



PUBLIC POLICY ADVISOR

Crime and Public Policy in Michigan: A Profile of the Criminal Justice Crisis

by Sandra Shirley James

This report will examine the place of crime and drugs in explaining prison overcrowding by reviewing crime statistics for 1980 to 1989, present selected key public policy responses from 1974 to 1989 to real or perceived crime levels, look at the effects of those policies on the correctional system, and comment on the steps planned or in place to address the crisis.

INTRODUCTION

For more than a decade the problem of prison overcrowding has shaped discussions of criminal justice in Michigan. The cost of feeding the state's appetite for incarceration competes with every other part of the state budget, including funding for education and social services.

Many explanations have been given for this persisting crisis; one is that a tidal wave of crime and drugs is responsible. The statistics do not support this conclusion, however. Crime and drugs *are* problems, but prisons are not filled beyond capacity simply because of them. Significant roles in the crisis also are played by policy decisions during the 1970s and 1980s that increased the use of incarceration as a method of crime control and reduced the use of prisoner release mechanisms (including probation and parole).

Efforts to build our way out of the crisis have proven insufficient and expensive. Some observers argue that the cost of building and operating prisons has become the "vampire" of state budgets, draining limited resources from programs and services that could prevent, intervene in, and reduce the development of criminal behavior.

In Michigan as well as in other states, steps have been taken to develop and expand the options available to the courts in sentencing. These include the use of intermediate sanctions (also referred to as alternative sanctions or alternative punishments) that place the prisoner under the authority of the Department of Corrections (DOC) and/or the local correctional agency. Prisoners placed with the DOC may be sentenced to intensive probation, the electronic monitoring or "tether" program, or to probation and community corrections centers. Prisoners also can be sentenced to other community-based punishment—such as community service, fines and restitution, and work camps—administered by a local correctional agency.

While these efforts can provide significant relief for the state's correctional system, they are not the complete answer. Decreasing school dropout rates, increasing useable job skills of and jobs available for the unemployed, and providing intervention programs, such as Head Start, tutorial and mentoring programs, and other programs for high risk youth, are some of the long-term efforts needed to attack the systemic problems that can lead to criminal behavior. The outlook for government funding for these and other long-term approaches is not encouraging, however. Federal and state budget cutbacks are now the norm, and new or expanded social and education programs will be the exception.

A TIDAL WAVE OF CRIME IN MICHIGAN?

Between 1980 and 1990, Michigan's prison population more than doubled from 15,245 to 34,267. Recent crime statistics from the Michigan Department of State Police, however, offer no explanation for this. Exhibit 1 shows the total numbers of reported index and nonindex crimes in Michigan from 1980 through 1989. Index crimes include the more serious property crimes and violent crimes. Nonindex crimes include the remaining offenses, including other property crimes, narcotics and liquor law violations, and a variety of other nonviolent crimes.¹ Exhibit 1 shows that the number of all reported crimes, both index and nonindex, in Michigan actually fell by 2.7 percent from 1980 through 1989. Since several changes were made in methods of compiling reported crime statistics in 1982, however, a more rigorous comparison should exclude data from 1980 and 1981. Doing this, we still find only a modest increase in total reported crime of 4.15 percent from 1982 through 1989. Nonindex offenses increased more substantially, by 22 percent; but index offenses fell by 12.06 percent.

EXHIBIT 1										
Total Index and Nonindex Crime, 1980-89 (number and percent of total crime)										
	1980		1981		1982		1983		1984	
	No.	%	No.	%	No.	%	No.	%	No.	%
Index crime	608,446	48.9	627,091	50.5	615,423	53.0	601,832	51.4	595,580	50.6
Nonindex crime	634,723	51.1	613,755	49.5	545,976	47.0	569,466	48.6	581,935	49.4
Total Crime ^a	1,243,169		1,240,846		1,161,399		1,171,298		1,171,515	
	1985		1986		1987		1988		1989	
	No.	%	No.	%	No.	%	No.	%	No.	%
Index crime	582,270	48.8	586,708	47.3	591,913	47.4	558,292	46.1	541,210	44.7
Nonindex crime	615,201	51.2	652,717	52.7	656,363	52.6	652,499	53.9	668,443	55.3
Total Crime ^a	1,197,471		1,239,425		1,248,276		1,210,791		1,209,653	

Exhibit 2 shows year-to-year variations in reported index and nonindex crimes. One can see that even the modest 4.15 percent increase in total reported crime from 1982 through 1989 has not been steady. For example, for index crimes, years of increase are interspersed with years of decrease. For all crimes, five years of increases, from 1983 through 1987, ended with decreases in 1988 and 1989.

