

We are currently waiting for  
guests to arrive, we will  
start momentarily



GERALD R. **FORD SCHOOL** OF PUBLIC POLICY  
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# Modeling Costs Savings Under Second Look

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# Today's Agenda

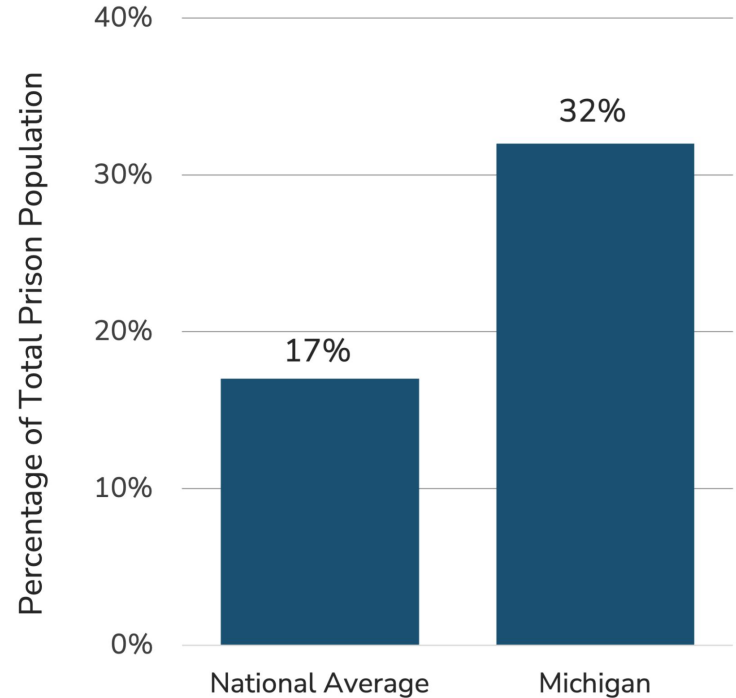
- Michigan's Sentencing Problem
- Understanding the Impacted Population
- Cost Model Methods & Results
- Takeaways



# Michigan's Sentencing Problem

- Michigan is an outlier when it comes to long-term prison sentencing and lengths of stays
- 1 in 2 people are serving long-term sentences (10+ years)
- Potential Impact
  - Aging population and associated medical costs
  - Individuals tend to “age out” of crime
  - Disproportionate, lengthy sentences imposed on Black residents

People Who Have Served 10-Plus Years, Michigan Compared to National Average



# How does Second Look Legislation (SLL) address this problem?

- An incarcerated individual who has served ten years may petition the sentencing court to reduce their minimum sentence.
- The Second Look Sentencing Act targets the oldest prisoners, serving the lengthiest sentences, and incurring the highest costs on Michigan's prison system.
- This Act has the potential to rectify past injustices by offering a pathway to reevaluate lengthy prison sentences, especially those that disproportionately affect Black residents.

# Second Look Eligibility

- Those who has served 10 or more years, except those convicted of a mass shooting
- People sentenced for domestic violence, criminal sexual conduct against a child under thirteen, child pornography, or human trafficking can be denied without a hearing.
- No court can require a waiting period of more than five years.

# Understanding the Impacted Population

Michigan's Incarcerated Population

# The Data:

## Offender Tracking Information System (OTIS), September 2023

### BIOGRAPHICAL INFORMATION

MDOC Number: **132973**  
 SID Number: **0567464M**  
 Name:  
 Racial Identification: **White**  
 Gender: **Female**  
 Hair: **Brown**  
 Eyes: **Hazel**  
 Height: **5' 2"**  
 Weight: **155 lbs.**  
 Date of Birth: **04/17/1929 (94)**  
 Image Date: **5/12/2023**

### MDOC STATUS

Current Status:	Prisoner	Earliest Release Date:	LIFE
Assigned Location:	<a href="#">Huron Valley Complex/Women's</a>	Maximum Discharge Date:	LIFE
Security Level:	II		

### ACTIVE

#### Sentence 1

Offense:	Murder, First Degree	Minimum Sentence:	LIFE
MCL#:	<a href="#">750.316</a>	Maximum Sentence:	LIFE
Court File#:	83-1081	Date of Offense:	04/28/1982
County:	Bay	Date of Sentence:	07/25/1983
Conviction Type:	Jury		

### INACTIVE

#### Sentence 1

Offense:	Embezzlement - Agent Serve Emp Trust	Minimum Sentence:	6 years 0 months 0 days
MCL#:	<a href="#">750.174</a>	Maximum Sentence:	10 years 0 months
Court File#:	83-32877-FY	Date of Offense:	11/17/1982
County:	Ingham	Date of Sentence:	01/25/1984
Conviction Type:	Plea	Discharge Date:	08/25/1990
		Discharge Reason:	Order Terminated, Continued on Additional Order(s)

#### Sentence 2

Offense:	Obtain Money, False Pretenses	Minimum Sentence:	1 year 6 months 0 days
MCL#:	<a href="#">750.218</a>	Maximum Sentence:	10 years 0 months
Court File#:		Date of Offense:	05/22/1978
County:		Date of Sentence:	05/22/1978
Conviction Type:	Unknown	Discharge Date:	04/26/1982
		Discharge Reason:	Offender Discharge

