



MICHIGAN PRISONERS, VIOLENT CRIME, AND PUBLIC SAFETY: A PROSECUTOR'S REPORT

PAAM Corrections Committee

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Prosecuting Attorneys Association of Michigan
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EXECUTIVE SUMMARY

The Prosecuting Attorneys Association of Michigan (PAAM) prepared this report as part of our ongoing effort to provide relevant data regarding our criminal justice system. The report will assist in facilitating an open and objective discussion about our prisons, violent crime and public safety. We believe the success and future growth of Michigan is dependent upon businesses, families and individuals considering Michigan a safe place to live and work. Accordingly, any changes to our criminal justice system must first be viewed in the context of how they impact public safety. We look forward to working with all interested stakeholders and support changes that positively impact our state.

- **Michigan's prison population has declined by over 23% from its peak of 51,554 inmates in 2007 to 38,910 inmates as of June 2018.**
- **The Michigan Department of Corrections has reduced its number of full-time employees by over 25% from 17,782 in 2006 to 12,965 in 2015.**
- **In 2016, Michigan had the second highest crime rate of the 12 Midwest states.**
- **In 2016, Michigan's initial felony prison commitment rate was only 9.99%, meaning only 1 in 10 felons were sentenced to prison at their initial sentencing.**
- **Michigan inmates sentenced for assaultive or violent offenses make up more than 73% of the prison population.**
- **Michigan inmates sentenced for drug offenses make up less than 8% of the prison population. These offenses typically involve the distribution and/or manufacture of dangerous drugs or possession of a significant quantity. Only 5 inmates are in prison (June 2018) for possession of marijuana**
- **Even after accounting for probation and parole violators, Michigan sent only 23.8% of convicted felons to prison while the national average prison commitment rate was over 40%.**
- **The Michigan Department of Corrections budget for FY 2017 was \$2 billion. This is approximately 3% of the state's \$55.8 billion overall budget, but 19% of the state's general fund budget.¹**



1) STATE CONSTITUTIONAL MANDATE

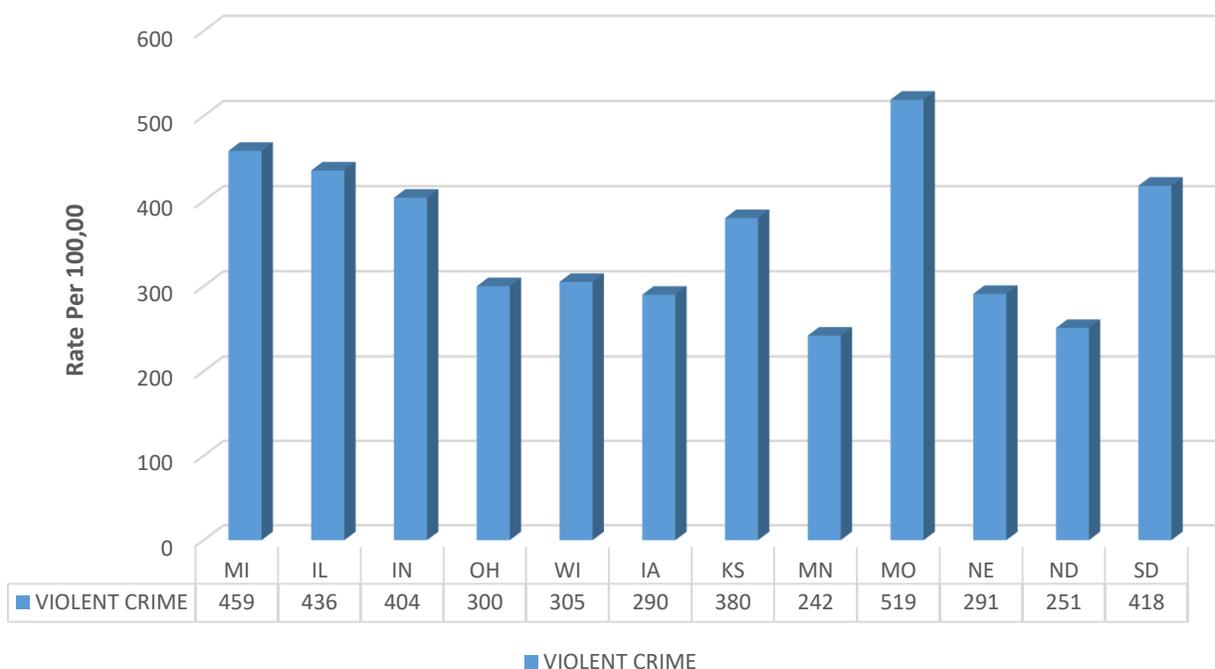
- The Michigan Constitution clearly states in its introduction that one primary purpose of our state government is the protection of its citizens:

“All political power is inherent in the people. Government is instituted for their equal benefit, security and protection.”²

2) CRIME IN MICHIGAN

- Michigan has the second highest violent crime rate in the Midwest.³
 - Michigan’s violent crime rate is 19.2% higher than the average of the Midwest states. (IL, IN, OH, WI, IA, KS, MN, MO, NE, ND, SD).⁴
 - Michigan’s violent crime rate is 41.8% higher than the state of Ohio.⁵
 - Michigan’s violent crime rate is 14.4% higher than the national average.⁶
- Michigan has the lowest ratio of law enforcement personnel to residents of any state in the Midwest, despite having the region’s second highest violent crime rate.⁷

VIOLENT CRIME PER 100,000 IN THE MIDWEST, 2016



Source: U.S. Department of Justice – Federal Bureau of Investigation, 2016 Uniform Crime Reporting Statistics, Violent Crime – Table 2



- **Negative Trend – Law Enforcement Personnel – Michigan has seen its police force reduced by 17% since September 11, 2001 (reduced from 22,488 law enforcement officers in 2001 to 18,630 officers in 2017).⁸**
 - Michigan lost 3,858 law enforcement officers when comparing 2001 levels to 2016 levels. However, Michigan has started to see a slight increase in officer population levels in recent years, adding 236 officers between 2015 (Michigan’s lowest year for LE population) and January of 2018.⁹
 - Detroit lost 59% of its law enforcement officers from 2000 to 2017 – the police force had 4,184 officers in 2000 and was dramatically reduced over the years to 1,700 by 2017.¹⁰
 - Flint lost 65% of its law enforcement officers from 2000 to 2015 – the police force had 321 officers in 2000 and was dramatically reduced over the years to 111 by 2015.¹¹
- **Negative Trend – Violent Crime Rate – Over the past five years, the violent crime rate in the United States has declined 0.38% while Michigan’s violent crime rate has increased .98% over the same time period.**
- **Positive Trend – Violent Crime Rate – While Michigan overall has seen a slight increase in the violent crime rate, Detroit has seen a decline in the violent crime rate to the effect of 3.66%, and Flint has seen an astonishing 53.12% decrease. (Note: The FBI data is based on reported crimes, thus those crimes not reported to law enforcement are inherently not included)**

5 YEAR TREND IN VIOLENT CRIME RATES*					
	YEAR	POPULATION	VIOLENT CRIMES	VIOLENT CRIMES PER 100,000 RESIDENTS	RATE TREND
UNITED STATES	2012	313,873,685	1,217,057	387.8	-.38%
	2016	323,127,513	1,248,185	386.3	
MICHIGAN	2012	9,883,360	44,922	454.5	.98%
	2016	9,928,300	45,572	459	
DETROIT	2012	707,096	15,011	2,122.9	-3.66%
	2016	669,673	13,705	2,046.5	
FLINT	2012	101,632	2,774	2,729.4	-53.12%
	2016	97,548	1,545	1,583.8	

*Source: U.S. Department of Justice – Federal Bureau of Investigation, 2012 and 2016 Uniform Crime Reporting Statistics, Violent Crime