The number of arrests more closely relates to the size of the prison population than does the number of reported crimes. Exhibit 2 also shows year-to-year changes in arrests in Michigan. Increases in arrests have

¹ Statistics on reported crimes are not the only index of crime levels. The National Crime Survey conducted by the U.S. Bureau of Statistics samples households' actual experience of crime and sometimes presents a different picture of crime levels than do reported crime statistics. Reported crime statistics, however, are the most up-to-date data available.

EXHIBIT 2

Changes in Index Crime and Nonindex Crime and Arrests, 1980-89

	1980	1981	1982	1983	1984	1985	1986	1987	1988	1989
Crime										
Murder	16.2%	-8.3%	0.8%	5.4%	-5.7%	17.8%	0.9%	8.8%	-10.3%	-2.1%
Rape	4.5	2.0	-6.2	11.5	24.9	7.8	-0.9	1.1	3.7	1.5
Robbery	10.9	5.7	3.5	7.1	5.7	-4.0	2.9	-7.5	-12.6	-7.9
Aggravated assault	-1.6	-2.6	-3.4	7.1	-0.6	6.9	15.4	1.7	-0.5	-4.7
Burglary	15.1	7.2	-4.6	-3.7	-5.5	-6.4	-2.0	-2.6	-9.3	-7.7
Larceny	8.0	0.6	-3.9	-5.9	-3.9	0.6	1.4	4.5	-5.2	-0.6
Motor vehicle theft	-2.9	8.7	5.2	9.8	16.0	-3.7	-4.1	-5.0	-1.8	-2.8
Arson	-8.6	24.5	-19.9	16.7	14.9	-14.0	7.0	-0.9	-6.9	-10.3
Total index crime	8.2	3.1	-3.2	-2.2	-1.0	-1.7	0.8	0.9	-5.7	-3.1
Nonaggravated										
assault	— ^b	-1.3	2.3	7.7	3.9	6.9	10.4	2.1	2.4	1.0
Narcotic laws	— ^b	-2.6	-20.3	-2.1	-0.7	5.5	6.9	25.3	25.1	13.4
Driving under the influence	— ^b	7.8	-8.5	25.7	20.6	-6.8	5.3	-9.2	-1.7	-1.3
Liquor laws	— ^b	-0.2	-6.1	-5.4	1.7	1.5	4.8	-1.9	-1.5	-1.6
All other non-index crimes	— ^b	-5.3	-11.1	2.1	-0.6	7.9	7.7	0.8	-2.1	2.7
Total nonindex crime	— ^b	-3.3	-11.4	4.3	2.2	5.7	6.1	0.6	-0.6	2.4
TOTAL	4.0%	-0.2%	-6.4%	0.9%	0.5%	2.0%	3.5%	0.7%	-3.0%	-0.1%
Arrests										
Index crime arrests ^a	— ^b	17.3	2.0	0.5	-3.0	-8.0	6.1	4.7	0.2	3.6
Nonindex crime arrests ^a	— ^b	4.6	-8.8	10.3	10.2	0.2	6.9	3.9	7.2	8.6
TOTAL	— ^b	7.5%	-6.0%	7.4%	6.7%	-1.6%	6.7%	4.0%	5.4%	7.3%

SOURCE: Michigan Department of State Police.

^aArson figures for 1980 and 1981 were not included in index crime totals but should be when totaling nonindex crimes.

^bData for 1979 not reliable for computing trends.

been relatively steady. Even so, the net percentage increase in arrests from 1982 through 1989 has been only about 41 percent, not nearly enough to explain the 125 percent increase in the prison population during the 1980s.