#### Sentence 3

Offense:	Larceny in a Building	Minimum Sentence:	3 years 0 months 0 days
MCL#:	<a href="#">750.360</a>	Maximum Sentence:	4 years 0 months
Court File#:		Date of Offense:	12/08/1978
County:		Date of Sentence:	12/08/1978
Conviction Type:	Unknown	Discharge Date:	04/26/1982
		Discharge Reason:	Offender Discharge

#### Sentence 4

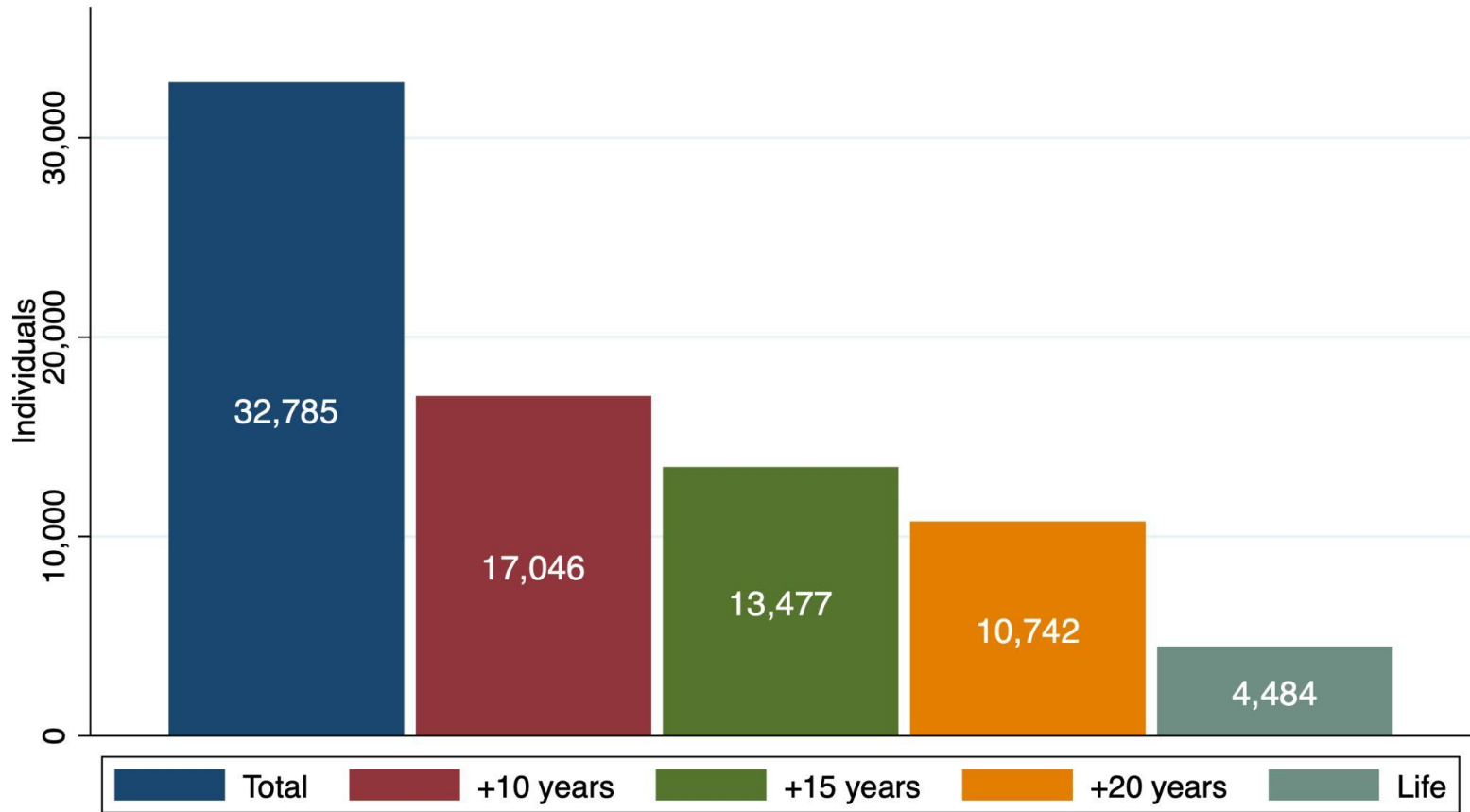
Offense:	Escape - Prison	Minimum Sentence:	0 years 0 months 10 days
MCL#:	<a href="#">750.193</a>	Maximum Sentence:	Unavailable
Court File#:		Date of Offense:	11/04/1974
County:		Date of Sentence:	11/04/1974
Conviction Type:	Unknown	Discharge Date:	07/08/1976
		Discharge Reason:	Offender Discharge

