final minutes

Criminal Justice Policy Commission Meeting
9:00 a.m. • Wednesday, November 2, 2016
Senate Appropriations Room • 3rd Floor State Capitol Building
100 N. Capitol Avenue • Lansing, MI

Members Present:
Senator Bruce Caswell, Chair
Stacia Buchanan
Senator Patrick Colbeck
Representative Vanessa Guerra
D. J. Hilson
Kyle Kaminski
Barbara Levine
Laura Moody
Sheriff Lawrence Stelma
Jennifer Strange
Judge Paul Stutesman
Andrew Verheek
Judge Raymond Voet
Representative Michael Webber

Members Excused:
Senator Bert Johnson
Sheryl Kubiak
Sarah Lightner

I. Call to Order and Roll Call
The Chair called the meeting to order at 9:00 a.m. and asked the clerk to take the roll. A quorum was present, and absent members were excused.

II. County Data Sharing with Appriss's JusticeXChange System
Without objection, the Chair move the discussion of county data sharing up on the agenda.

1) The Chair then called on James McCurtis of the Department of Health and Human Services Crime Victim Services Commission for information on the origins of how and what type of data collected in the MI-VINE system was transferred to Appriss's JusticeXChange system and why only certain counties agreed to the information exchange. Mr. McCurtis began with his understanding of what transpired and shared information on which counties currently participate in MI-VINE and what basic information is collected (see attachments for more details.) Beth Adcock from DHHS Crime Victim Services Commission was also present and responded to questions regarding the department's contract with Appriss. Commissioner Verheek inquired if a uniform identification number for individuals is used to track those individuals throughout the system. Ms. Adcock explained that there are offender numbers from each jail, but she is unaware of any one number that follows an offender throughout the system. Senator Colbeck offered a word of caution that we might run into Headlee issues if counties are required to submit specific data elements that require processes that may be very complicated and added that the Commission's biggest challenge may be to have a common record key across all the data sets in order to connect the data to recidivism, programming, and sentencing. Commissioner Hilson commented that MDOC and FBI cid numbers may be possible sources to track offenders.

2) Commissioner Stelma shared a history of the sheriff departments responsibility in the collection and notification requirements of the Crime Victims Notification Act and explained the reluctance of sheriffs to participate in a system that was designed and maintained by a private, for-profit company. He noted that MI-VINE is much more attractive now especially considering the other benefits the system offers. He added that although participation in MI-VINE is free, there are other county costs associated to connect their jail management systems to MI-VINE and the staff needed to input the data. A discussion followed. The Chair asked Mr. McCurtis to provide information on the cost of the State's MI-VINE contract and the amount of fees charged by vendors to design a new interface to Appriss when a new jail management system is deployed. Mr. McCurtis and Ms. Babcock clarified that the State owns the information that is submitted to Appriss.

III. Approval of October 5, 2016 Meeting Minutes
The Chair asked members if there are any changes or additions to the proposed October 5, 2016 CJPC meeting minutes. There were none. Commissioner Verheek moved, supported by Commissioner Hilson, to approve the minutes of the October 5, 2016 meeting as proposed. There was no further discussion. The minutes were approved by unanimous consent.

IV. Introduction of Grady Bridges, Commission Data Administrator

The Chair introduced and welcomed Grady Bridges who was hired to be the Commission's data administrator with the help of LSB, the Senate, and the House. Mr. Bridges provided an overview of his background and some of the data set projects he has worked on in the past. In response to questions from Senator Colbeck, Mr. Bridges noted that a unique record identifier is cornerstone and linking the different databases will be the biggest challenge. For the sake of transparency, the Chair asked members to direct any questions they may have for Grady to him and then in turn to Susan so that all questions and responses will be on record. Senator Colbeck inquired if there is any objection to him meeting with Grady to discuss the power point presentation he put together in January. The Chair noted that Senator Colbeck is welcome to meet with Grady, but Grady's first order of business will be to prepare a RFP for the study of 17-year-olds, then to move onto the data subcommittee issues.

V. Study of County Costs to Redirect 17-Year-Olds to Juvenile Justice System

The Chair opened a discussion of the three questions submitted by Representative Webber to be answered by the study. Additional questions/comments were submitted as follows:

Chair Caswell

For the 17-year-old issue, I would like to know if there is financial break point at which it would be cheaper to put a kid into prison rather than keep him locally situated. What is that break point? Should we break this 17-year-old issue into two parts where the first part is for kids convicted of "goofy" crimes and the second part is for kids who are convicted of very serious crimes. Can the study differentiate between these?