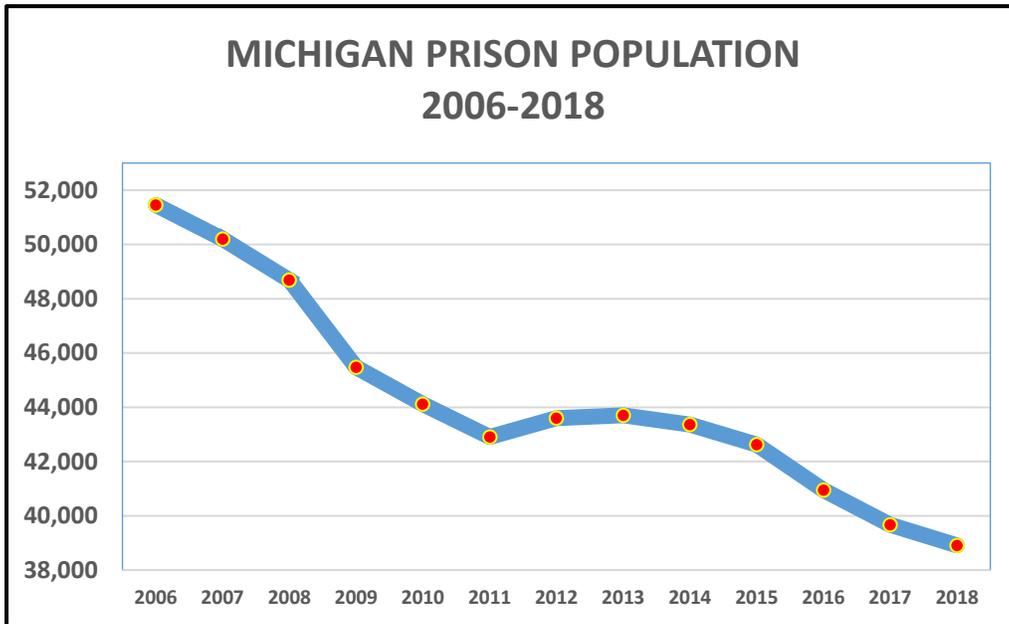
Michigan's violent crime rate in 2016 was 17.2% higher than the national rate. Further, the cities of Detroit, Flint and Saginaw had a violent crime rate more than 4 times higher than the national rate.¹²

- Still, progress has been made since 2009 when Flint, Pontiac and Saginaw were ranked as three of the top ten most dangerous cities in the United States.¹³ The violent crime rate has recently decreased in each of these cities due, in part, to Governor Rick Snyder's "Secure Cities Partnership" and additional resources targeting violent crime in these areas.¹⁴ In 2015, Flint, Pontiac and Saginaw no longer found themselves ranked in the top ten most dangerous U.S. cities.¹⁵
- Much more progress needs to occur in these cities and across the state. For instance, in 2016, although Detroit saw its violent crime rate decrease by 3.66% compared to 2012, it was still ranked as the most dangerous city in the United States.¹⁶
- **Michigan has an extremely low rate of solving violent crime.**
 - In 2016, Michigan had only a 35% **violent crime clearance rate** compared with the national average of 46%.¹⁷
 - In 2016, Michigan had only a 31% **murder clearance rate** compared to the national average of 55%.¹⁸
 - Michigan still has over 14,000 unsolved murders going back to 1980.¹⁹
- **Michigan sends very few convicted felons to prison.**
 - Michigan's initial prison commitment rate for 2016 is only 9.99%. This 9.99% is primarily made up of violent, habitual criminals. (In 2016, there were 4,734 new prison commitments out of a total of 47,347 felony dispositions.)²⁰
 - The remaining 90% of convicted felons (many of them also convicted of violent felonies) are placed in probation programs such as diversion or community service programs, or receive local jail time at their initial sentencing.²¹
- **Even after accounting for probation and parole violators, Michigan still only sends 23.8% of convicted individuals to prison.²²**
 - The average prison commitment rate nationally for convicted felons is over 40%.²³
 - The majority of Michigan's prison commitments are from offenders violating probation or parole.



3) WHO GOES TO PRISON IN MICHIGAN?

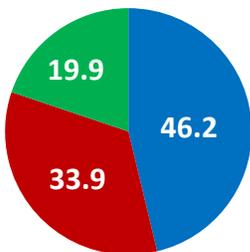
- Michigan’s prison population has declined from its peak of 51,454 inmates in 2006 to 38,910 inmates in June 2018.