#### Sentence 5

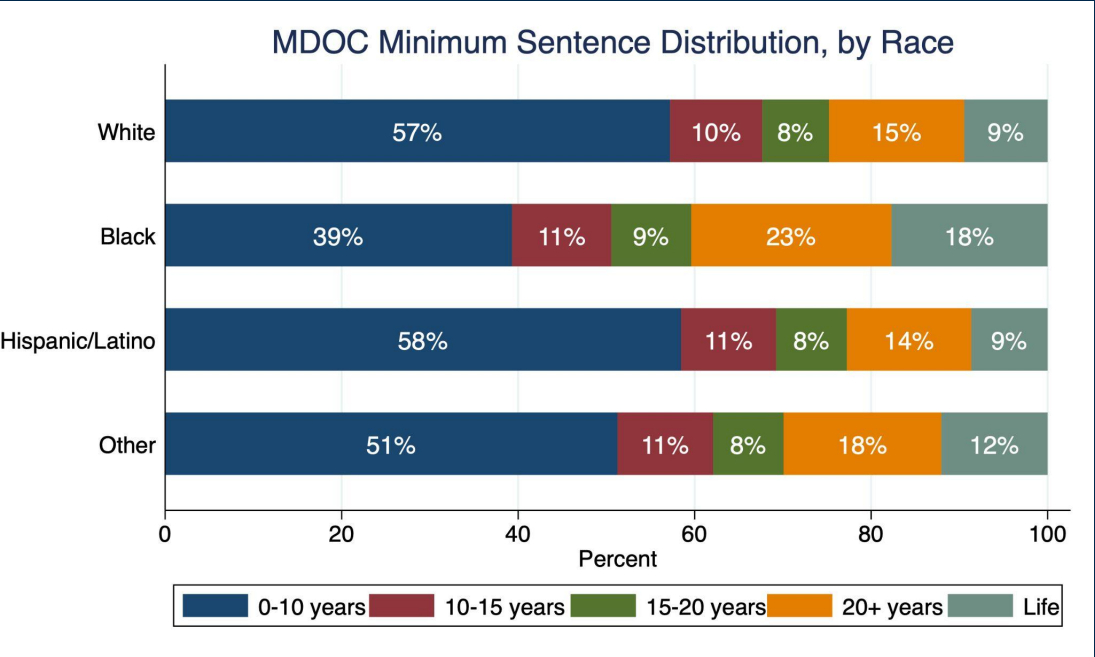
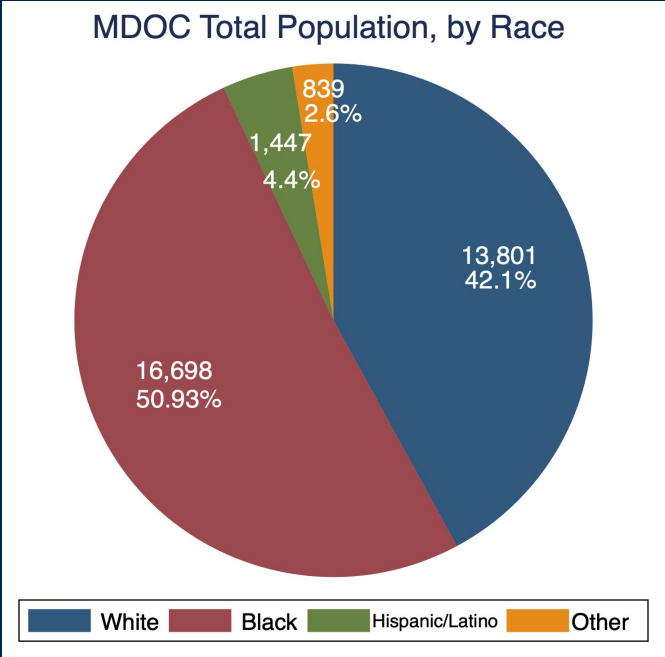
Offense:	State Warrant	Minimum Sentence:	1 year 0 months 0 days
MCL#:	<a href="#">750.250</a>	Maximum Sentence:	14 years 0 months
Court File#:		Date of Offense:	07/29/1972
County:		Date of Sentence:	07/29/1972
Conviction Type:	Unknown	Discharge Date:	07/08/1976