PUBLIC POLICY AND CRIME: EVENTS AND RESPONSES

During the 1970s and 1980s, policy makers (legislators, judges, prosecutors, and correctional and parole officials) have interpreted the public's "get tough on criminals" sentiment as a desire for long-term imprisonment. Consequently, several laws were passed to increase sentence length for many crimes, especially those involving drugs, firearms, and driving under the influence of alcohol (DUI). Also, the "get tough" policy encouraged decreased use of and support for probation and community service and increased denials of parole. *The Michigan Public Opinion on Crime and Criminal Justice* survey, conducted in 1970–80 by the Office of Criminal Justice of the Michigan Department of Management and Budget, indicated that the public supported stricter punishment for criminals and compensation for victims.

Victim advocacy groups grew stronger and more vocal during the 1970s and 1980s. These groups focused attention on the plight of crime victims, demanded input in sentencing and parole decisions, and protested what they considered lenient sentences. Legislators, judges, prosecutors, governors, and others responded by supporting various laws and policies that included victims' rights. Yet despite the emphasis on "getting tough," research indicates that it is misleading to portray the public as demanding that all criminals be locked up. In fact, considerable support for rehabilitation and community corrections programs continues to exist today.²

Getting tough on crime also meant increasing and improving law enforcement. Between 1970 and 1980, the federal Law Enforcement Assistance Administration and associated state and local programs sought to upgrade significantly the professionalism of law enforcement and to increase the number of officers. To reach these goals, funding grew dramatically. Improvements in reporting crime were also part of these efforts. Consequently, some of the increase in the number of reported criminal incidents and arrests—nationally and in Michigan—can be attributed to the greater number of law enforcement officers, upgraded training, and improvements made in reporting crime.

In addition to the events and responses described above, the following is a selected chronology of key events and public policy responses related to crime:

- 1974** The number of persons committed to prison increased by 25.7 percent during 1973, one of the largest rises in the state's prison population in one year.
- 1975** Another large increase in prison commitments occurred, 20.2 percent during 1974.

The community residential program increased 31.4 percent during 1974. This program, established in 1963, provides a structured setting (a community corrections center or a resident home) in the community for prisoners nearing release. The program seeks to minimize risk to the public while insuring that a prisoner is employed or in school and is financially and socially self-sufficient prior to being released to parole status.
- 1977** A law became effective that mandated a sentence of an additional two years for committing a felony with a firearm.

2 Warren C. Gregory, *The Crisis in the Michigan Criminal Justice System: Causes, Consequences, and Options*, 1st and 2d eds. (Lansing, Mich.: House Fiscal Agency, 1989 and 1991), p. 25.

- 1978** Michigan voters passed a ballot initiative that prohibited many offenders from receiving “good time” or “special good time” credits or special parole. “Good time” or “special good time,” as permitted under Michigan law, are institutional controls that subtract days on a sliding scale from prisoners’ sentences for good behavior. On a long sentence, a prisoner could earn up to 22 days of good time every month.
- 1980** Voters rejected a tax proposal to fund prison construction.
- The Ingham County Circuit Court ordered the Department of Corrections to eliminate overcrowded prison conditions by 1981. The court’s consent decree also required that certain actions be taken regarding space for prisoners’ living areas and in reducing future overcrowding through parole, community residential placement, other community alternatives, and, if necessary, use of local jails.
- 1981** Governor Milliken used the Prison Overcrowding Emergency Powers Act (passed in 1980) for the first time, rolling back by 90 days the minimum sentences of most offenders to allow them to qualify for parole earlier. The act authorized the governor to use the release process only after being notified by the Corrections Commission that the prison system had been at overcapacity for thirty consecutive days and all other alternatives had been exhausted. Upon notification, the governor could declare a state of emergency and enable the early releases.
- 1982** The legislature amended the law concerning good time credits to allow offenders refused such credits, due to the 1978 ballot initiative, to earn disciplinary or special disciplinary credits. These credits allow offenders to reduce their sentences by up to seven days a month.
- 1983** Sentencing guidelines legislation was introduced but failed to pass. The guidelines would require the courts to sentence an offender within given limits. The legislation continues to be introduced but proponents and opponents have failed to reach consensus on certain controversial provisions. Legislation to expand diversion programs or alternative sanctions also failed to pass.
- 1984** A federal court’s consent decree required that medical, sanitation, fire safety, and overcrowding conditions at several Michigan prisons be improved. In response to the courts’ decree and public outcry about emergency releases, Governor Blanchard abandoned the emergency powers act and embarked on a massive prison construction program. When completed in 1992, the state will more than double its prison capacity. The 17,268 new beds will increase the total prison capacity to 30,198.
- The state supreme court adopted judicial sentencing guidelines to be used by the circuit, district, and recorder’s courts in all criminal cases.
- 1985** The Victim’s Rights Act was adopted. The act provides increased rights to victims of crime, including the right to be notified and consulted throughout the various steps of the criminal justice process—sentencing, furlough, escape, transfer(s) to lesser security, release to community programs, parole, and discharge.
- 1986** The electronic monitoring program was implemented. The program involves use of a device worn by the offender to monitor his or her presence in or absence from home. It allows the offender to live in the community, work, and/or go to school while restricting his/her hours of travel. A telephone allows the probation office to maintain surveillance and compliance. About 2,800 prisoners were in the program as of August 1991.
- 1987** The law that eliminated all good time credits and required all prisoners to earn disciplinary credits took effect.

