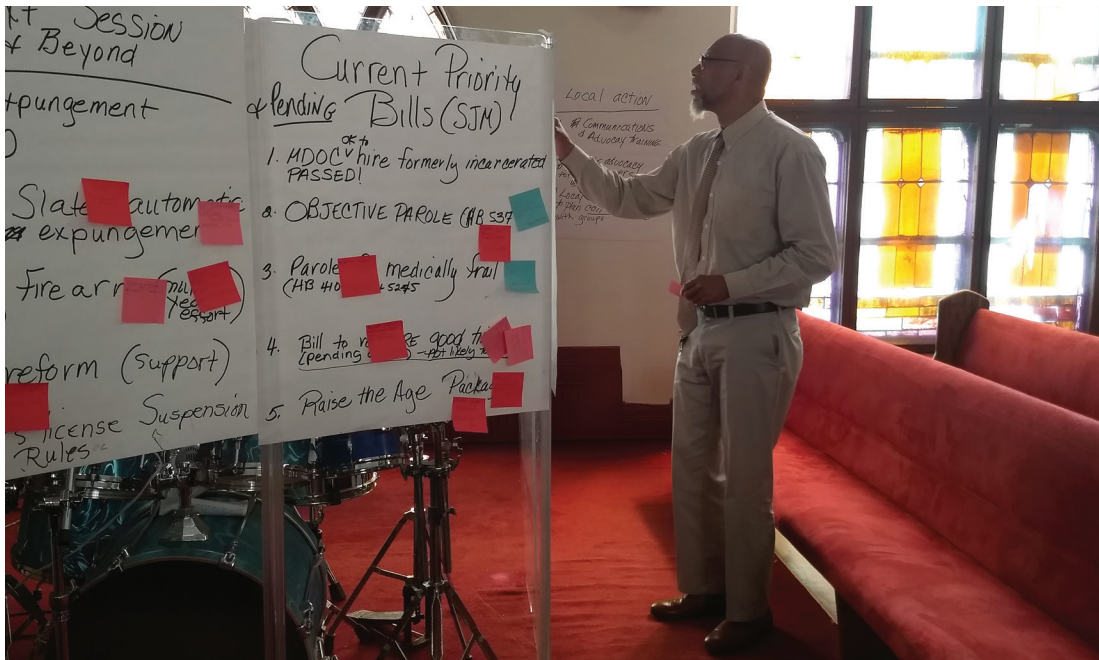


# Safe & Just Michigan

Fall  
2018



## Celebrating his first year of freedom

Former juvenile lifer Edward Sanders shares his top priorities for improving the criminal justice system as part of an exercise at Safe & Just Michigan's Detroit Community Meeting on July 14, 2018. Sanders was released from prison in July 2017 after 42 years of incarceration. To read more about Sanders and his first year of freedom, please turn to page 6.

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Page 5: Media Mentions: Support grows for parole reform and restorative justice

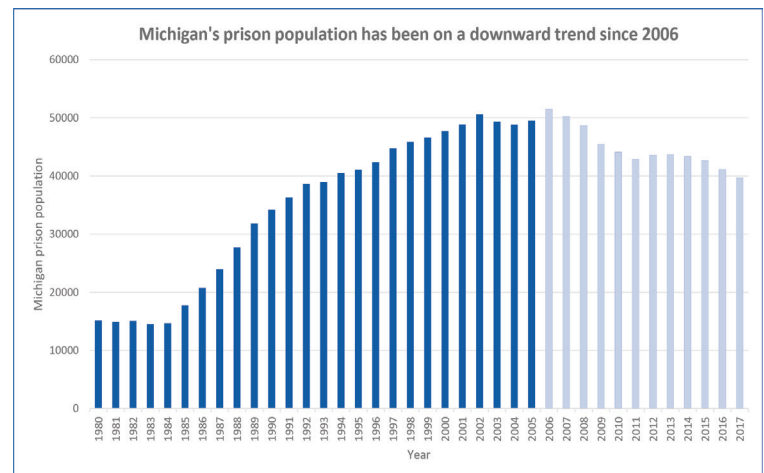
Page 6: Former juvenile lifer Edward Sanders

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I never thought in my wildest dreams that I would be so successful in my efforts to do my share to change the face of the criminal justice system.

— Monica Jahner, page 7

## Michigan's prison population is falling



Ending Michigan's over-reliance on incarceration is a prime aspect of Safe & Just Michigan's mission. We have worked to achieve this goal since our founding as CAPPs in 2000. Michigan's prison population has fallen over the past decade for many reasons. To learn what's behind this trend, turn to page 3.

