

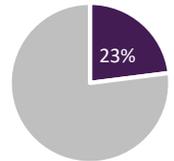
# Michigan Jails Task Force 2021 Legislative Priorities

Last year, the legislature passed 20 bills based on recommendations from the Michigan Joint Task Force on Jail and Pretrial Incarceration, a bipartisan group of criminal justice experts and stakeholders that conducted a yearlong study of Michigan's jails. The bills were carried by a diverse group of legislators, passed with overwhelming support, and were signed into law on January 4, 2021. This year, the Jails Task Force is prioritizing its remaining policy recommendations for legislative action. If adopted into law, the policies will divert people with behavioral health needs away from jails, invest in services and supports for victims, and promote liberty and public safety in pretrial decision-making.

## Divert people with behavioral health needs away from jails

Based on recent state data, at least 23 percent of people entering jail in Michigan have a serious mental illness. In rural counties, where stakeholders report a scarcity of community-based treatment resources, the share is even higher – more than one in three people admitted to jail meet thresholds for serious mental illness. There is broad consensus among stakeholders that individuals requiring behavioral health services are not well served in a jail setting and present cost-intensive challenges for corrections professionals.

**Statewide, nearly 1 in 4 people admitted to jail have a serious mental illness**



The Jails Task Force recommends:

- Statutory guidance around diverting people with behavioral health needs away from the criminal justice system;
- Investment in a grant program for counties to expand or develop diversion programming; and
- Guidance around training for law enforcement, jail, and dispatch officers to better identify people with behavioral health challenges and know when to divert them.

## Invest in services and supports for crime victims

The experiences and testimony of crime victims and survivors in Michigan are essential to understanding and reforming the criminal justice system. The Task Force hosted roundtable discussions with more than 50 victim advocates, survivors, and service providers across the state whose discussion shaped the Task Force's policy recommendations.

The Jails Task Force Recommends:

- Investment in supportive services, like counseling and housing, for crime victims and survivors;
- Streamlining information-sharing about personal protection orders (PPOs); and
- Researching and recommending policy changes to improve the restitution process.

## Promote liberty and public safety in pretrial decision-making

Half of people held in jail in Michigan are awaiting trial and presumed innocent, a population that has tripled over the past few decades. Even short stays in jail come with high stakes. Recent studies have found that pretrial detention can lead to loss of employment, housing, or child custody, destabilizing individuals and increasing their likelihood of future offending. Courts across the country are ruling that common pretrial practices are unconstitutional because they don't uphold Americans' rights to meaningful due process and equal protection under the law.

***"In our society, liberty is the norm, and detention prior to trial... is the carefully limited exception."***

Chief Justice William Rehnquist, *United States v. Salerno* (1987)

The Jails Task Force Recommends:

- Upholding speedy court timelines for arraignments and trials;
- Prioritizing non-monetary release conditions for people charged with non-serious offenses; and
- Ensuring anyone jailed pretrial has an opportunity for a full hearing to determine if they can be safely released.