- 1988** Governor Blanchard supported a package of "get tough on crime" bills. As adopted, the legislation increased the penalties for certain drug offenses and, among other changes, mandated minimum terms of imprisonment for certain offenses.

The Office of Community Corrections was created to provide funds to local communities that establish alternatives to prison.

Voters amended the state constitution to include the rights of victims of crime.

The first Special Alternative Incarceration (SAI) unit was established by the Corrections Department. SAI is an intensive incarceration/probation program that focuses on first-time offenders, age 17-25, and provides a military boot camp experience for 90 days.

- 1989** More stringent regulations of the operations of the community residential program were adopted by the legislature. Curfew hours were made rigid and community advisory councils were created.
- 1990** Legislation was adopted that expanded the SAI program from 90 to 120 days and increased the age group and types of offenders who are able to participate.

EFFECTS OF PUBLIC POLICIES

Since 1974, state criminal justice policies have had a great deal to do with the crisis in the criminal justice system; sentence lengths, felony sentences, and commitments to prison have increased significantly. Criminal justice policies that lengthened sentences and focused on imprisonment rather than other forms of punishment led to the prison overcrowding crisis.

As indicated in the above chronology, several actions during the 1970s and 1980s lengthened prisoners' sentences. Mandating longer sentences for felonies committed with firearms, eliminating "good time" credits for some offenders, and mandating minimum terms for some offenses all kept criminals committed to prison behind bars longer.

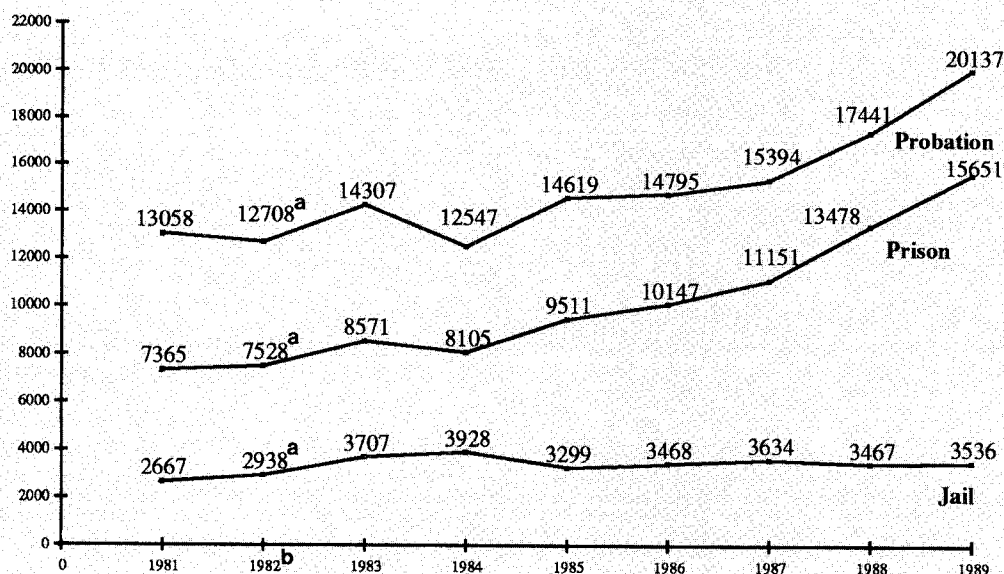
In addition, there has been a tendency to commit more convicted offenders to prison rather than sentence them to fines, probation, or other alternatives to incarceration. According to the *Michigan Department of Corrections 1989 Annual Report*, between 1988 and 1989, the number of felony sentences increased by 12.6 percent, and the number of sentences to prison increased by 16.1 percent. In 1989, 37.1 percent of **all sentences** were to prison as compared to 36.0 percent in 1988.