# Safe & Just Michigan

222 West Genesee Street  
Lansing, Michigan 49833

517.482.7753  
Monday-Friday  
9 a.m.-5 p.m.

**Barbara Wieland:**

Communications Specialist

**Dena Anderson:**

Membership Services Specialist

**Elsie Kettunen:**

Financial & Data Specialist

**Jared Rodriguez:**

Calder Group

**John Cooper:** Associate Director of

Policy & Research

**Judith Martus Miller:**

Operations Manager

**Kate McCracken:** Associate Director

of Communications &  
Community Outreach

**Laura Sager:**

Executive Director

**Mary Lynn Stevens:**

Development Director

**Noah Smith:**

Capitol Services

**Troy Rienstra:**

Outreach Director

**Keep in Contact:**

email: [info@safeandjustmi.org](mailto:info@safeandjustmi.org)

web: [www.safeandjustmi.org](http://www.safeandjustmi.org)



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



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## Stay Connected After Your Parole

We are always delighted when any prisoner 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.

# CAPPS now Safe & Just Michigan

## *New name highlights community involvement*

The newsletter that you have been receiving from the Citizens Alliance on Prisons and Public Spending now bears a new name.

In June, CAPPS reorganized under its new name: Safe & Just Michigan (SJM). Our mission is still to reduce Michigan's over-reliance on incarceration and addressing wasteful corrections spending. But we know we must also address other challenges facing our communities.

Safe & Just Michigan envisions a future where all are safe in their communities. We're advocating against long sentences, advancing evidence-based parole and supervision policies, and shifting resources to programs proven to prevent crime and violence.

We also recognize that survivors of crime cannot be left behind if we truly want to build communities

where everyone feels safe. We promote restorative justice practices and support investments in services for crime survivors.

SJM will be examining drivers of justice-involvement like cash bail, driver's license suspension rules, mental illness, and sentencing of probation violators. We will also focus on reducing drivers of recidivism by addressing technical revocations, and barriers to employment and housing.

These drivers of justice-involvement continue cycles of poverty, crime and incarceration, and worsen racial and ethnic disparities in our justice system.

We invite you to walk with us on the new stage of our journey. Together, we can build a Michigan that is both safe and just for all.

## Ojibway prison to close in December

### *Closing mandated by state Corrections Budget*

The Michigan legislature passed the state budget for fiscal year 2018-19 in June and Gov. **Rick Snyder** has signed it into law. It contains a few items that are significant to people interested in criminal justice reform:

- The state will close Ojibway Correctional Facility in Gogebic County by Dec. 1, 2018, saving \$19.2 million. This follows the closing of the West Shoreline Correctional Facility in March.
- The budget sets aside \$13.2 million to hire state employees to provide prison food services, ending the privatization of kitchen services.

- The budget allocates \$9.2 million to train more than 350 new corrections officers, \$2.4 million to expand education and skills training with tablet computers for higher-security inmates, \$2 million to recruit and train prison health care workers and \$2 million to improve training for incarcerated people who work in prison kitchens.
- The Department of Corrections will work with the Michigan Restaurant Association on job placement for people on parole and probation, helping people find work upon release.

# Several factors driving the downward trend in Michigan's prison population

## *Population falls below 40,000 for first time since 1993*

Michigan prisons hold fewer than 40,000 people for the first time since 1993, the result of a trend that has taken place since a peak population of 51,515 was reached in 2006. Since then, the prison population has fallen 23 percent to 39,666 this year.

Several factors are driving the trend, including policy changes and a turn from the prison first approach to criminal justice. At the same time, crime rates are falling both statewide and nationally.

“The three headline causes that I can point to are fewer commitments (to prison), more people being released at their minimum sentences and less recidivism,” Safe & Just Michigan Associate Director of Policy & Research **John Cooper** said.

### **New commitments**

In 2006, 11,094 people received new prison sentences, according to the Michigan Department of Correction's annual statistical report. In 2016, the most recent year the report was available, that number had fallen to 8,084, a 27.1 percent drop.

That can be partly attributed to fewer felony convictions — 47,347 in 2016, compared to 59,357 in 2006. According to the FBI, Michigan's violent crime rate peaked at 803 crimes per 100,000 residents, a rate reached in 1986 and 1991. Since then, it fell to 459 per 100,000 residents in 2016, a 42.8 percent drop.

But that's not the only factor behind the trend.

“Michigan had some of the harshest drug laws in the country, and those were repealed in 1998 and 2003. (SJM Executive Director) **Laura Sager** deserves quite a bit of credit for that,” Cooper said.