Source: Michigan Department of Corrections

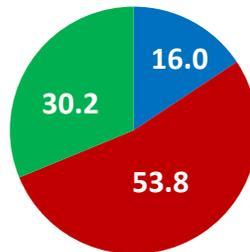
- Today, Michigan’s prisons hold primarily violent and career criminals convicted of murder, rape, child molestation, home invasion, armed robbery and serious assaultive offenses.

FEDERAL PRISONS



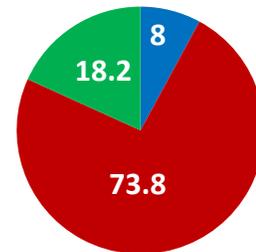
Drug Crimes: 46.2%
 Assaultive Crimes: 33.9%
 Non-Assaultive Crimes: 19.9%

STATE PRISONS



Drug Crimes: 16.0%
 Assaultive Crimes: 53.8%
 Non-Assaultive Crimes: 30.2%

MICHIGAN PRISONS



Drug Crimes: 8%
 Assaultive Crimes: 73.8%
 Non-Assaultive Crimes: 18.2%

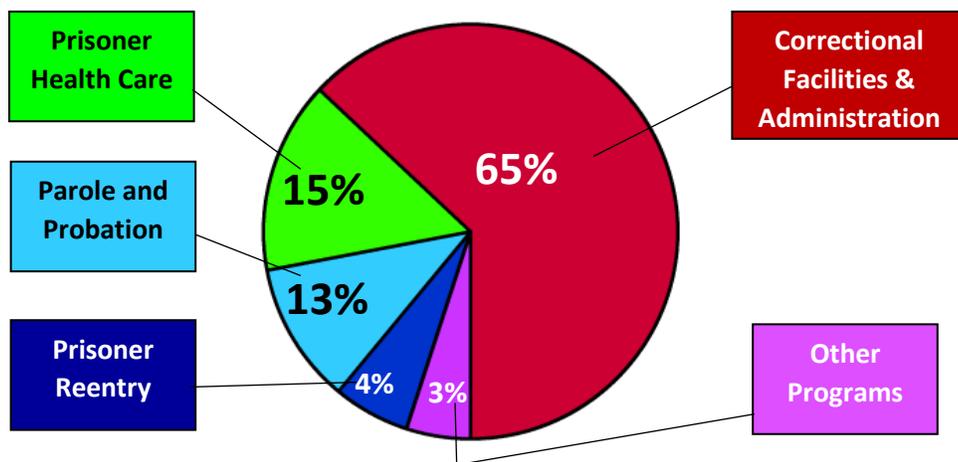
Source: Federal Bureau of Prisons Statistical Report; Michigan Department of Corrections, 2016 Statistical Report

- Prisoners convicted of violent and assaultive crimes make up 73.8% of Michigan’s inmate population compared to just 53.8% in other state prisons and only 33.9% in federal prisons.
 - In Michigan, few drug offenders go to prison. In 2016, 18,959 individuals were convicted of drug offenses and only 1,427 of those went to prison.²⁴



- In 2016, only 5 inmates out of 41,122 were in prison for possession of marihuana.²⁵
- Our prisons are not filled with shoplifters, bad check writers, drug abusers or felony drunk drivers. Michigan inmates serving prison time for non-assaultive offenses are typically incarcerated because of their career criminal status.
- **In 2016, of the 41,122 inmates in Michigan’s prisons:**
 - 30,350 inmates were in prison for what the Michigan Department of Corrections classifies as an “assaultive crime”. This constitutes 73.8% of the total prison population.²⁶
 - 5,293 were serving time for a life offense.²⁷
 - 3,781 inmates were in prison for Criminal Sexual Conduct 1st Degree.²⁸
- **In Michigan, even violent offenders do not go to prison.**
 - Example: In 2016, 171 assailants (31%) of the 555 offenders convicted of Assault with Intent to Do Great Bodily Harm Less Than Murder, were sentenced to a probationary sanction other than prison.²⁹
 - Example: In 2016, of those convicted of Felonious Assault, 1,141 assailants (73%) were not sentenced to prison.³⁰