Commissioner Kaminski noted that there are four options to consider when looking at supervision--stay home as a juvenile in the juvenile system, go into a juvenile system that has a custody element to it, stay home as an adult and supervised by adult probation agent, or putting them into an adult system where there is a custody element. A discussion of including all costs and savings and the county capacity to accept them followed. The Chair asked Commissioner Kaminski to draft a question that addresses his four points and the other issues raised.

Commissioner Kaminski

The 3 current questions are all valid and reflect impacts on the counties, but I believe the study must also address costs/savings for the state as directed by boilerplate.

1. What will the impact be on the Department of Corrections if it is prohibited from housing prisoners under the age of 18?
2. What will the impact be on the Department of Corrections if it remains responsible for housing prisoners under the age of 18, but is prohibited from housing them in the same facility as prisoners 18-years-old or older?
3. What will the impact be on the Department of Health and Human Services if it becomes responsible for housing 17-year-olds in a secure juvenile setting.

The Chair clarified that, for all three questions, the financial impact is what is being sought. There was no objection to that addition.

Commissioner Moody

I applaud the desire of the legislature to study this issue from a fiscal perspective and in its proper context. I suggest the following additional considerations.

- What are the additional costs to the county with respect to providing appropriate programming for 17-year-olds which may be different than what is currently being offered and appropriate for 13-16-year-olds?
- What is the financial impact to both the prosecutors and the judges (in terms of staffing) for treating 17-year-olds as juveniles given that juvenile cases are more time consuming?

Commissioner Hilson

I concur with what Laura has suggested.

Commissioner Stelma

The questions raised are excellent issues and demonstrate "unintended consequences". What should also be looked at is the impact on court security. Many, if not most, court houses are not designed to handle the security issues and capacity issues raised by this recommendation. I don't believe every county has a juvenile detention facility either.

Representative Guerra inquired if current legislation introduced has an impact on the timing of the study. The Chair noted that the legislation that passed appropriated $500,000 and required the study be conducted by April 2018. Commissioner Levine added that the defense side of costs should not be forgotten.

The Chair tasked Grady to put the questions together by the middle of next week and send them out to the members. He asked members to review the questions and immediately send responses to Susan so that an RFP can be prepared and ready for approval at the December meeting.

VI. Data Subcommittee

a. Data Subcommittee Update

Commissioner Verheek reported that the subcommittee will be meeting with Grady Bridges in the next coming weeks to discuss how the subcommittee can be of assistance and what they can do to help him in his position. The Chair noted that Commissioner Kubiak emphasized that Grady should not have to reinvent the wheel and asked the Chair to convey what the subcommittee has accomplished so he can move forward from this point. The data subcommittee and the Chair will meet with Grady on November 21 to explain all the research the data subcommittee has gathered.

b. CJPC Data Requirements Template

The Chair called on Senator Colbeck for an update. Senator Colbeck explained that the goal of the template is to map the fundamental questions the Commission is seeking to answer to the specific data sets required to answer those questions. The template is divided into three areas—capacity, recidivism, and policy—so that it can be inserted into a statement of work for any potential IT vendor. A discussion of the proposed questions on the template followed (see attachment for more details.) Senator Colbeck will rephrase the two policy questions he proposed on the template. The question dealing with probation and parole caseloads submitted by Chair Caswell will be deleted. Senator Colbeck suggested the need to set priorities as the Commission may not be able to obtain sufficient data to address every question. The Chair asked members to add to the list and rate the proposed questions into high, medium and low categories by Friday, November 11. The ratings will be compiled and shared before the next meeting. The Chair clarified that this will enable the Commission to decide what to go after first and then collect the data needed, but he is open to however the Commission prefers to proceed. The Commission

VII. Mental Health Subcommittee

There was not time to discuss this agenda item.

VIII. Commissioner Comments

The Chair asked if there were any other comments from the Commissioners. Commissioner Kaminski extended an invitation for members to tour the Hanlon facility in Ionia on November 17. Judge Stutesman added that members should also visit a parole board. There were no other Commissioner comments.

IX. Public Comments

The Chair asked if there were any public comments. There were none.