As Exhibit 3 shows, from 1981 to 1989, the number of people committed to probation and prison rose; however, of those sentenced the percentage placed on probation decreased from 56.6 percent to 51.2 percent. Prison commitments increased over the same years from 31.9 percent to 39.8 percent of the total.

It is noteworthy that 47 percent of all persons sentenced in 1989 had minimal, low, or no criminal history. Of the 15,606 people in this group, 18.4 percent were sentenced to prison. Between 1986 and 1989, drug-related admissions to prison increased about 414 percent; between 1988 and 1989 they increased 66 percent; and a rise of approximately 0.5 percent is estimated between 1989 and 1990. It is suggested by the Corrections Department that the significant increase in drug-related admissions reflects the public policy emphasis on control of drug trafficking and use. Increases in prison admissions certainly outstrip increases in reported arrests for violations of narcotics laws, which rose by approximately 92 percent from 1986 through 1989 and by 15.5 percent between 1988 and 1989.

EXHIBIT 3

Court Dispositions: Number Committed to Probation, Prison, and Jail, 1981-89



SOURCE: Michigan Department of Corrections.

NOTE: Each conviction is counted; some persons have multiple convictions.

^aIncludes Home Youthful Training Act (HYTA) convictions.

^bFigure corrected from 1981 report.

During the mid-1980s, diminished use of parole also swelled the prison population. In 1983, 69.7 percent of eligible offenders were granted parole, but by 1985, the percentage fell to 51.4. Since 1985, however, the percentage of paroles granted has been increasing gradually and, in 1990, rose to 68.1 percent.

Prison Construction and Costs

Despite a massive construction program, the Michigan prison population remains over capacity by about 5,000 persons. At the end of 1990, the prison population was estimated to be 34,267. Projections by the Department of Corrections indicate that with the completion of the expansion, and if commitment rates remain steady as they have since 1989, the prison population may be only 3,235 above capacity by 1992. However, the department estimates that due to continued growth in the number of persons receiving both long- and short-term (twelve months or less) sentences, and despite a possible leveling off in new prison admissions, the prison population will exceed capacity by about 5,500. Prison beds are estimated to increase from 12,930 in 1985 to 30,198 in 1992—a total of 17,268 new beds.

While most policy makers now agree that we cannot build our way out of the prison overcrowding crisis, they recognize the need to use current bed space more effectively and possibly to continue building prisons. The building program and the increased prison population costs taxpayers hundreds of millions of dollars annually; these costs are rising unabated in an attempt to meet demand for prison beds. From FY 1979 to FY 1991, the budget for the Department of Corrections increased 453.5 percent, from \$146.0 million to \$808.1 million. The FY 1992 appropriation for the department is \$867.2 million. In FY 1979, the department's budget was 2.8 percent of the state budget; its budget for FY 1992, as signed by the governor, comprises about 11.4 percent of the state budget.

In comparison, as a percentage of the total state budget, K-12 education and social services appropriations have decreased by 14.6 percent and 1.9 percent, respectively, from FY 1979 to FY 1991. Corrections' share of the total state budget has increased 184.7 percent for the same period.

SOLUTIONS AND ALTERNATIVES

Recent revisions in public policies and current proposals suggest a willingness to change from reliance on prisons to expansion and development of alternative forms of punishment and consideration of more long-term approaches to criminals and crime.