The appetite for a prison-only approach has softened as well. There are 185 problem-solving courts, such as mental health, drug and veteran courts, set up around the state. In them, people are sentenced to treatment programs, and the conviction is discharged upon successful completion in exchange for a guilty plea.

### **Releasing at minimum sentence**

Unlike drug law and mandatory minimum sentencing law repeals, which required legislative action, some changes are philosophical.

“The MDOC has introduced evidence-based parole practices in preparation for our objective parole bill,

## NOW & THEN

Several factors contributed to Michigan's prison population falling from a high point reached in 2006.



Source: Michigan Department of Corrections

which we expect will be passing soon,” Cooper said.

According to MDOC estimates, enacting an objective parole policy would reduce the prison population by as many as 2,400 people in the first five years of its enactment, depending on the language of the bill.

### **Decreased recidivism**

Fewer people returning to prison also keeps the prison population lower. “It likely has something to do with there being a better economy,” Cooper said.

Many studies point to the ability of formerly incarcerated people to find a good job and safe housing as indicators of their success in avoiding recidivism. A U.S. Department of Housing and Urban Development study in 2013 found that housing assistance can make it 61 percent less likely for a formerly incarcerated person to return to prison in their first year after release.

## *Medicaid providers*

The Michigan Department of Health and Human Services is considering a policy that would prevent people with a broad range of criminal histories from becoming Medicaid service providers within 10 years of a felony conviction or five years of a specified misdemeanor, such as controlled substances, violent or financial crimes or certain other offenses. This would make it harder for formerly incarcerated people to find work and prevent substance use peer coaches with addiction experience from using their experience to help others. Safe & Just Michigan is meeting with the state to minimize the damage this policy might create.

## *Medically frail bills*

The medically frail parole bills (House Bills 4101-3 and 5245) made it out of the state House of Representatives and to the Senate in May, where — unfortunately — they were amended in ways that significantly weakened them. The amendments narrow the definition of “medically frail,” exclude people convicted of a crime punishable by life without parole and retain the carve-out for first-degree criminal sexual conduct. Under these amendments, we estimate just 20-30 currently incarcerated people would qualify for parole. We don’t support these amendments, but we continue to support this legislation.

## Objective parole bill is released to Senate

The Michigan Senate Judiciary committee is expected to hold a hearing on the objective parole bill (House Bill 5377) this fall, after the House of Representatives passed it by a vote of 97-10 on May 30.

The bill establishes an objective, evidence-based parole process for low-risk incarcerated people.

Under current law, incarcerated people eligible for parole undergo a risk assessment by the parole board. The board can only deny parole for “substantial and compelling” reasons when a person’s scores indicate they are a low-risk to public safety, but “substantial and compelling” isn’t defined.

HB 5377, sponsored by Rep. **Klint Kesto** (R-Walled Lake), defines the “substantial and compelling” reasons and creates an objective parole process while preserving the board’s ability to deny

parole for objective safety concerns.

In support of the bill in the House Law and Justice Committee, SJM Associate Director of Policy and Research **John Cooper** wrote:

“HB 5377 reduces the risk of inconsistent parole decisions for similarly-situated prisoners. It puts the focus of the parole release on whether the prisoner presents a credible risk to public safety if released, and it creates objective standards for making this determination.”

By increasing transparency and predictability in the parole process, it increases peoples’ incentives to invest in their own rehabilitation.

The Judiciary Committee is chaired by Sen. **Rick Jones** (R-Grand Ledge). Legislators are on summer recess, but we anticipate they will take up the bill for consideration in the fall.

## Update on ‘Raise the Age’

Michigan is just one of four states treating 17-year-olds as adults in the criminal justice system, but the “Raise the Age” campaign is trying to change that.

There is little disagreement that both 17-year-olds and our communities would be better served by keeping people under 18 out of the adult criminal justice system. However, some counties are balking at the change in the system.

That’s because changing the system would lead to counties

incurring higher expenses, since the cost of juvenile justice is shared between the state and counties, while the state funds prisons.

SJM and our partners — such as the **Michigan Coalition on Crime and Delinquency** — argue that keeping juveniles out of adult prisons also benefits communities in the form of better outcomes for juveniles, reduced costs to the adult system and more community safety.

We will continue to support Raise the Age in Michigan.

# SJM launches 'Clean Slate' effort with its partners

## *Effort would expand access to expungement*

Safe & Just Michigan, along with many of its partners, has begun an effort to bring automatic expungement to Michigan.

Expungement shields criminal records from view of employers, landlords and other members of the general public, removing hurdles to employment, housing and other needs.