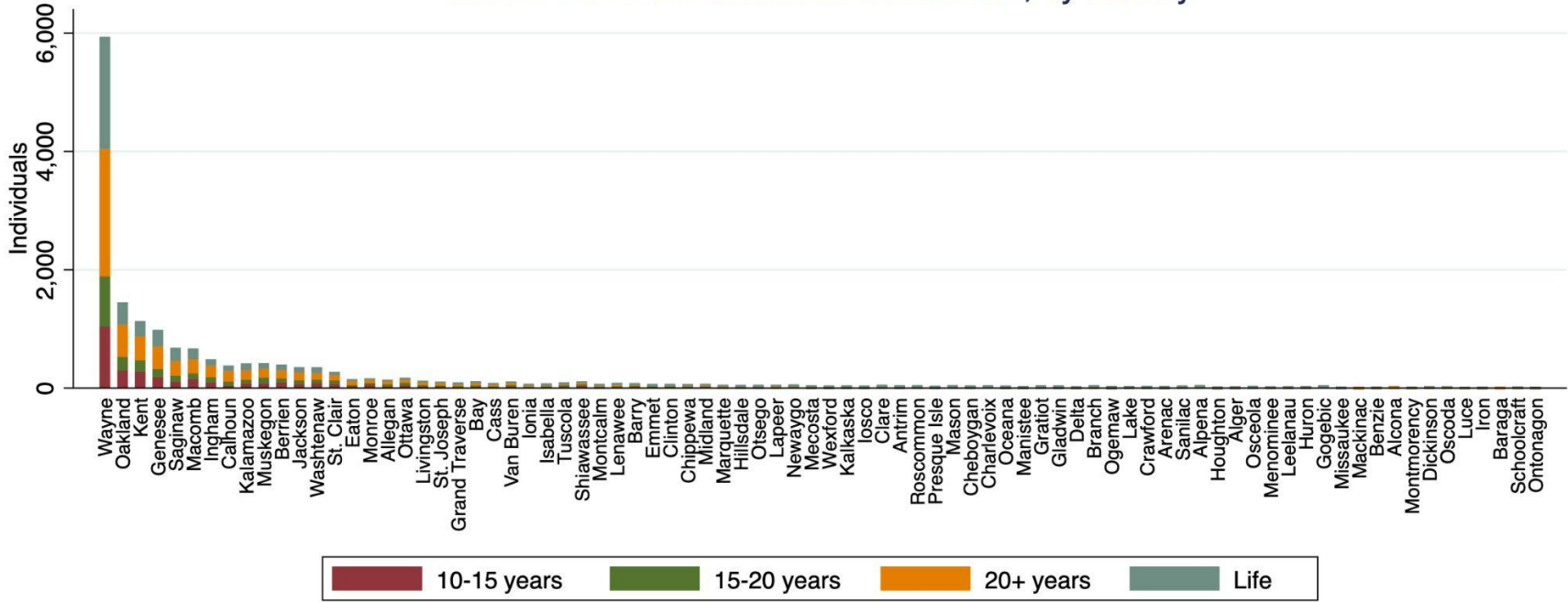
# MDOC Minimum Sentence Distribution



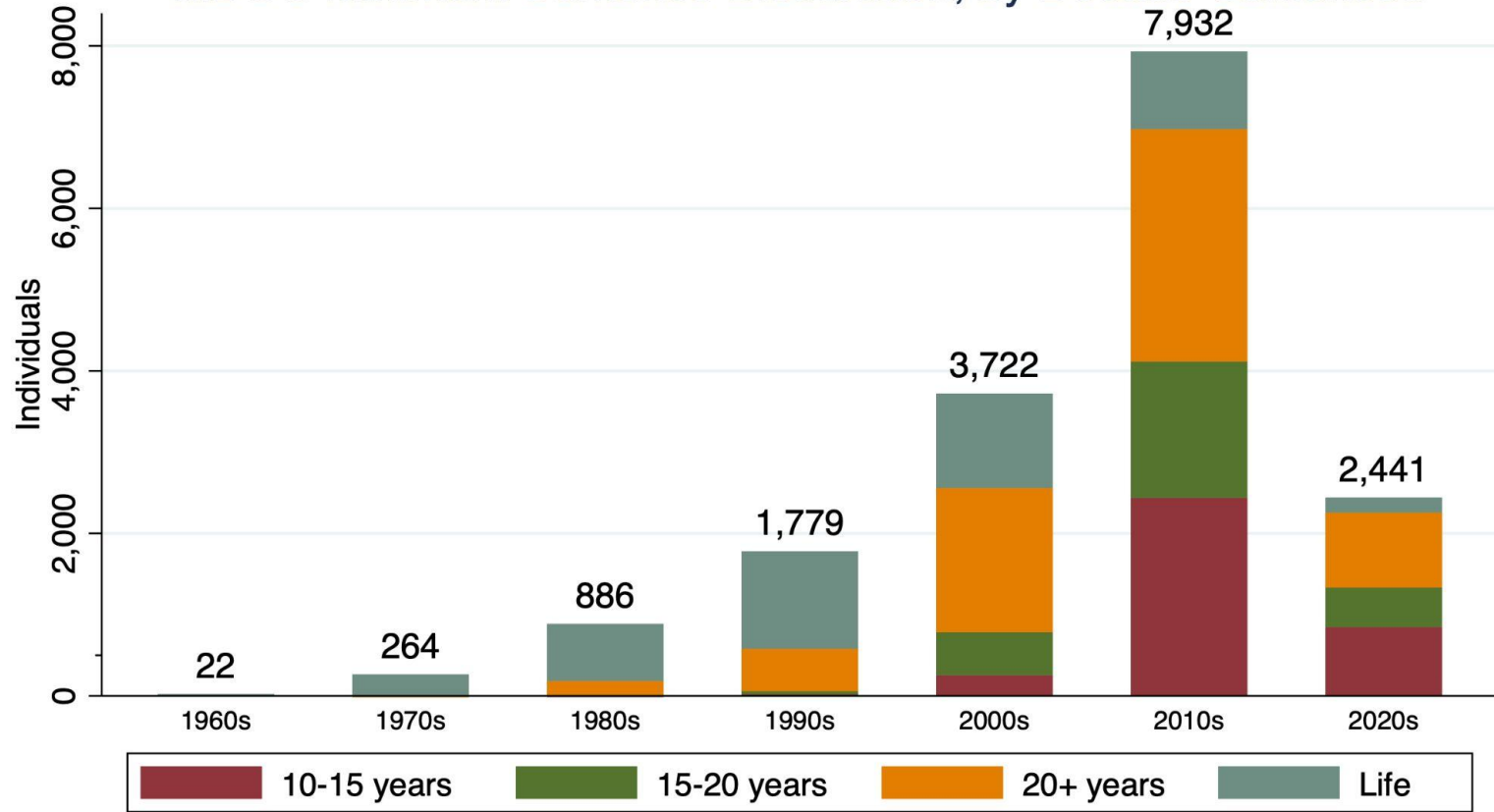
# MDOC Population and Sentence Distribution, by Race/Ethnicity