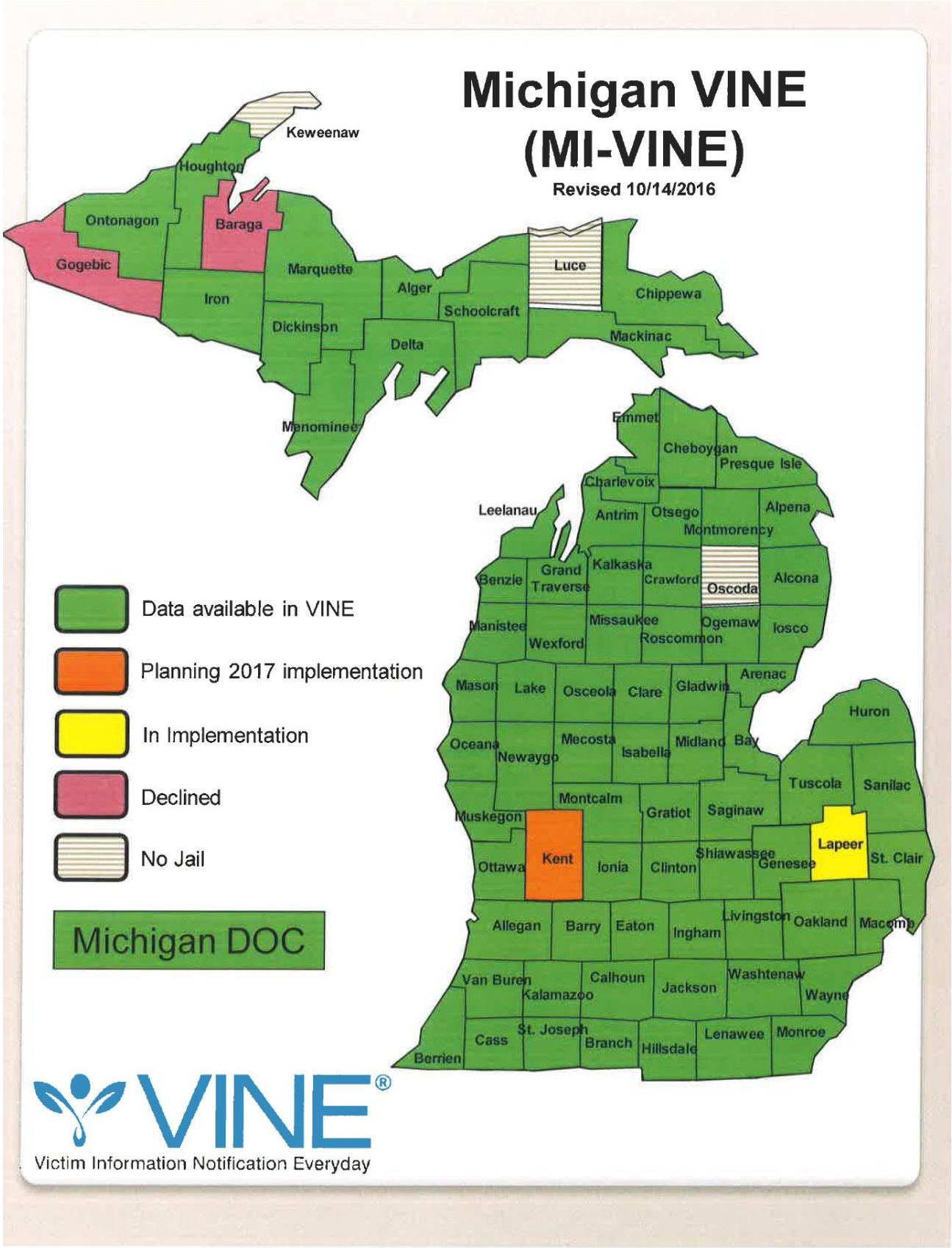
X. Next CJPC Meeting Date

The next CJPC meeting is scheduled for **Wednesday, December 7, 2016,** at **9:00 a.m. in the Senate Appropriations Room, 3rd Floor of the State Capitol Building.**

XI. Adjournment

There was no further business. The Chair adjourned the meeting at 12:02 p.m.

(Approved at the December 7, 2016 Criminal Justice Policy Commission meeting.)


