Post-Sentencing and Reentry Subcommittee 10.6.22 Meeting Notes

Attendees:
Natalie Holbrook (co-chair)
Ariana Gonzalez (co-chair)
Alma Wheeler Smith
Barakah
Kat Layton
Alex Roth (Vera)
Angie Carpio (Vera)
Ashley Demyan (Vera)
Jen Peirce (Vera)

1. PSI study
    a. Member – should look at both PSI and the conviction and sentence document; the judge has the ability to enter information in that document that goes to the parole board. The judge can make comments about the merits of parole.
    b. Add this document as well – attorneys usually don't see this?
    c. Co-chair – it's difficult for a prisoner to get a copy of the PSI; this policy was recently changed.
    d. Everyone okay with this rec.

2. MDOC employees shouldn't do PSIs
    a. Member - It's statutorily required that MDOC do these.
    b. Member – seems like if we're going to think about a recommendation like this, it shouldn't be until after doing the more detailed study from the first recommendation.
    c. Members agree to drop this recommendation.

3. County should fund someone to do an alternative mitigation report
    a. Member – How to ensure this is not done in an unbiased way. Co-chair – they would contract to an outside org. Vera staff – we can specify that it shouldn't be a county employee.
    b. Feasible? Yes, do the process but have another perspective
    c. Co-chair – for all offense types? Typically, people charged with first degree murder don't get mitigation options. Make sure we say for all offenses where there is a PSI.
    d. Member – the reports typically don't include enough context about the alleged incident.
    e. Vera staff – should we roll in the information about racial discrimination from next recommendation in this mitigation report? Everyone agrees.
    f. Member – maybe we should specify what factors should be included in the mitigation report, possibly a template; one should be context.
    g. Member – the people charged with aider and abettor tend to be prejudiced by the listing of the main offense (homicide, as a principal) – this bleeds into parole board hearings.
    h. Everyone OK on this rec, with the revision that the rec about including people's histories of discrimination will be combined with this one.

4. Risk assessments

a. Co-chair pointed out that COMPAS itself is not required – just the way MDOC decided to implement the requirement to documents the person's strengths and readiness to change.
b. Consensus that MDOC should actually evaluate what the statute wants to focus on, not just the score
c. Concerns about COMPAS algorithm being proprietary
d. Vera staff explains that a member who couldn't attend suggested getting rid of this recommendation.
e. Everyone decides to keep this one.

5. Court should require that PSI writers document sources of info
a. Vera staff – this is already required but it doesn't always happen – do we need a rec specifically about this?
b. People say that they think it's worth keeping this one.

6. Provide PSIs to defense earlier
a. People think we should keep this rec, but will need to work out specifics later (e.g. how much earlier should we recommend? How much earlier is actually feasible?)
b. Ask the public defender's office what amount of time would be best

7. Conduct a review of PSI process with representatives from communities of color
a. People think this rec should be combined with the first one.
b. Include consultation with minority communities in first rec, and specify that they should be compensated for their time and expertise

8. County review of parole process
a. People agree that should keep this rec.
b. Discussion about having a separate, overall recommendation from the subcommittee that Washtenaw County make a formal statement to the legislature and MDOC about MDOC needing to collect better data and share it.
c. People agree to add that separate rec and include in there a recommendation that MDOC authorize CJARS to make the corrections data public, deidentified.

9. Reentry –subsidies for housing, transportation,
a. Add gas subsidies.
b. Member – MDOC caps the amount that you can save inside; they also keep your photo on their webpage.
c. People leave prison with a debit card.
d. The MDOC used to provide $7 a month to all prisoners, but then required that people apply for indigency; you're ineligible if you are employed.
e. Phone calls went down from $2.24 to $1.31 per 15 mins as of Oct 1.
f. Member - Maybe we should just give people money…
g. Vera staff – that was actually included as part of a similar recommendation farther down.
h. People agree that we should combine the different recs about increasing housing and providing transportation subsidies into one recommendation and should specifically include rec that county provide general economic subsidies for the first few months after people return from incarceration

10. Parole officer demographics
    a. Are formerly incarcerated people allowed to be parole officers? Co-chair will ask about this.
    b. How many female parole officers?
    c. Add the option for peer support throughout parole
    d. Nation Outside – Would be good to talk with her. Making all reentry in Michigan peer led.
    e. People agree that this recommendation should be included, with additional reference to gender and life experiences and increasing peer support on parole.