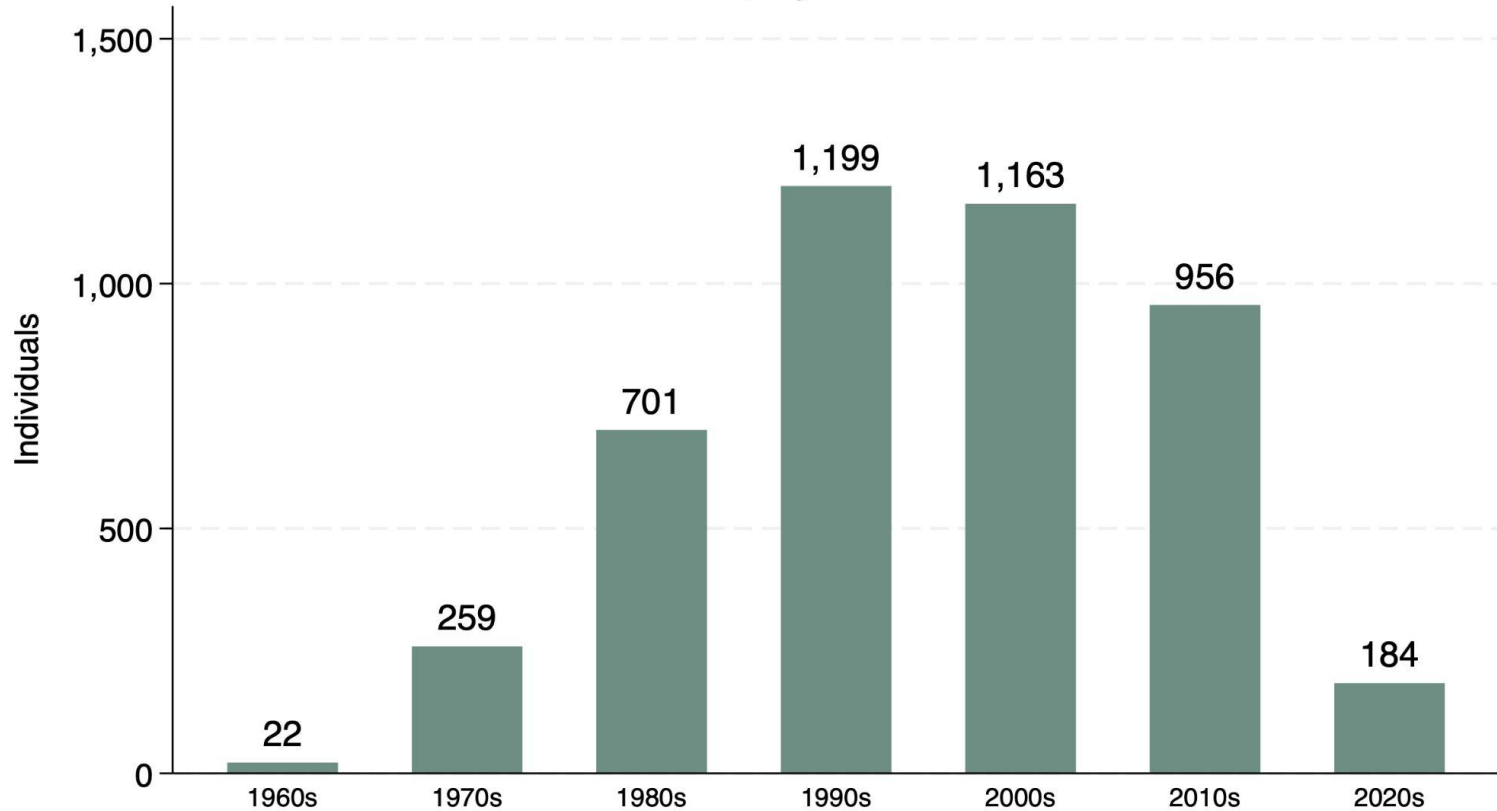
## MDOC Minimum Sentence Distribution, by County



