

**STATE BAR OF MICHIGAN  
PRISONS AND CORRECTIONS SECTION  
MEETING MINUTES  
DECEMBER 15, 2007**

**PRESENT:** M. Barnhart; R. Beracy; S. Girard; S. Gobbo, N. Holbrook; R. Johnson; B. Levine; E. Livingston; M. Marutiak; J. O'Donnell; R. Stapleton; P. Streeter; M. VanDusen; A. Watts.

**ABSENT W/EXCUSE:** K. Schaefer

**ABSENT W/NOTICE:** None

**ABSENT W/O NOTICE:** K. Thom

**GUESTS:** Representative Mark Meadows; Terry Jungel, MSA Executive Director; Robert Lathers, CEO Ionia Community Mental Health.

**COMMISSIONER LIAISON:** It is noted for the minutes that the Section's Commissioner Liaison, Mike Rioridan, attempted numerous times to attend via telephone conference and was unable to connect with the Council meeting. Better arrangements will be made by the Council and the Bar in the future.

The meeting was called to order at 10:02 a.m. with a welcome and introduction.

The meeting minutes from 11/17/07, were reviewed. Motion to accept the meeting minutes from November, 2007, was made by S.Gobbo, seconded by S. Girard. The minutes were approved.

The meeting agenda was reviewed. Motion to accept the agenda was made by S. Girard, seconded by S. Gobbo.

Our section currently has 136 members and two vacant seats on the Council. Chair Marutiak suggested we send a group e-mail to all Section members inviting them to apply for a Council vacancy. Marutiak will follow through with the plan.

**DISCUSSION/ACTION**

- **HB 4475--Representative Mark Meadows:** The Medical Parole bill is currently awaiting consideration by the Senate. The bill has moved rapidly in the House, and originated as a cost saving measure.

Rep. Meadows explained that this bill addresses the parole of prisoners who are going to die in the near future. Medicare dollars will provide the end of life care. The offender is no longer considered a threat to society, and the bill does not undermine the purpose of sentencing. He feels this bill may break the log-jam of some of the prison reform bills pending and it is a common sense way to reduce the prison population.

In conclusion, Rep. Meadows asked that the section contact the judiciary and voice our support of the bill. There is currently no specific opposition to the bill, but it has stalled in the Senate.

- **Mental Health Issues and Local Criminal Justice Systems—Terry Jungel and Bob Lathers:**

Discussion centered around the problems inherent in dealing with the issues of the mentally ill and their effects on crime. Some root causes of crime such as mental illness need to be identified and dealt with directly. For any plan to work, however, there needs to be buy-in from local law enforcement and the community. People need to understand that mental illness is not a choice, and that there are alternatives to incarceration. Currently, 80% of county jails are at or above their bed space capacity.

Terry stated that one problem encountered is that we don't have a good definition of mental illness. Who qualifies as mentally ill? At each step of the arrest process there needs to be intervention. In the field by officers, at the jail before booking (Pre-Booking Program), and determining those already in jail who could be diverted (Post Booking Program.) Using diversions and interventions for mentally ill offenders can save thousands of dollars. Currently, mental health/substance abuse treatment costs approximately \$3,000/person vs. \$30 to \$60,000/person to incarcerate.

Robert Lathers discussed the history of Community Mental Health and its main purpose of de-institutionalize the mentally ill. He runs a jail diversion program in Ionia County that currently serves 3,000 people a year, and saves the tax payers almost \$200,000/year. Successful jail diversion programs must start and be run locally. As with any community service, it takes community buy-in. The engine that drives the train is dollars. Other counties successfully using jail diversion are Gratiot, Oakland, Saginaw, St. Clair, and Washtenaw.

- **HB 4475—Public Policy Vote**

S. Girard made a motion to support HB 4475 with additional language added. Language to be added to section 10: "...Regardless of eligibility for parole otherwise..." The motion was seconded by J. O'Donnell. Fourteen (14) Council members were present, with eleven (11) having voting rights. The motion was adopted by a recorded vote of 11-0. [Note: The Council's action was formally communicated to the Bar on 12/17/07.]

- **Summit Task Force Status Report:** M. VanDusen; P. Streeter; R. Beracy; and Sandra Girard, with Barb Levine contributing.

A full day conference will be held with a target month of April. The meeting will focus, first, on the larger budgetary issues and then on reasonable ways to make cuts in corrections. Proposed program highlights would be speaker Tom Clay

from the State Budget Office, a human service agency panel, and examples of local success stories. This will be a non-public, working summit with no press invited. Another status report will be given at the January meeting. Further suggestions for the conference are still welcome.

**MISCELLANEOUS BUSINESS:**

The Bar has asked the Section to set a date/time for the annual meeting scheduled in Dearborn September 17, 18, and 19, 2008. The Council asked that our meeting place be adjacent to the Criminal Law Section meeting and our meeting time coincide or be within a half hour of the CLS meeting.

The reports on “merit credit comparisons” (VanDuesen, Stapleton and Gobbo) were postponed until the January meeting.

The financial report was postponed until the January meeting.

**NEXT MEETING:** January 19, 2007, 10:00 a.m., at the State Bar.

A motion to adjourn was made by S. Gobbo and seconded by S. Girard. Motion unanimously approved. Meeting adjourned at 12:40 p.m.

**PRISONS AND CORRECTIONS SECTION**

Michael J. Marutiak, Chair