Michigan VINE
(MI-VINE)
Revised 10/14/2016
Keweenaw
Houghton
Ontonagon
Baraga
Gogebic
Marquette
Iron
Alger
Luce
Chippewa
Schoolcraft
Dickinson
Delta
Mackinac
Menominee
Emmet
Cheboygan
Presque Isle
Charlevoix
Leelanau
Antrim
Otsego
Montmorency
Alpena
Kalkaska
Grand Traverse
Benzie
Crawford
Oscoda
Alcona
Manistee
Wexford
Missaukee
Roscommon
Ogemaw
Iosco
Arenac
Mason
Lake
Osceola
Clare
Gladwin
Huron
Oceana
Newaygo
Mecosta
Isabella
Midland
Bay
Tuscola
Sanilac
Montcalm
Muskegon
Gratiot
Saginaw
Lapeer
Kent
Ottawa
Ionia
Clinton
Shiawassee
Genesee
St. Clair
Allegan
Barry
Eaton
Ingham
Livingston
Oakland
Macomb
Van Buren
Kalamazoo
Calhoun
Jackson
Washtenaw
Wayne
Cass
St. Joseph
Branch
Hillsdale
Lenawee
Monroe
Berrien
Data available in VINE
Planning 2017 implementation
In Implementation
Declined
No Jail
Michigan DOC
VINE®
Victim Information Notification Everyday

STATE OF MICHIGAN
DEPARTMENT OF HEALTH AND HUMAN SERVICES
LANSING

RICK SNYDER
GOVERNOR

NICK LYON
DIRECTOR

November 1, 2016

Who contributes data to MI-VINE?

See attached Program Map

What information is collected?

Information is collected from individual jail booking systems. Some of the basic information collected is as follows:

- Facility
- Offender name
- Gender
- Height
- Weight
- Hair color
- Social Security – Not 100% but most
- Arrest timestamp
- Release timestamp

Please refer to the Michigan Datafil report that was distributed on 8/9/16 from Jonathon Waunch at Appriss to obtain a complete list of all information collected in MI-VINE.

Who has access to the information?

The general public.

235 SOUTH GRAND AVENUE • P.O. BOX 30037 • LANSING, MICHIGAN 48909
www.michigan.gov/mdhhs • 517-373-7500

List of Sheriff Offices that are currently sharing their booking information with JusticeXchange:

Alger Co Sheriff's Office
Allegan Co Sheriff's Dept
Bay Co Sheriff's Dept
Benzie Co Sheriff's Dept
Branch Co Sheriff's Office
Charlevoix Co Sheriff's Office
Clare Co Sheriff's Dept
Houghton Co Sheriff's Office
Ingham Co Sheriff's Office
Ionia Co Sheriff's Office
Iosco Co Sheriff's Office
Jackson Co Sheriff's Dept
Kalamazoo County Sheriff's Office
Kalkaska Co Sheriff's Office
Lenawee Co Sheriff's Office
Menominee Co Sheriff's Dept
Missaukee Co Sheriff's Office
Montcalm Co Sheriff's Office
Muskegon Co Sheriff's Office
Ontonagon Co Sheriff's Dept
Osceola County Sheriff's Dept
Otsego County Sheriff's Dept
Sanilac County Sheriff's Office
Wayne County Sheriff's Office

Decision Category	Question	Priority	Data Required	Nice-to-have Data	Data Source	Comments
26-Oct-16						
Senator Colbeck:						
Capacity	What is the utilization rate rate for county jails by county?	High	Jail Capacity Jail Occupancy	Jail Address	(To be completed by Data Subcommittee)	
Capacity	What is the utilization rate rate for state corrections facilities by facility?	High	Prison Capacity, Prison Occupancy	Prison Address		
Capacity	What is the ratio of parole officers to parolees?	Medium	# Parole Officers, # Parollees			
Capacity	What is the ratio of probation officers to probates?	Medium	# Probation Officers, # Probates	Jail Address		
Recidivism	What prison rehabilitation programs are most effective at reducing recidivism?	High	List of programs, Completion rates, Duration, Cost per subject, facility, instructor, arrest record, conviction record			
Recidivism	What jail rehabilitation programs are most effective at reducing recidivism?	High	List of programs, Completion rates, Duration, Cost per subject, facility, instructor, arrest record, conviction record			
Recidivism	What probation programs are most effective at reducing recidivism?	Medium	List of programs, Completion rates, Duration, Cost per subject, facility, instructor, arrest record, conviction record			
Recidivism	What parole programs are most effective at reducing recidivism?	Medium	List of programs, Completion rates, Duration, Cost per subject, facility, instructor, arrest record, conviction record			
Policy	What sentencing reforms would benefit victims	High	List of sentences, # convictions per sentence, actual time served per sentence, required time served per sentence, recidivism rate, arrest record, conviction record			
Policy	What sentencing reforms would benefit taxpayers?	High	List of sentences, # convictions per sentence, actual time served per sentence, required time served per sentence, recidivism rate, arrest record, conviction record, incarceration costs, court costs, parole costs, probation costs			
Chair Caswell:						
Tracking	How do we find people?	High	The same ID system for everyone			
Probation and Parole Caseloads	What is the proper caseload to reduce recidivism?	High	Caseloads and recidivism rates			
Commissioner Levine:						
Sentencing Guidelines	What is the extent of disparity in prison sentences among people who fall within the same cell on the same guidelines grid? What are the key factors in causing disparity?	High	Sentences imposed on defendants who place within each cell on each grid by length, offense, date, county, judge, race/ethnicity, gender, age, conviction method, OV score, PRV score, habitual offender status			
	What has been the pattern of sentence length changes since the legislative guidelines were enacted?					
	What is the extent of upward and downward departures from the recommended range pre-and post-the MI SCt decision in Lockridge?	High	Number and size of departures by offense, date, county, judge, race/ethnicity, gender, age, conviction method, OV score, PRV score, habitual offender status			
	To what extent are prison sentences imposed on people who score in straddle cells?	High	Number of prison sentences imposed on straddle cell defendants by offense, date, county, judge, race/ethnicity, gender, age, conviction method, OV score, PRV score, habitual offender status			