# MDOC Minimum Sentence Distribution, by Decade Sentenced

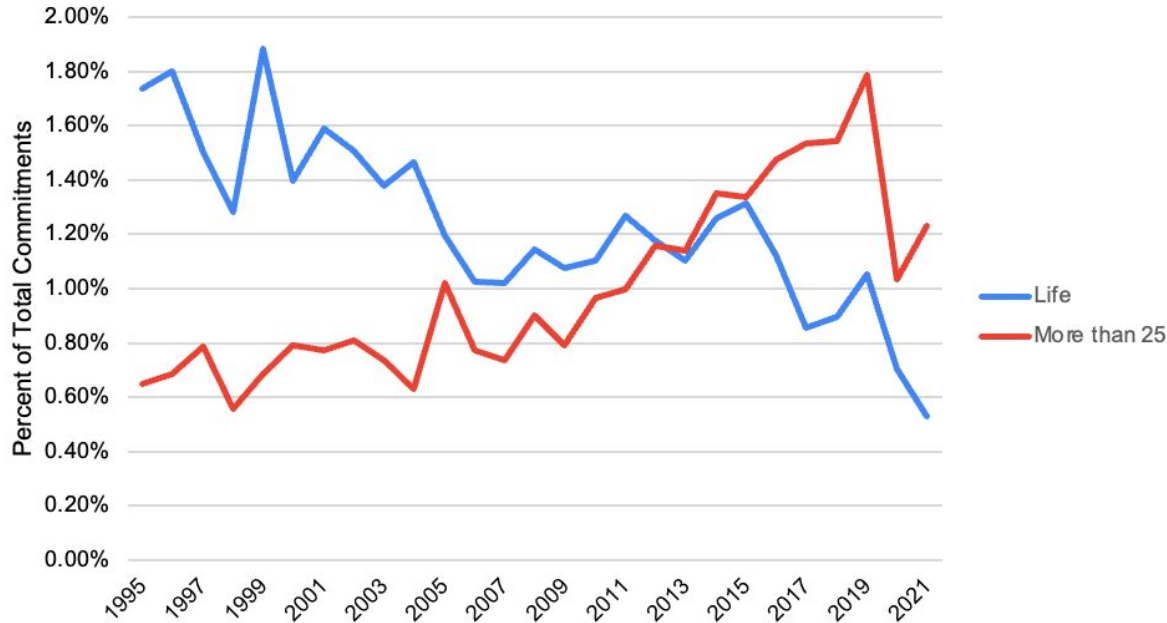


## Life Sentences, by Decade Sentenced



# Old, Long Sentences

25+ Year and Life Sentence Commitments as Percentage of Total Commitments



Number of life sentences have decreased over time, but individuals previously sentenced are still incarcerated

A blue-tinted photograph of a conference or exhibition hall. Numerous people are gathered around various posters and displays. The room has high ceilings, large windows, and a potted plant. The overall atmosphere is professional and academic.

# Methods and Results

# Overview of Methods

Scope: MDOC Budget

## How many years would each individual save with SSL?

Needed Information:

- Minimum Sentence (OTIS)
- Life Expectancy (Custodial Mortality Project)
- Parole Rates (MDOC)
- Recidivism (MDOC and National Data)



# Sentencing Assumptions

Three Models based on Current Sentences

- 10-year cutoff
- 15-year cutoff
- 20-year cutoff

Current Minimum Sentence	Second Look Minimum Sentence
15 - 20 years	10 years
20 - 30 years	15 years
30 - 60 years	20 years
60+ or Life	25 years

