

**STATE BAR OF MICHIGAN  
PRISONS AND CORRECTIONS SECTION  
MEETING MINUTES  
JANUARY 19, 2008**

**PRESENT:** M. Barnhart; S. Girard; S. Gobbo; R. Johnson; B. Levine; E. Livingston; M. Marutiak; K. Schaefer; R. Stapleton; K. Thom.

**ABSENT W/EXCUSE:** R. Beracy; N. Holbrook; J. O'Donnell; P Streeter; A. Watts.

**ABSENT W/NOTICE:** M. VanDusen

**ABSENT W/O NOTICE:** None.

**GUESTS:** Mark Reinstein, President and CEO Mental Health Association of Michigan (MHA); Susan McParland, (Section member), Executive Director, Michigan Association of Children for Children with Emotional Disorders.

The meeting was called to order at 10:08 a.m. with a welcome and introduction.

The meeting minutes from 12/15/07, were reviewed. Motion to accept the meeting minutes from December, 2007, was made by S.Gobbo, seconded by E. Livingston. The minutes were approved.

The meeting agenda was reviewed. S. Gobbo asked that the Financial Report be moved to later in the meeting. Motion to accept the agenda was made by E. Livingston, seconded by K. Schaefer.

**DISCUSSION/ACTION**

- Brief Reports—"Merit Credit Comparisons":

R. Stapleton checked NIC for a cross-country comparison, to no avail. He did find a 2001, report done by several Southern states comparing good time credits to disciplinary credits, state by state. That report indicated that most states were using the traditional good time system.

Other than one other report by Maryland from 1999, referencing TIS cases, comparisons of good time credits/TIS cases at the state level are incomplete and non-definitive.

S. Gobbo checked the ABA references this issue, but requested more time for research.

B. Levine stated she would have her CAPPs staff pursue available information further state by state.

In conclusion, Chair Marutiak stated when the counsel takes up this issue we will have to do our own cross-state comparison or seek assistance from law students or another source.

- **Annual Meeting Scheduled—M. Marutiak:**

The Section annual meeting will be held Friday, September 19, 2008, from 9:30 a.m. to 10:00 a.m. during the Bar's annual meeting in Dearborn. Time has been reserved for our program at the same time as the Criminal Law Section: 10:00 a.m. to 12:00 p.m. on the assumption our Section will seek collaboration with the Criminal Law Section for a program.

- **“Summit Task Force” Status Report: B. Levine**

It has finally been decided that a half day conference will be held Friday, May 2, 2008, at the L.C.C. West campus in Lansing. The meeting will focus on reasonable ways to make cuts in corrections and educating non-criminal justice persons. Proposed program highlights will be either a panel made up of persons from various constituencies with a moderator, or a speaker focusing on prevention methods. Sponsorship for the program was discussed, though our section has the means to finance this endeavor without outside assistance.

Further suggestions for who should be invited to the conference, potential strategies, and ideas for a brochure are still welcome. A list of potential sponsors/invitees will be circulated with the minutes. Council members will be asked to review it and forward any suggested additions to B. Levine and the other task force members.

Chair Marutiak asked for and received Council approval for planning to continue.

- **Financial Report: S. Gobbo**

The section currently has \$4,198.40, available. Funds already slated for the year are for the full breakfast (\$132.50, a month), and for the newsletter.

A motion to receive the verbal report was made by K. Schaefer, seconded by R. Johnson.

- **Mental Health, Juveniles and Local Criminal Justice System Needs: M. Reinstein and S. McParland**

M. Reinstein began the discussion about a new statewide coalition, *Michigan Partners in Crisis*, developed to look for alternatives to the criminal justice system being utilized to house both adults and juveniles with mental illnesses and emotional disorders. An informational letter was distributed informing members of the goals, initiatives and operating procedures, and offering an opportunity to join the coalition as a participating member.

FY 2008 MDOC funds were allocated for a study to determine the prevalence of mental illness and treatment levels for adults and juveniles in state prisons and local jails. The last study of this sort was done in 1986 or 1987. Under-reporting by agencies of the number of MH cases in their systems continues to muddy the problem. Much discussion of past studies, self reports and statistics was held among council members.

Though there are many problems involving adult mentally ill being in correctional settings, the problems only escalate for juveniles. According to S. McParland, juvenile violent crimes have declined, but courts continue to overcharge juveniles with MH disorders for minor offenses.

Treatment wise, there are huge needs in Michigan, with very little being delivered. Of the 500,000 persons in the state with MH disorders, the public system serves only 80,000, with juveniles only receiving 50% of CMH funding. MH treatment courts and jail diversion programs are an option that may prove beneficial, but none are currently up and running to show whether or not they will impact the prison system.

As this was such a hugh and complicated topic, further questions can be e-mailed to M. Reinstein at [picmham@aol.com](mailto:picmham@aol.com), and S. McParland at [susan@michkids.org](mailto:susan@michkids.org).

#### **MISCELLANEOUS BUSINESS:**

- E. Livingston is withdrawing from the Council due to her upcoming relocation from the Lansing, area. Her contributions of time, knowledge and experience have been much appreciated. The Council expressed its gratitude for Enid's service.
  - Applications for two vacant council positions were received from Cassandra Green and Joseph Niskar. S. Gobbo made a motion to elect both applicants for terms expiring at the end of the next annual meeting, in accordance with Section 5.2 of the bylaws. Motion seconded by E. Livingston. All were in favor (10), none (0) opposed.
- J. Niskar- interim position, expires after 2008 annual meeting (term ending 2009)  
C. Green- interim position, expires after 2008 annual meeting (term ending 2010)

The Council still has one vacancy due to Enid's resignation today.

- S. Girard raised a concern that MDOC has issued a memo that the ACA standards, 4<sup>th</sup> ed. can no longer be purchased for prison law libraries. It is not being restricted, as persons can purchase personal copies, but the PBF can no longer pay for the book. R. Stapleton promised to check on this and report his findings to the Council.

**NEXT MEETING:** February 16, 2008, 10:00 a.m., at the State Bar.

A motion to adjourn was made by E. Livingston. All present voted in favor.  
Meeting adjourned at 12:37 p.m.

## PRISONS AND CORRECTIONS SECTION

Michael J. Marutiak, Chair