4) THE CHALLENGES OF MDOC OPERATING EXPENSES

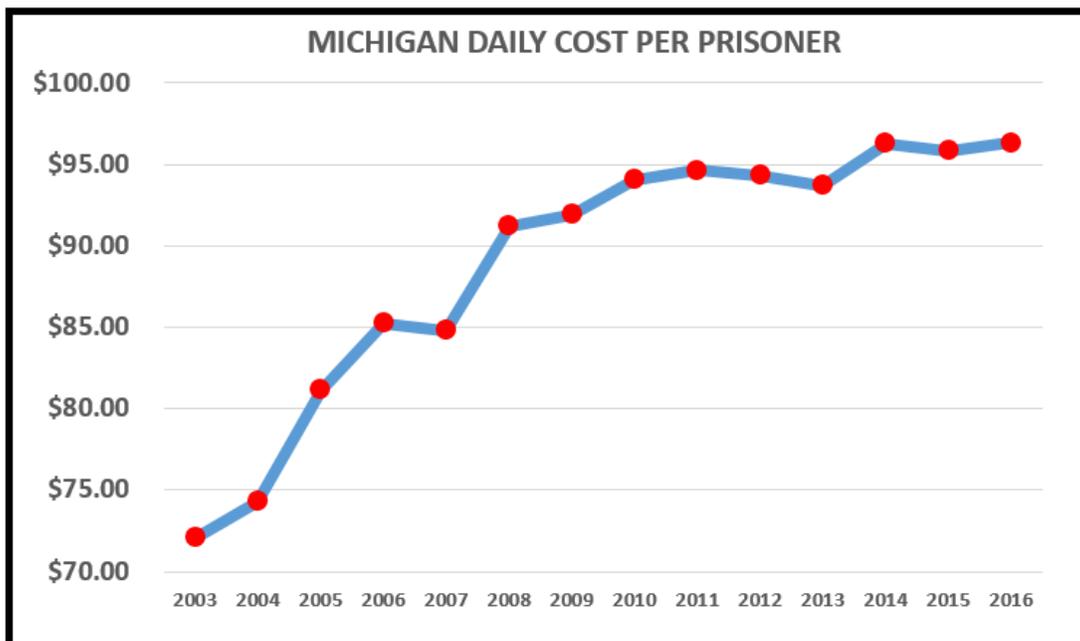


FY 2017-18 Appropriations by Program Area



“To realize savings in the Corrections budget, any strategies undertaken must address the cost drivers of employee demographics and prisoner health care expenses.” State Notes – Topics of Legislative Interest, Fall 2014: An Assessment of the Principal Cost Growth in the Michigan Department of Corrections, by John Maxwell, Fiscal Analyst

- **MDOC – Costs of Incarceration** – In 2017, the State of Michigan allocated approximately \$2.0 billion to fund the MDOC to provide for the custody and care of incarcerated felons and maintain oversight and supervision of parolees and felony probationers.³¹
- **Trend** – Despite a roughly 25% reduction in the prison population from 2006 to 2018, and a 23% reduction in full-time employees in the same time, the MDOC budget remained flat during that same time period due mainly to increased prison health care costs and employee economic costs.³²
- **Trend** – In 2017, MDOC calculated the daily cost to incarcerate an inmate at \$98.92. This equates to an annual cost of \$36,105.80.