Expansion of Punishment Options

The FY 1992 corrections budget provides \$606.8 million—70 percent of its budget—for correctional institutions. If the expenditures required to comply with the consent decrees are included, the costs would escalate another \$37.3 million or 74.3 percent of the total corrections budget. The FY 1992 budget also provides \$131.8 million, 15.2 percent of the total corrections budget, for probation and other community alternatives. The department reports, however, that 58 percent of prison intake in recent years has been of persons with minimum sentences, up to 24 months, and 72 percent of 1990 commitments (12,765) and 1989 commitments (12,750) involved nonassaultive or substance abuse offenses. In addition, about 58 percent of all current prisoners were incarcerated for nonviolent offenses.

Concern is expressed, especially with respect to the above offender groups and nonviolent first offenders, that despite a lack of compelling evidence to prove that imprisonment is a deterrent to criminal behavior, increased funding for prison construction remains a higher priority than other available sanctions. Changing these priorities and retaining prison beds for violent and certain habitual offenders is one way to address prison overcrowding. Many also question the efficiency of using prison bed space for most probation, parole, and community residential offenders who commit technical violations and suggest that other measures would be more appropriate. Sanctions already available include various types of intensive probation and parole (such as the recently funded detention or residential centers), SAI (such as boot camps), electronic monitoring, community residential programs, restitution, fines, community service, and local corrections and community-based programs. Any one or a combination of these options could appropriately punish an offender while maintaining public safety.

The cost of incarceration is about \$23,000 per year, or \$63 per day. Probation, available in Michigan since 1913, costs \$1,278 per year, or \$3.50 per day; the offender pays the department \$360 per year. The electronic monitoring program requires that the offender pay the cost of equipment and phones, about \$4.50 per day, unless the person is in an academic or training program. SAI costs about \$6,000 per person and lasts for 90 days. The 1992 budget funded the expansion of SAI to 120 days to include education and job seeking programs. This intensive probation program, which focused on younger, first-time offenders (aged 17-25), is being expanded to include older prisoners.

Local corrections programs (jail, work camp, pretrial release, electronic monitoring, community service, and other community-based programs) also cost less than prison. Many localities do not have such programs or have limited space in already existing programs. Consequently, use of community-based programs at the local level has been limited. In addition, according to a 1989 Department of Corrections report, local jails were operating on average at 94.6 percent of capacity with more than 30 percent at or over capacity.

To assist in the development and expansion of local corrections, the Office of Community Corrections (OCC) was created in 1988. The OCC provides funds for local governments to develop and oversee low-cost

community punishment programs for offenders who otherwise would be in prison or jail. Currently, 77 of Michigan's 83 counties are voluntarily participating. The FY 1992 budget provides \$22 million for the OCC, of which \$11 million goes to local governments to develop and implement comprehensive community corrections plans. The FY 1992 state budget also provides \$11.2 million to fund the new state/local partnership for the development and implementation of community-based corrections. Estimated savings from offender diversions to local corrections programs facilitated through OCC for FY 1992 is estimated to be more than \$15 million.

There are also noneconomic considerations that limit the use of community-based corrections programs. Judges, the public, and opponents as well as supporters of additional alternative sanctions want intermediate and community-based sanctions to (1) ensure appropriate levels of punishment and not be "soft" on the offender; (2) provide adequate security and not endanger the public; and (3) provide compensation through appropriate levels of restitution, fines and fees to the victims, community, and court.

Early Intervention and Prevention of Criminal Behavior

An October 1990 profile of Michigan prisoners included the following information:

- 60.1 percent abused drugs; 39.9 percent abused alcohol
- Average education level completed—tenth grade
- Occupation—41 percent unskilled labor; 43 percent unemployed
- 68.2 percent were put on probation as juveniles
- 61.5 percent were in prison for the first time
- Average age—31 years

This suggests that criminal behavior grows out of a complex of other problems. Many prisoners have substance abuse problems, poor educations, and few marketable skills. Many began running afoul of the law early in life. Yet many also are still young and in prison for the first time. These facts argue for greater emphasis on prevention and rehabilitation. Early intervention and efforts to reduce criminal behavior include a variety of social and education programs such as prenatal care, infant and child feeding programs, medical care programs, school breakfast programs, Head Start, parenting classes, drug resistance education, high-risk student assistance, high school dropout prevention, and programs and services including substance abuse treatment for juvenile offenders.