# Time Saved

Over the next 10 years

**10-year cutoff:**

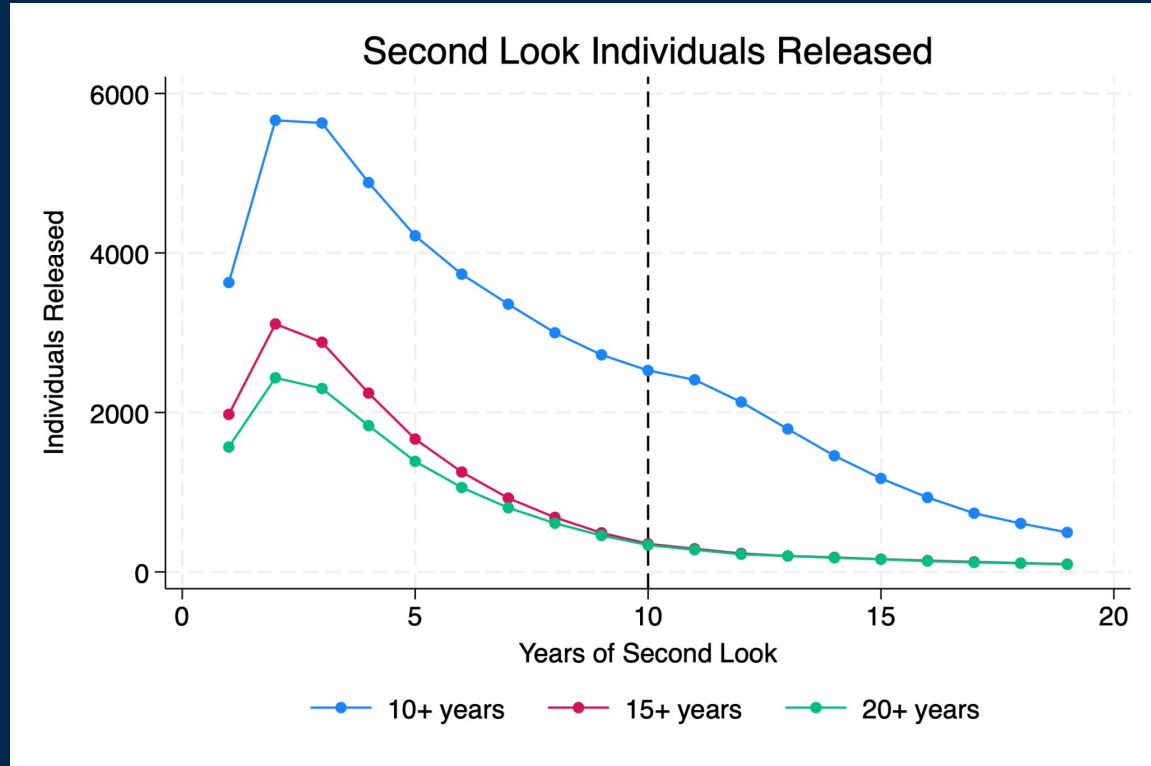
- 10,670 individuals
- 39,361 years saved

**15-year cutoff:**

- 4,095 individuals
- 15,580 years saved

**20-year cutoff:**

- 3,241 Individuals
- 12,789 years saved



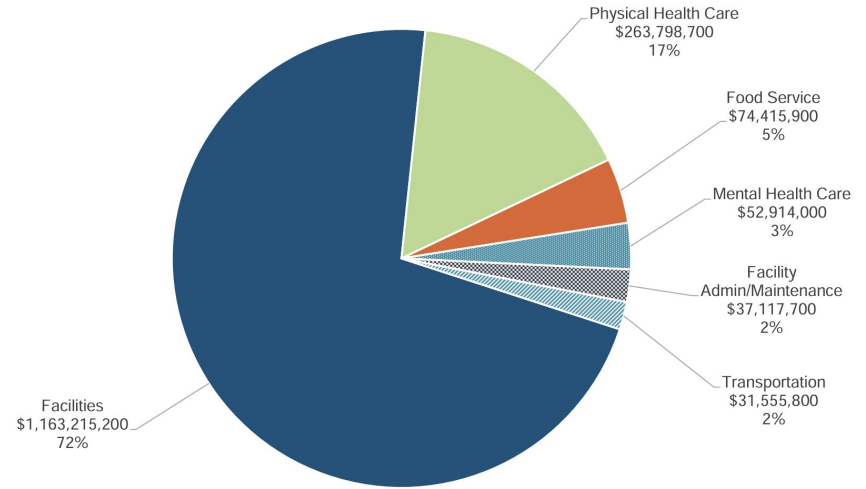
# Operational Costs

## Marginal costs:

- Healthcare, (physical and mental)
- Food
- Transportation

## Prisoner Custody, Care, and Programs

Total FY 2022-23 appropriation for prisoner custody, care, and programming is **\$1,623,017,300**.



# Marginal Savings

Over the next 10 years:

10-year cutoff:

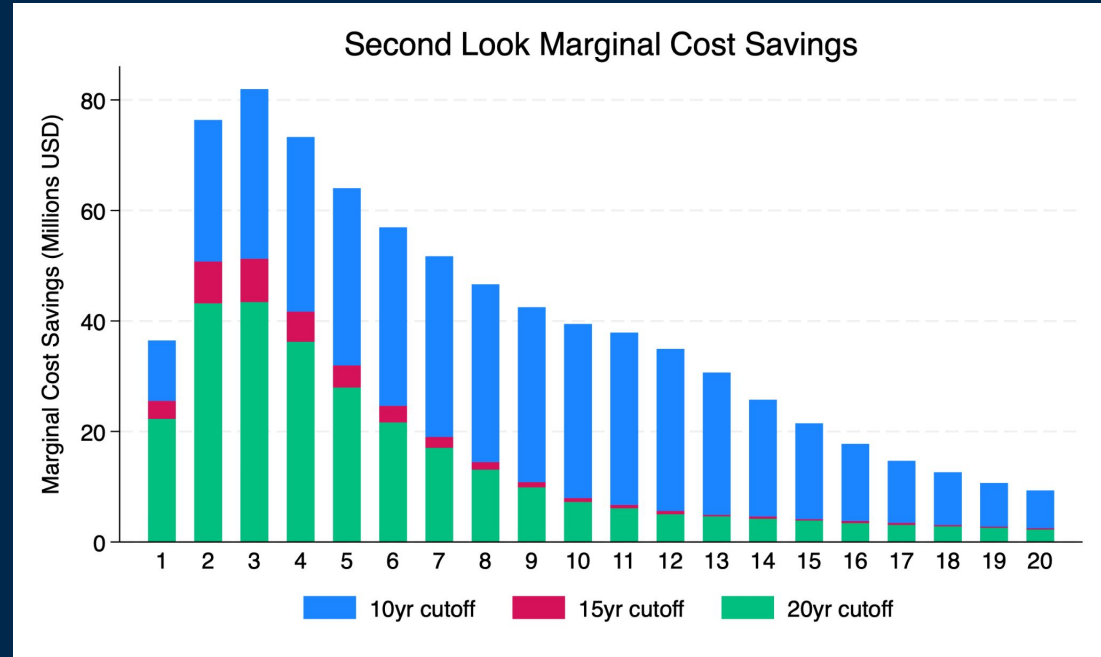
- \$568,300,000 saved

15-year cutoff:

- \$278,224,040 saved

20-year cutoff

- \$242,007,000 saved



# Facility Closures

Lower prison  
populations allows  
MDOC to close  
facilities

- MDOC currently suffers from staff shortages:
  - 1,031.9 (FTEs) Correction Officers (18.36% vacancy)
- Closing facilities allows MDOC to transfer staff to fill vacancies elsewhere
- Closing Facilities greatly adds to the state's total savings

# Example of Savings From Facility Closures

Facility	Capacity	Annual Budget	Authorized FTEs	CO Vacancy Rate
Alger	808	\$31.8M	166.3	36.8%
Baraga	868	\$37.8M	184.5	32.8%
Cotton	1,692	\$47.7M	256.2	32.5%
Marquette	649	\$40.0M	187.5	30.7%
Cooper St.	1,282	\$31.0M	164	31.7%
<b>Total</b>	<b>5,299</b>	<b>\$188.3M</b>	<b>958.5</b>	<b>32.8%</b>

# Cost Savings

(including facility closures)

Over the next 10 years:

**10-year cutoff:**

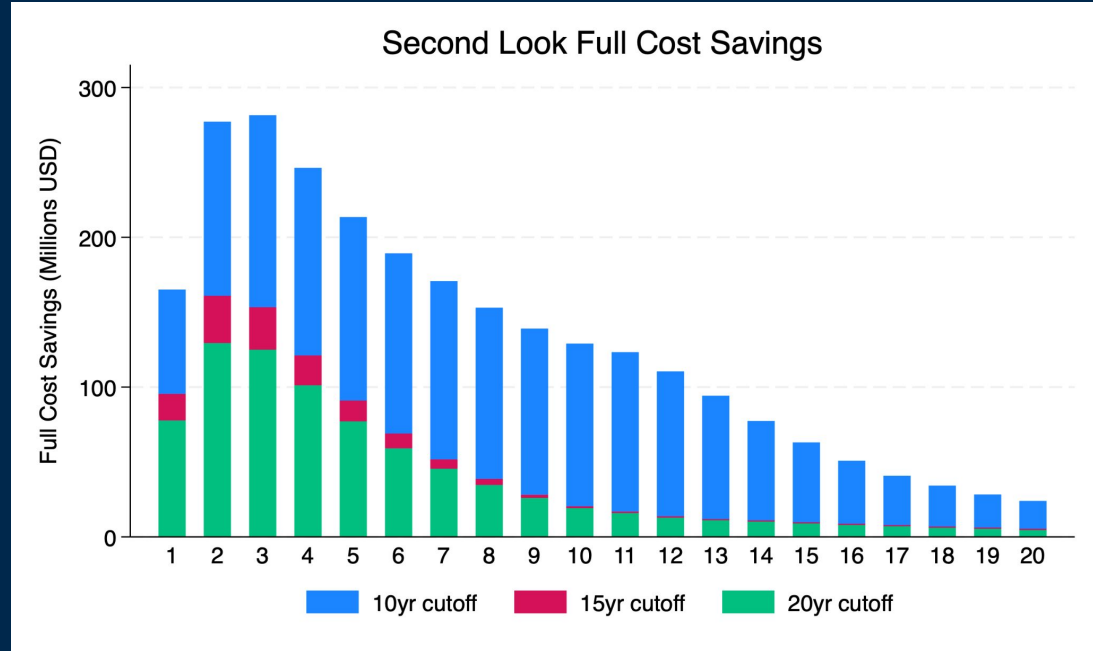
- \$1,962,000,000 saved

**15-year cutoff:**

- \$830,472,740 saved

**20-year cutoff:**

- \$695,343,620 saved



# Takeaways

**Long Sentences:** ~32% of individuals in MDOC have served long sentences (10+ years) compared to 17% nationally.

**Large Eligibility:** Total of 10,679 of currently incarcerated individuals are eligible to benefit from Second Look Legislation in the next 10 years.

**Marginal Savings:** The State could save \$568 Million without facility closures in the next ten years.

**Total Benefits:** With facility closures, we could save upwards of \$1.9 Billion and address pressing staffing shortages.