Probationer recidivism	What is the rate of probation revocations and what is the length of jail or prison sentences imposed?	High	Frequency of revocations for new offenses and technical violations, respectively, and length of incarceration terms imposed, by county, judge, offense, race/ethnicity, gender, age, prior record, length of time on probation			
	What do probation conditions include, how frequently are they used and what is the relationship of each to recidivism?	Med	Frequency, by county, judge, offense, race/ethnicity, gender, age and prior record of various probation conditions (jail, residential treatment, outpatient treatment, electronic monitoring, vocational/education programs, curfews, reporting, association); correlation of each to new felonies and misdemeanors and to revocation for technical violations			
	What progressive sanctions are used for probation violations and with what success?	Med	Frequency, by county, judge, offense, race/ethnicity, gender, age and prior record of specific progressive sanctions (e.g., jail, residential treatment, outpatient treatment, electronic monitoring, vocational/education programs, curfews, reporting, association); correlation of each to new offenses, to revocation for technical violations and to length of time spent on probation			
Jail Usage	How are jail populations divided among pretrial detainees (traffic, misdemeanor and felony), traffic/misdemeanor sentences, felony sentences?	High	For each category, sort by county, offense, judge (who set bail or imposed sentence), race/ethnicity, gender, age, prior record, length of jail stay.			
			For pretrial detainees include amount of bail set.			
			For sentenced inmates, include length of sentence.			
Prison Usage	What percentage of prisoner population is currently eligible for release?	High	Sort those eligible by offense type, race, gender, age at offense, current age, sentence type (parolable life or indeterminate), parole guidelines score			
	What percentage of prisoner population falls into specific sub-groups?	High	Frequency of prisoners who:			
Parolee Recidivism	What are the rates of parole violator returns for new offenses and for technical violations and what factors affect those rates?	High	For technical parole violators and parole violators with new sentences, separately sort by offense type, length of prison stay, age at offense, age at release, gender, race, prior record, education level, completion of specific programs (in prison and on parole), family support, mental health history, substance abuse history, revocation date, county, parole guidelines score, risk level (COMPAS)			
	To what extent are progressive sanctions used for parole violations and with what result? To what extent do progressive sanctions become counter-productive because they create new grounds for failure?	Med	Frequency by offense, race/ethnicity, gender, age, prior record, field office of each type of progressive sanction; frequency of sanctions by individual parolee; relationship of specific sanctions to revocation			
	What are the most common grounds for revocation based on technical violations? What is the relationship of particular standard and special parole conditions to revocation?	Med	Frequency of each violation type by offense, race/ethnicity, gender, age, prior record, field office			

Commissioner Stelma:						
	Which crime categories have a statistically higher or lower recidivism rate?		Parole / probation recidivism data			
	Which crime categories have a statistically higher or lower absconder rate?		Parole / probation recidivism data			
Commissioner Verheek:						
Programming	What evidence-based practices are currently in use in Michigan?	High	Knowing what programs agencies/counties utilize to serve felony offenders on probation or parole.			
Programming	What is the capacity of each county to provide evidence-based services?	High	Determine if counties have the capacity and willingness to provide evidence-based services in their areas.			
Programming	What is the capaccity of each county to evaluate/audit evidence-based programming provided to offenders?	High	Determine if counties have a capacity to evaluate/audit evidence-based programming to ensure the programs are operating as intended and are working to reduce recidivism.			