Some social program advocates point out that since the results of early intervention and prevention are visible only in the long term, it will be difficult to create widespread support. Others argue that long-term programs provide the best means of reducing the number of children who become criminals. Research on Head Start is especially promising. Studies indicate that children who participate in this program are less involved in crime and perform better in school.

One also can see from the profile that Michigan prisoners are a substance abusing population. Many are unskilled high school dropouts. In an effort to reduce repeated criminal behavior, the Department of Corrections provides a variety of education (high school and college) and training programs. Since most prisoners eventually return to the community, the department also provides vocational and job training opportunities. Of primary importance are the department's plans to expand its substance abuse treatment programs. A large majority of prisoners report that a drug or alcohol problem is a crucial obstacle to

rehabilitation and successful return to the community. According to Bureau of Justice statistics, successful substance abuse programs tend to focus on providing a continuum of treatment—from assessment of level of treatment needed to aftercare. Another important component of substance abuse treatment is training probation and parole officers to function as substance abuse counselors. Since aftercare is important to offenders staying “clean,” it is commendable that the Corrections Department is including aftercare in some of its substance abuse programs, notably in the SAI program.

CONCLUSIONS AND RECOMMENDATIONS

Many observers applaud the current emphasis on the expansion of intermediate sanctions and community-based corrections but are concerned that attitudes toward criminals and crime may change once again. If crimes are committed by individuals in community alternative programs, the concern is that the demand for dismantling such programs might be unrelenting. Some believe that it is fiscally irresponsible to allow public opinion alone to cause revisions in sentencing and corrections policies; they believe the effect on the correctional system should be assessed and the necessary funding provided.

The spiraling cost of corrections and the growing prison population dictate the need for consistent public policies that will stabilize and efficiently use state corrections spending and, to the extent possible, stabilize the prison population. Ideally, the state will designate a finite number of prison beds to be built and funded. At least, a balance must be reached between prison as an option and the availability and use of all intermediate and community-based options. A 1989 and an updated 1991 House Fiscal Agency report concluded that policy alternatives offering a balanced approach include: establishing a commission to formulate sentencing guidelines designed to balance the standards of retribution, crime control, and prison population; carefully designed community punishments; and parole using “statistically validated selective criteria.”³ These approaches merit further consideration.

It is critical for Michigan to determine how to use expensive prison bed space effectively and to use a variety of intermediate sanctions and community-based alternatives. Developing an assessment tool to identify “punishment” for an individual offender also may assist in selecting the most appropriate punishment. Judges, the public, correctional officials, sheriffs, local governments, and others want more reliable and effective options for the punishment of criminals.

There are several bills—pending and proposed—that address the policy alternatives discussed that will be considered during the 86th session of the legislature. These legislative initiatives include HB 4127 (sentencing guidelines), HB 4130 (parole guidelines); HBs 4304 and 4305 (sentence of two years or less served in county); SBs 8 and 9 (state-county community corrections); and SBs 334 and 335 (expansion of the SAI program/intensive probation). Each of these proposals, in concept, represents positive steps toward a reordering of priorities to emphasize intermediate and community-based sanctions. Other steps would include:

- Restricting sentencing for all nonviolent or first offenders to intermediate and community-based sanctions
- Limiting punishment for all substance and drug violations except trafficking to intermediate and community-based options

3 Warren C. Gregory, *The Crisis in the Michigan Criminal Justice System: Causes, Consequences, and Options*, 1st and 2d eds. (Lansing, Mich.: House Fiscal Agency, 1989 and 1991), pp. 39–40.

