



**American Friends
Service Committee**



MDOC Release Under COVID-19 Crisis

March 26, 2020

This is an extraordinary time in Michigan's history. We are asking the Governor to use her executive powers to alleviate the potential harm and deaths that will result as COVID-19 enters the prisons.

There have now been numerous reported cases among MDOC staff and prisoners. Social distancing is simply impossible in the prison and jail setting. Absent emergency action it is predicted that jails and prisons will be the epicenter of this crisis.¹ Many states, counties, prosecutors, and departments of corrections are taking unprecedented action right now to reduce jail and prison populations in order to save lives.²

It is critical that the governor work with the Michigan Department of Corrections to address reducing the number of people currently incarcerated in Michigan's 32 state prisons.

As of December 2019, 4% of the prison population was back on parole violations technical (PVT) and 9% of the people inside were past their earliest release dates (ERDs). We believe that the parole board can focus on this population and swiftly parole people back to their communities.

In the *REPORT TO THE LEGISLATURE Pursuant to P.A. 64 of 2019 Section 913(3) Assaultive Offender and Sex Offender Programming Report – 1st Quarter*, The MDOC reported 220 people in total were past their ERDs and awaiting programming, including some people who are post ERD-and back on PVTs. There also may be dozens of individuals with positive parole actions, but who are waiting on other programming that is not reported to the Legislature.

We are asking that the current number be reported to the governor's office and all people with average and high probability of parole on their parole guideline scoresheets have programming waived for completion in the community and be paroled.

¹ <https://www.nytimes.com/2020/03/16/opinion/coronavirus-in-jails.html>

² <https://www.prisonpolicy.org/virusresponse.html>

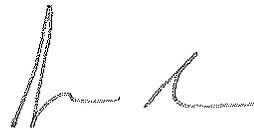
We are also asking that the Governor issue an Executive Order and expand the parole board to help review, process, and parole as many people as possible. These additional members could also help in reviewing lifer commutations.³

The American Friends Service Committee and the State Appellate Defender Office are ready to assist in any way we can as we work together to keep all Michigan residents safe during this public health crisis.

Sincerely,



Natalie Holbrook
Program Director
American Friends Service Committee
Michigan Criminal Justice Program



Jonathan Sacks
Director
State Appellate Defender Office

³ The time limits on the lifer commutation process, as set in statute, may be reducible through the governor's authority. Instead of taking a total of 9 months, the governor could reduce maximum days allowed for review of commutation requests and the back and forth with the parole board to a matter of a few days, rather than what can take up to 9 months. We are asking that you take a stand on doing everything in your power to expedite commutations and release people who are 55 and older and/or have chronic health issues and no longer pose a threat to their communities.