

February 6, 2019

Jake Horowitz
Director, Public Safety Performance Project
The Pew Charitable Trusts
901 E Street NW
Washington, DC 20004

Dear Mr. Horowitz,

With this letter, we invite technical assistance from the Pew Charitable Trusts for a county-state, inter-branch, and bipartisan project aimed at increasing justice system efficiency and effectiveness. The project will examine how state laws, policies, and budgetary decisions affect local decisions ranging from arrest and pretrial release to diversion, case processing, and sentences to jail versus community-based alternatives. It will result in proposals to ease the burden on county budgets by ensuring that jail beds are used in targeted ways that promote public safety and economic stability. Finally, the effort aims to uphold the constitutional guarantees of liberty, due process, and equal protection of the laws, as well as the basic governmental goals of transparency and responsible spending.

Little statewide data exists to account for who is booked into local jails, how long they stay, and why. National sources show Michigan jail populations tripling in the last 35 years, growing when crime was going up and also when it was coming down. With crime now at a 50-year low, hundreds of thousands are still admitted to Michigan jails every year, and people are staying in jail longer on average than they used to. The pretrial detainee population, in particular, warrants more in-depth research. Half of the people held in our jails on any given day are un-convicted and presumed innocent while they await trial.

The majority of spending in county budgets today goes to justice system costs. While county jail administrators manage populations to the best of their ability, anecdotal evidence suggests costs continue to increase for a variety of reasons. Higher costs may impede investments in treatment services, crime prevention, victim services, economic development, and other local priorities. It is important to understand Michigan's justice landscape and ensure policies at all levels of government aim to decrease recidivism and create a pathway of success for individuals and their families. Fortunately, an emerging body of legal and evidence-based practices offers guidance for more effective justice system approaches.

We invite Pew to provide data and policy analysts to staff, support, and facilitate a newly created taskforce that will evaluate justice systems in Michigan, understanding the variation of needs from northern to southern counties, and urban to rural. After vetting the data with the taskforce,

Pew will help the taskforce craft recommendations for statewide policy and budgetary changes. The criteria for proposed reforms will be to:

- Expand jail alternatives for those who can be managed in the community,
- Safely reduce jail admissions, length of stay, and associated costs,
- Support consistent, objective, and evidence-based pretrial decision-making,
- Provide services and supports to crime victims,
- Improve the efficiency and effectiveness of the state's and counties' justice and public safety systems, and
- Better align practices with research and constitutional mandates.

We understand that Pew's technical assistance comes at no cost to the state or counties and believe that Pew's nonpartisan, data-driven approach will provide significant value to experts and stakeholders in Michigan as we launch this time-limited effort. We ask that Pew's staff and contractors:

- Gather and analyze data related to the drivers of Michigan's jail populations,
- Assess and provide information to the taskforce regarding Michigan laws, policies, budgetary decisions, and county-level practices and help evaluate how those practices align with legal and constitutional principles,
- Engage with in-state and national experts, practitioners, stakeholders, community leaders, crime victims, and people impacted by the relevant laws and policies to ensure their access to the taskforce process and input toward policy recommendations,
- Project the impact of various policy options on correctional populations and costs, where possible,
- Assist in drafting the taskforce's findings and agreed upon recommendations to be issued in anticipation of the 2020 legislative session,
- Brief the below-signed leaders throughout the process and assist with educating the public, stakeholders, and policymakers regarding the taskforce's goals, findings, and recommendations,
- Work with legislative leaders and taskforce members, as needed, in drafting and advancing legislation based on the recommendations,
- Help the below-signed leaders and practitioners across the state anticipate implementation needs and the infrastructure necessary to support statewide policy change, and
- Help craft methods for tracking the efficacy of adopted policy recommendations.

To ensure a sound public-private partnership in this effort, we commit ourselves to:

- Assisting Pew and its contractors in gaining timely and priority access to data from jails, courts, county and state budgets, and other relevant sources as needed,

- Appointing policymakers, experts, and stakeholders to a new taskforce, limited in and time and scope, with the aim of developing recommendations for the 2020 legislative session,
- Announcing the launch of this effort and formation of the taskforce with a joint press conference and release,
- Asking taskforce members, stakeholders, and policymakers to make this process a priority, and to craft research-based and impactful proposals for justice system reform,
- Making ourselves personally available for briefings after the data analysis, policy options, and consensus recommendations are developed,
- Using the taskforce's report and recommendations as the foundation for legislative and administrative action in 2020, and
- Working with practitioners who implement any adopted reforms to establish methods for understanding the impact and performance of reforms.

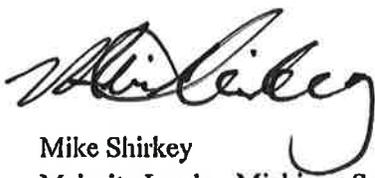
We hope to lead with data and research as we continue to improve the functioning of Michigan's justice and corrections systems, and look forward to working with you to advance our efforts. Thank you for considering this request.



Gretchen Whitmer
Governor, State of Michigan



Bridget McCormack
Chief Justice, Michigan Supreme Court



Mike Shirkey
Majority Leader, Michigan Senate



Lee Chatfield
Speaker, Michigan House



Stephan Currie
Executive Director,
Michigan Association of Counties



Blaine Koops
Executive Director,
Michigan Sheriffs Association