain-its-corrections-system

Links