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**First of a two-part series**

# Bulging prisons drain Michigan's budget

## State faces hard choices as get-tough laws put more behind bars

**Charlie Cain and Gary Heinlein | Photos by Daniel Mears / The Detroit News**

Michigan runs one of the nation's largest and most costly prison systems, a \$2 billion-a-year expense that is crowding out other spending priorities at a rate many officials fear the state can no longer afford.

Yet despite near-unanimous agreement that Michigan can't pay ever-rising corrections bills during a period of economic decline, politicians and law enforcement professionals remain hesitant to spend less by changing sentencing guidelines or paroling more prisoners.

"Our efforts to grow Michigan's economy and keep our state competitive are threatened by the rising costs in the Department of Corrections," Gov. Jennifer Granholm told The Detroit News. "We spend more on prisons than we do on higher education, and that has got to change."

The problem is reaching a crisis: Michigan's system is already the nation's sixth-largest overall, and ranks 15th among the states in the cost per inmate. It could exceed capacity within two months, said Chief Deputy Corrections Director Dennis Schrantz, unless lawmakers approve stop-gap measures, such as doubling the number of inmates in the state boot camp program.

If the inmate population, now about 50,000, exceeds 51,800, the department will have to ask the Legislature for more money to house, feed, clothe, educate and guard the inmates.

"We could be in pretty dire shape for funded beds in May or June of this year," unless changes are made, Schrantz said.

The Corrections Department already devours 20 cents of every tax dollar in the state's general fund and employs nearly one in every three state government workers, compared with 9 percent of the work force 25 years ago.

"Because we're spending more state dollars in areas such as prisons, we're taking funding away from areas that are real priorities for citizens and for economic growth," said Dan Gilmartin,

executive director of the Michigan Municipal League.

"I don't know anybody who would say we don't need more cops on the street, and if you dial 911 you don't need to have it answered. Our priorities are really mixed up."

Revenue sharing, the tax money that the state returns to about 1,800 Michigan counties and communities to help pay for local services, has been pared by \$3 billion over the last six budget years.

As a result, the league says, there are 1,800 fewer police officers and 2,400 fewer firefighters.

Many criminologists believe that officers are a more cost-effective crime deterrent than long prison sentences. A 2007 report by the New York-based Vera Institute of Justice cites three studies indicating that a 10 percent increase in the size of a city's police force leads to reductions of 1.5 percent to 11 percent in crime rates.

Royal Oak City Manager Tom Hoover said his 80-member police department is down 15 officers from 2001. In 2004, he disbanded a five-member unit that specialized in drug crimes, car break-ins and burglaries.

"That special team was a big plus for us, but we couldn't afford it anymore," Hoover said. "Our crime rates are up."

Michael Thompson, director of the Justice Center for the Council of State Governments, said: "The idea that significant growth in incarceration is going to significantly impact crime is not backed up by the evidence."

But maintaining one of the nation's biggest prison systems is impacting other state programs.

Spending on higher education, for example, has been slashed by a quarter-billion dollars in this decade, forcing parents and students to dig deeper to pay for tuition, room and board. Michigan is one of four states that spend more to run its prison system than for its public universities.

Another example: The general fund portion of the Department of Environmental Quality budget was cut from \$100 million in 2002 to \$31.5 million in 2007.

While the agency still issues wetlands permits within 90 to 120 days, it is less able to make sure companies are complying with state requirements and to respond to residents' pollution-related complaints.

"We have very limited ability to go around and do the monitoring we're supposed to do," said departmental spokesman Bob McCann. "Where maybe we'd like to conduct smokestack tests twice a year, we only have the staff to do it once a year, or not at all."

### **Stiffer laws began in '80s**

Tougher sentencing laws and parole policies led to the buildup of new prisons and the large inmate population.

It began in the 1980s, when Michigan joined the other states and the federal government in using longer prison sentences to battle an urban crime wave -- part real, part perceived -- that seemed to center on drug-related violence.

Michigan became a leader in that so-called "war on crime," opening 15 new prisons between 1984 and 1990, 14 in the 1990s and two since 2000. It now operates 41 prisons and eight camps.

The number of inmates has mushroomed by nearly 400 percent since the build-up began, and today equals the combined populations of Ferndale, Mount Clemens and Harper Woods. Money spent to support the system has rocketed, too -- from \$193 million in 1981 to \$2 billion today. Even adjusted for inflation, that's more than a four-fold increase.

Michigan's incarceration rate is the nation's ninth highest and out of step with its Great Lakes neighbors. Only southern states and Missouri imprison a greater proportion of their residents.

The payoff in decreasing crime is negligible compared with the national trend: Michigan's violent crime rate fell 13 percent between 1981 and 2006, while the nation's rate dropped 12 percent.

Nonetheless, lawmakers are reluctant to loosen parole and sentencing rules, fearing voters might view that as being soft on criminals, or that another awful crime will be committed by a parolee.

Dorothy Golob, 60, of Novi is the kind of resident who has their ear. She opposes any plan to shrink the prison population by loosening sentencing guidelines.

"I'm pretty hard-core: You do the crime, you do the time," said Golob, an executive assistant with an electrical transmission company. "There's a place for compassion, but it's not in law enforcement. If anything, we need to get harder."