Source: MDOC 2017 Prisoner Cost Report To The Legislature

- Michigan’s cost per prisoner per day has increased by 5% since 2013, or roughly \$2,000 a year per prisoner.³³
- MDOC spending is 19% of the general fund budget³⁴



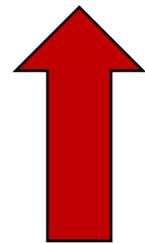
- **Supervision Costs - Parole vs. Probation** - In 2016, the average number of felony probationers supervised by the Michigan Department of Corrections (44,931) was more than three times the average number of parolees supervised (13,732).³⁵

- In 2016, about 37% of those inmates sentenced to prison were incarcerated for violating their parole or probation.³⁶
- The Council of State Governments reports that between 2005 and 2012 the funding for programming and re-entry services designed to reduce recidivism among parolees increased from \$33 million to \$96 million.³⁷ MDOC now invests approximately 4 times more per individual to provide programming and re-entry services for parolees than the state spends on rehabilitative services for probationers.³⁸ Corresponding to the implementation of new strategies targeting parolees, the re-arrest rates for parolees declined by 20% from 2008 to 2011 while the re-arrest rates for probationers remained unchanged.³⁹

- **Positive Trend – Parole Supervision** – In 2014, the ratio of parolees to residents supervised in Michigan was 11% lower than the national average and the number of parolees revoked and sentenced to prison has recently trended downward.⁴⁰



- **Negative Trend – Probation Supervision** – In 2014, the ratio of felony probationers to residents supervised in Michigan was 60% higher than the national average and the number of probationers revoked and sentenced to prison has recently trended upward.⁴¹



- The Council of State Governments reports that, as of 2012, the average length of prison time an inmate served in Michigan past their minimum sentence had been reduced from 40% to 25%, which results in a projected annual savings of \$200 million.⁴²
- **Number of Prisons** – Since 2005, Michigan has closed over 22 correctional facilities and prison camps. As of June 2018, the Michigan Department of Corrections still operated 30 correctional facilities.



5) CONCLUSIONS AND RECOMMENDATIONS

1. Public Safety – Michigan has a serious public safety problem. We have the second highest violent crime rate of any state in the Midwest, the lowest ratio of law enforcement personnel to residents in the region and one of the worst violent crime and murder clearance rates in the nation.

✓ **Reinvest Resources** - *What works? Expand Michigan's Smart Justice plan and Governor Rick Snyder's "Secure Cities Partnership" in its current locations and introduce it to other high crime areas across the state. This evidence-based approach adds resources to targeted violent crime areas, including sorely needed law enforcement personnel, and uses data to evaluate law enforcement, criminal justice reform and crime prevention initiatives with assistance from all levels of government.*

2. Michigan Department of Corrections – Not a runaway budget. Since 2007, the Michigan Department of Corrections budget has remained flat despite a reduction in the prison population, full-time employees, and the closing of numerous prisons and camp facilities.

✓ **Reduce Costs** - *Michigan has made progress in attempting to contain the costs associated with its corrections system. Still, if Michigan's corrections costs were reduced further, it would provide millions of dollars to be available for more police, prevention services, education and a better, safer Michigan.*

3. Probation and Parole Supervision - Reform? Yes. Endanger public safety? No. The Michigan Department of Corrections supervises many more felony probationers than parolees with significantly different results. Re-arrest rates for parolees have recently declined while the re-arrest rates for felony probationers have remained unchanged. Additionally, the number of felony probationers revoked and sent to prison trended upward while the number of felony parolees revoked and sent to prison trended downward.

✓ **Reduce Recidivism** - *Michigan needs to invest more in programming for felony probationers similar to the funding allocated for re-entry programming for parolees. More intensive supervision programs, such as 'Swift and Sure,' and other evidence-based services should be expanded to reduce recidivism in this area.*

4. Adopt Evidence-Based Analyses - Michigan needs to rely on their experts and results. We must objectively consider all factors from practitioners in the field to make policy recommendations and financial decisions which do not endanger public safety.

✓ **Comprehensive Review** - *The Michigan Legislature enacted Public Act 465 of 2014, effective January 12, 2015, which created the Criminal Justice Policy Commission. The commission was created to: collect, prepare, analyze and disseminate information regarding state and local sentencing and proposed release policies and practices for felonies and the use of prisons and jails. The committee is also charged with analyzing information concerning how misdemeanor sentences and the detention of defendants pending trial affect local jails. Further, it will research the effectiveness of the sentencing guidelines, and the impact of the sentencing guidelines and other laws, rules, and policies on those populations and capacities, and the effectiveness of efforts to reduce recidivism.*



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