The stigma of a criminal record creates a roadblock to many formerly incarcerated people looking for a good job or safe housing. For instance, a recent Prison Policy Initiative study found that the unemployment rate for the formerly incarcerated ages 25-44 was 27.3 percent, while it is just 5.2 percent in the same age group among the general population.

Another Prison Policy Initiative study found that the homeless rate among the formerly incarcerated is nearly 7 times higher than average.

Michigan does have an expungement process on the books, but it is difficult to navigate and not available to many people with criminal records.

SJM is working to expand eligibility for expungement for otherwise eligible low-level convictions. We want expungement to happen automatically, so that formerly incarcerated people won't have to navigate the legal system, make requests before judges or hire lawyers to help them clear their records.

We'll keep you posted on this Clean Slate initiative.

## 'Good Time' bills stall after introduction

Bills to re-introduce a "Good Time" system to Michigan prisons have stalled in the state Legislature and are unlikely to see action before the legislative session wraps up at the end of the year.

House Bills 5665-7, which would bring back Good Time, face significant opposition and have yet to be scheduled for a hearing in the House Law and Justice Committee.

However, the bills generated a discussion about how to provide incentives for incarcerated people and reduce Michigan's extremely long average length of prison stay.

Unfortunately, these Good Time bills aren't likely to move forward, and nothing has changed since our last report. We will keep you informed should that change.

## MEDIA MENTIONS

### Parole reform wins broadbased support

Michigan Radio reported in late June that the effort to bring objective parole to Michigan was earning wide support in Michigan from across the political spectrum.

In a June 29 report, Michigan Radio said that Michigan Attorney General (and now Republican gubernatorial candidate) **Bill Schuette** has given his blessing to the objective parole effort. He joins 56 Republican and 41 Democrat House of Representative members

who voted to approve the bill (seven Republicans and three Democrats voted against it).

The bill is now awaiting action in the Senate.

### Crime survivors want restorative justice

A new survey out from the **Al-Alliance for Safety & Justice** found that crime survivors in Michigan are overwhelmingly open to restorative justice initiatives and believe that long prison sentences contribute to a cycle of violence and incarceration rather than increasing safety. The report,

"Crime Survivors Speak," found that crime survivors believe prison makes people more likely to commit crimes rather than rehabilitating them, and that 80 percent support reducing sentences for people in prison who participate in rehabilitation, mental health, substance abuse, or educational or vocational programs. Crime survivors also reported that the criminal justice system was failing to meet their own recovery needs.

**To get copies of these reports, contact Safe & Just Michigan at 517.482.7753 or at [info@safeandjustmi.org](mailto:info@safeandjustmi.org).**

# After 42 years of prison, former juvenile lifer celebrates his first year of freedom

**E**dward Sanders was 17 years old in 1975 when a judge told him he would never walk free again. He had been convicted as an accessory to a first-degree homicide in Michigan, one of four states that still requires 17-year-olds to be tried as adults in certain cases.

“It was devastating,” he said. “They allowed my father to come back to be with me for a bit, but it was devastating. It was the worst thing I experienced, and I relived that day over and over every day I was in prison.”

As one of Michigan’s 350 juvenile lifers without parole, Sanders spent the next 42 years incarcerated. A series of court rulings — starting with a 2012 U.S. Supreme Court ruling that declared sentencing juveniles to life in prison without parole is unconstitutional — eventually led to his release in 2017.

Sanders never lost hope that he would one day be free.

“I had hope through a nourishing relationship with my creator,” Sanders said. “I looked for ways to

serve others. Anytime I felt like there was no hope for me, I looked for ways to give hope to others.”

Sanders was a remedial student before prison, but during his incarceration, he completed high school and earned a bachelor’s degree. He then studied paralegal skills and used the knowledge to help others, filing legal papers and motions on their behalf. “I was a real jailhouse lawyer,” he said.

Since re-entry, Sanders has worked at McDonald’s and at an attorney’s office. Everyday challenges include finding reliable transportation, opening bank accounts and shopping for affordable health care. “It’s a blessing to have those problems. I keep it in perspective,” Sanders said.

Sanders sees many ways the criminal justice system could become fairer and more effective. At Safe & Just Michigan’s recent Detroit Community Meeting, he outlined his top three priorities in addressing the criminal justice system:



*Edward Sanders on July 14, 2018*

- Establishing objective parole.
- Addressing long indeterminate sentences in Michigan.

- Re-establishing Good Time.

“Good Time was the biggest corrections officer on the block,” he said. “You’d have someone come in with a long sentence, but they knew if they behaved right, they could cut it down. Now that’s gone,” he said. “Now, there’s less reason to behave, and that makes it less safe for everyone. That needs to come back.”