Many prosecutors and police share lawmakers' reluctance to revise policies. They were alarmed last year when Granholm suggested 200 changes in sentencing guidelines and the release of more than 5,000 old, sick or low-level criminals.

"They are fearful a group of legislators will start to erode Truth in Sentencing," said House Judiciary Committee Chairman Paul Condino, D-Southfield, referring to a state law requiring criminals to serve at least their minimum sentences behind bars.

### **High price of prison costs**

The Citizens Research Council of Michigan, a respected nonpartisan think tank, estimates Michigan could save more than \$500 million a year if its incarceration rate paralleled neighboring states.

"Even without further growth, we're choosing to keep putting 20 percent of the state's general fund into corrections, which means continuing cuts to higher education, revenue sharing and social programs that could prevent crime," said reform advocate Barbara Levine. "It's not the sort of investment that will make Michigan a desirable place to live and work."

Levine's nonprofit policy organization, Citizens Alliance on Prisons and Public Spending, favors shifting a chunk of the huge corrections budget from incarceration to crime prevention.

Faced with the state's tight budget, some state officials think she's right -- but not all of them.

"Public safety is the No. 1 function of state government," said Senate Majority Floor Leader Alan Cropsey, a 20-year legislative veteran. The DeWitt Republican heads the Senate's subcommittee overseeing corrections spending and is vice chairman of the Judiciary Committee, which is in charge of sentencing policies.

Cropsey, whose district includes several prison facilities, helped shape the policies that led to the prison buildup. He said he doesn't believe they should change, and his agreement likely would be required for major revisions.

### **Rampages sparked change**

A number of developments in the 1990s added fuel to Michigan's prison growth.

In August 1990, Leslie Allen Williams, a four-time sex offender, was granted early release from prison. In the next 18 months, he raped and killed four teenage girls from Fenton, South Lyon and Milford.

Public outrage prompted then-Gov. John Engler and the Legislature to replace the old parole board, whose members were civil servants, with 10 political appointees who took a much different stance toward sex offenders.

In 1991, the parole board released 40 percent of sex offenders; overnight, under the new board, the numbers plummeted.

In 2006, the parole board freed 10.3 percent of sex offenders, and while numbers aren't yet available, officials say they believe the rate was slightly higher for 2007. About one in four convicts sitting in a Michigan prison -- 12,320 overall -- is a sex criminal. The parole rate for all crimes is 52 percent.

In 1998, a watershed year for the expansion of corrections costs, the Legislature eliminated "good time," which allowed inmates to knock months off their sentences if they behaved.

It was one of several new policies fashioned by Engler and a legislature dominated by conservative Republicans who believed Michigan's crime rate was too high and saw stiffer penalties as the remedy. Changes were made against a backdrop of proliferating crack houses, Williams' murder spree and Detroit's frequent ranking as one of the country's murder capitals.

Today, only Michigan and Wisconsin don't grant good time.

Also in 1998, state lawmakers passed the Truth in Sentencing Act, requiring anyone who committed a felony after Dec. 15, 2000, to remain in prison until the minimum sentence is served.

Before that, it was common for convicts to serve all or some of their sentence in less-costly county jails or in lower-security, community-based programs. The number of inmates in community placement has fallen from more than 3,500 in 1992 to fewer than 50 today.

Serving time at home, while wearing an electronic tether, is a new alternative to lockup. It costs about \$2,000 a year per inmate, compared with nearly \$16,000 in a jail or \$31,325 in prison.

### **Paroles dipped after deaths**

If serial killer Williams was Michigan's Public Enemy No. 1, second place belongs to Patrick Selepak. In February 2006, the former Chesterfield Township resident and his 19-year-old girlfriend killed three people, beginning with the torture killing of a young New Baltimore man and his pregnant wife, then a Flint-area man who befriended them.

Selepak, 27, was mistakenly paroled from Ionia Maximum Security Prison in June 2005 after serving

nearly eight years of a maximum 10-year sentence for armed robbery, larceny and escape.

The slayings led to firings, demotions of state workers, and even more offenders sent to prison -- or kept there.

In the three months following the murders, prison admissions grew at a rate of 280 a month and the parole rate dipped. Officials estimated that Selepak's rampage had a \$30 million impact on the Corrections Department, due to fewer paroles and more ex-cons shipped back for violations.

Today, more than 14,000 prisoners who have served their minimums remain behind bars. The prison system, whose inmate population had declined for two years, hit a record high of 51,554 in March 2007.

Levine, whose group promotes spending less on prisons and more on alternatives, points to the case of Aldo Gallina of Dearborn as a "prime example of the arbitrariness of the system."

Gallina was 15 in 1989, when he and a friend got into a confrontation that ended in the shooting death of a 15-year-old boy. Gallina and his partner, who fired the gun, were convicted of second-degree murder and sentenced to 15-30 years. His friend was paroled in 2005. But Gallina, who had no record, is still locked up 19 years after the crime.

The parole board has denied Gallina three times, including in August when it said he "seems to be more concerned about getting a parole than understanding what he has done to the victim."


Levine said Gallina has demonstrated his remorse and has been a model prisoner.

"There is no basis for saying his imprisonment has improved public safety or that anyone has a reason to be afraid of him," she said. "His remaining in prison is costly to the public financially and it's painful to his family. ... He should be out."

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