11. Study of parole guidelines by race and potential disparate effects…
    a. People agree this rec should be included but have questions about what the county can do on this.
    b. MDOC tries to get an opinion from the hearing officer in Lansing instead of the AG (whose opinion is binding). For example, an inmate is refusing to participate but they are listed as present/participating. There are no independent records.
    c. Maybe expand here and say that the county should monitor the data on racial dynamics related to misconduct findings in prison?
    d. Member - implementation: we have people on the appropriations committee and all they have to do is request the report, use the dollars to force the report. This is something that the county can do via directing it to one of their legislators.

12. Technical parole violations should be referred to external organizations
    a. This rec was suggested by a subcommittee member
    b. Technical violation rates are very high
    c. LAITR is focusing on time management, phone use, etc
    d. Co-chair – if you get a technical violation for drug use they might refer you to treatment. What about referring to an agency that can address the actual issue?
    e. Vera staff – looking at the Less is More law, reducing detention for technical violations; also speeding up good behavior time
    f. People agree to add this recommendation

13. Jail programming and reentry – look at disparities in access and support
    a. Not much discussion. People agree this recommendation should be included.

14. More public information on jail programs and who is there
    a. A lot of the programs aren't happening
    b. Member – should this be tied into the data committee recs?
    c. People agree this rec should be included.

15. Affordable housing barriers – rolled in with others

16. Allow anyone in the jail who wants peer support case management
    a. This rec was suggested by a subcommittee member
    b. Through contracts – would the jail have to pay more?
    c. Gatekeeping for accessing case management; it's limited based on risk assessment (higher risk people get services)
    d. This would mean more money to the sheriff's office, but it should be earmarked that it's only for services under contract with the local providers
    e. People agree to add this rec.

17. Study on who is receiving services under various reentry programs
    a. Not much discussion. People agree this recommendation should be included.

18. Reentry needs – should be combined with some of the others

19. Press MDOC for greater local control on reentry programming
    a. A strength of MPRI was the local steering committee
    b. Member – OS doesn't have to be the only reentry program here
    c. Peer-based models matters are proven to be effective – they should be helping to guide OS
    d. OS should change their name – was MPRI
    e. Also address restrictions on OS housing – 7pm curfew, no visitors, people getting kicked out after 90 days or once they find a job.
    f. People agree rec should be included.

20. Allow self-referrals for reentry programs/services
    a. This rec was suggested by a subcommittee member
    b. Member – lack of referral channel because everything has to go through the PO
    c. People agree to add this rec.

21. Conditions of jail and prison – these affect reentry – do a study
    a. Not much discussion. People agree this recommendation should be included.

22. County should regularly interview people returning from jail and prison
    a. Vera staff notes that member who couldn't attend meeting suggested it would be more practical to do this every couple of years rather than for everyone returning.
    b. Subcommittee members decide rec should be to do this for everyone but doing it every couple of years could be a fallback position if it turns out to be cost-prohibitive.
    c. Should fund someone else to do this kind of study
    d. This could be converted into indicators for success
    e. Co-chair – this could be also toward oversight? Model how the state should be monitoring reentry, using county money and partner orgs. Create our own pilot.
    f. People agree rec should be included.

23. Work with MDOC to reduce barriers to communication with loved ones from inside
    a. Subsidizing costs of phone calls (though those were reduced to $1.31 for a 15-minute call as of 10/1?)
    b. Co-chair – since covid it's been even more difficult on visitation – would like to add some of this info to the findings section. Anyone who is level 2 went from 7 visits a month that are all day to 3 visits a month that are 2hr slots. It's gotten worse under covid.
    c. People agree rec should be included.