## Sanders thanks those who helped juvenile lifers

By **EDWARD SANDERS**

**J**uly 6, 2018, marked a full year of re-entry back into society after having served 42½ years in Michigan prisons. I have accomplished many things in that time. I have many people to thank for assisting me in small and great ways.

Two groups in particular that I would like to give great thanks to are former and current members of the Detroit Lions and Pistons who gave warm and welcoming greetings to myself and other

former juvenile lifers without parole at Luck Inc. after we had been resentenced and released. I thank them for their appeal to our attorney general and county prosecutors.

This stance of these courageous current and former NBA and NFL players is significant in that, too often, voices of such members of society are silent because of their status. These players not only met and spoke with myself and other former juvenile lifers without parole, but they listened to us, gave

us advice and encouragement, and further took a very significant public stance.

To quote **Angela LaChica**, a writer for the online news site The Appeal: “(The state attorney general and county prosecutors) should let individuals convicted as children plead their cases to a parole board after spending decades in prison, exercising empathy instead of relying on overly harsh juvenile sentences. State legislators can also pass legislation to end juvenile life without parole.”

# OUTREACH UPDATE



Pastor **Kevin Harris** (center), state co-ordinator of Nation Outside Michigan, leads a discussion at Safe & Just Michigan's Detroit Community Meeting on July 14, 2018, hosted at Harris' Nazarene Baptist Church. It was the first in a series of meetings to be held in Detroit.

## SJM to hold next Detroit Community Meeting Sept. 22

**S**afe & Just Michigan is building on its first Detroit Community Meeting, held July 14, 2018, by holding further events in Detroit.

These events give community members — especially those who have been affected by the criminal justice system — a chance to talk about their concerns and their ideas to improve the system.

All are welcome to attend these free sessions. Pre-registration is helpful for planning purposes, as light refreshments will be provided. To pre-register, please visit the Safe

& Just Michigan event page at [www.safeandjustmi.org/take-action/events/](http://www.safeandjustmi.org/take-action/events/).

The next meeting will take place Saturday, Sept. 22, at the Nazarene Baptist Church in Detroit, located at 901 Melbourne St., from 3-5 p.m. Presentations will include:

- Supporting your loved ones pre- and post-release (with **Kevin Harris**, Michigan co-ordinator of Nation Outside)
- Healing harm that has been done (with **Shari Ware**, executive director of Still Standing).

## Invite friends and family to SJM's annual membership meeting

**L**et your friends and family know that Safe & Just Michigan's Annual Membership Meeting and dinner will take place Thursday, Oct. 18., and invite them to attend.

The evening includes a "Moving hearts and minds toward reform" keynote, legislative updates and a buffet dinner. The Opportunity Agenda Vice President **Ellen Bu-**

**chman** from New York, N.Y., and MADE Institute Founder and Executive Director **Leon El-Alamin** from Flint, Mich., are this year's featured speakers.

Tickets are \$25, but a limited number of complimentary tickets are available. Contact SJM for more information at [info@safeandjustmi.org](mailto:info@safeandjustmi.org) or 517.487.7753.

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



**Name:** Monica Jahner

**Title:** Manager & Legislative Director, ARRO; Director, Creating Heroes Stephen's Way; Board Member, Safe & Just Michigan

**City:** Lansing

**Years since release:** 11

*Advice to others looking forward to release:*

**1** I wish I would have known that my worst mistake and conviction is what I would always be defined by.

**2** I never realized how much goes on in the political arena and I never thought that I would be allowed to walk through the doors of legislators or be allowed to testify in Washington, D.C.

**3** I never thought I would walk out of prison and still be mentally the age I was when I went to prison. I can now recognize the impact trauma had on my path to incarceration.

# Safe & Just Michigan

222 West Genesee Street  
Lansing, Michigan 48933

517.482.7753 (Mon.-Fri.)  
info@safeandjustmi.org  
www.safeandjustmi.org

Please note this newsletter was printed and distributed  
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## Invite your friends and family to attend



**Ellen Buchman**

The Opportunity Agenda - New York, NY  
Vice President



**Leon El-Alamin**

MADE Institute - Flint, Mich.  
Founder & Executive Director

**Safe & Just Michigan Annual Membership Meeting and dinner**  
**Thursday, October 18 • 5:30-8:30 p.m.**  
**Radisson Hotel in Lansing**

"Moving hearts and minds toward reform" keynote, legislative updates and a buffet dinner.  
Tickets - \$25. A limited number of complimentary tickets available, and a bus from Detroit may be available.  
Contact Safe & Just Michigan for information.