- Limiting driving under the influence offenders to community-based sanctions and requiring assessment and treatment paid for by the offender
- Providing appropriate substance abuse treatment and aftercare
- Instituting a statewide fine and restitution system based on the income of the offender and the offense committed
- Limiting sentencing options for probation and parole and community residential offenders who commit technical violations to intermediate and community-based sanctions
- Limiting the number of prison commitments from each judicial circuit, using population density, crime statistics, and economic factors to estimate average number of allowable prison commitments
- Including an assessment of appropriate punishment as part of the presentence investigation for nonviolent offenders
- Determining a finite number of prison beds the state will build and operate

Support for or expansion and development of long-term approaches such as Head Start, juvenile and criminal drug treatment and aftercare, dropout prevention, and other educational and social programs is needed to provide a balanced approach to the criminal justice policy in Michigan. An increased focus on the education of delinquents and other potentially high risk youths also is critical. The state's current fiscal constraints, however, may limit or prevent any substantial focus on these areas in the foreseeable future; therefore, state and private sector partnerships will be vital for today's youth to become tomorrow's productive workers.

Saundra Shirley James is a public policy analyst/researcher of state and federal legislation, specializing in criminal justice and education policy. Most recently, she has worked with the Congressional Research Service of the Library of Congress in Washington, D.C., and the Georgia General Assembly.

PUBLIC SECTOR CONSULTANTS publishes **Public Sector Reports** and the **Health Legislation Analysis Service**, which includes the *Health Policy Bulletin* and the *Health Care Legislation Abstracts*; offers strategic and tactical counsel and issue management for retainer clients; undertakes specialized research studies; provides public relations services; and, through its textbook division, produces research and reference works, including *Michigan in Brief: An Issues Handbook* and *The Michigan Government Directory*.

Principal Consultants

Gerald A. Faverman, Ph.D., *Chairman and Senior Consultant for Public Policy*
Craig Ruff, M.P.P., *President and Senior Consultant for Public Policy*
William R. Rustem, M.S., *Senior Vice President and Senior Consultant for Environmental Policy and Economic Development*
William Sederburg, Ph.D., *Vice President for Public Policy and Director, Public Opinion Research Institute*
Robert J. Kleine, M.B.A., *Vice President, Senior Economist, and Editor of Public Sector Reports*
Christine F. Fedewa, M.B.A., *Director of Operations and Senior Consultant for Public Policy*
Frances L. Faverman, *Editor of the Health Policy Bulletin and Senior Consultant for Health Policy*
Steve Harrington, J.D., *Senior Consultant for Natural Resources*
Linda Headley, *Senior Consultant for Education*
David Kimball, *Senior Consultant for Public Policy*
Kimberly S. Maki, *Public Relations Counselor*
Peter Pratt, Ph.D., *Senior Consultant for Health Policy and Editor of the Health Legislation Analysis Service*
Michael French Smith, Ph.D., *Senior Consultant for Public Policy*
Frances Spring, *Economist*
Diane Drago, *Director of Meeting and Conference Planning*
Linda Mondol, *Assistant Meeting Planner*
Elizabeth Johnston, *Director of Sales and Marketing*
Harriett Posner, *Manager of Editing and Production*
Wilma L. Harrison, *Senior Editor and Research Associate*
Mark Means, *Systems Administrator*

Affiliated Consultants

Thomas J. Anderson	Hal W. Hepler, Ph.D.	J. Jerry Rodos, D.O.
Charles G. Atkins, Ph.D.	Thomas J. Herrmann, M.D.	Patrick Ruzs, Ph.D.
Richard B. Baldwin, D.O.	Mary Jim Josephs, Ph.D.	The Honorable William A. Ryan
Sister Mary Janice Belen	Rick Kamel	Nancy Austin Schwartz
William E. Cooper, Ph.D.	Judith Lanier, Ph.D.	Kenneth J. Shouldice, Ph.D.
Clark E. DeHaven, M.A.	Agnes Mansour, Ph.D.	Bradley F. Smith, Ph.D.
Richard D. Estell, M.A.	Francis J. McCarthy, M.B.A.	Robert D. Sparks, M.D.
Bev Farrar	M. Luke Miller, M.B.A.	Gerrit Van Coevering
Thomas M. Freeman, Ph.D.	Carol T. Mowbray, Ph.D.	James C. Walters, Ed.D.
Samuel Goldman, Ph.D.	Edward F. Otto, M.B.A.	Patricia Widmayer, Ph.D.
Mark Grebner, J.D.	John R. Peckham, D.O.	Raj M Wiener, J.D.
Robert J. Griffore, Ph.D.	John Porter, Ph.D.	Keith Wilson