

Mental Health Diversion:
It is estimated that 11% of the inmate population suffers chronic mental illness.

The County has a Jail Diversion Plan for chronically mentally ill offenders. The plan has not been fully implemented.

Some local police agencies are training road patrol officers in intervention techniques to reduce the number of mentally ill arrested and taken into custody

Pre-Trial Supervised Release:
Community Corrections offers the Bail Magistrate supervised Pre-trial release as an alternative to a cash bond for offenders who pose a higher risk for failure to appear due to substance abuse or other criminogenic factor. 90% of 300 annual referrals are pre-trial felons. Graduates of the program are less than half as likely to go to prison and significantly less likely to be sentenced to jail compared to other non-violent offenders countywide .

Community Corrections provides pre-trial electronic alcohol monitoring to more than 100 pre-trial offenders charged with OUIL or other alcohol-related offenses. Since the program expanded in FY 1999-00, the number of OUIL offenders in jail has declined 25%. (Three Types of Bail)

Police Activity Impacts Crowding:
Activities like drug sweeps result in increased bookings and short-term crowding problems.

The Jail is Chronically Overcrowded:
The Jail is 40% smaller per capita than the State average.

After no overcrowding emergencies in 1999 or 2000, there has been at least one overcrowding warning every month since October 2002

Sentencing reform has led more recidivism prone offenders to be sent to jail instead of prison. These offenders often violate probation upon release, returning to jail or going to prison. Probation violators are the least likely to bond and the most likely to get a jail sentence

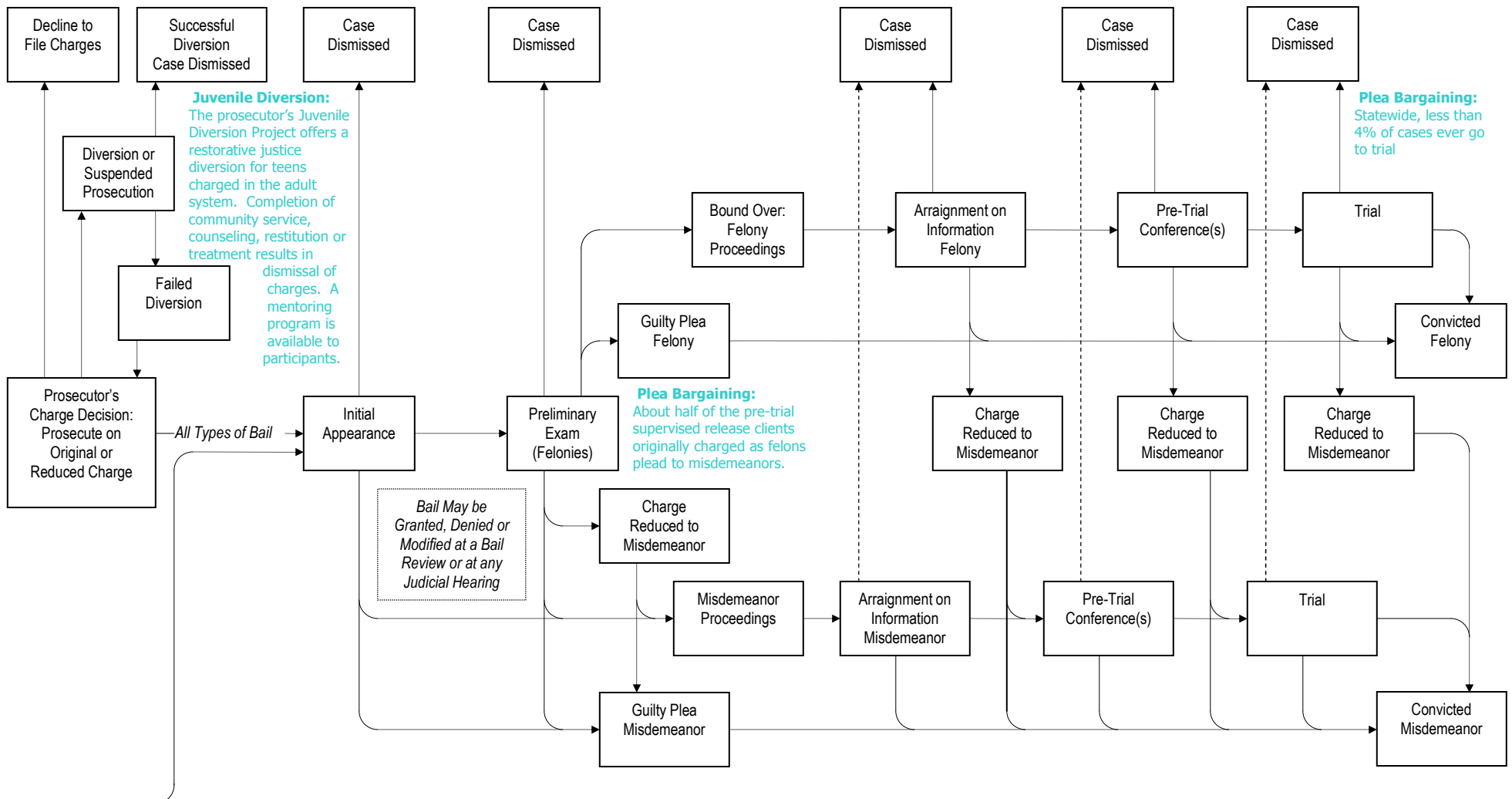
Jail Population Management Strategies Rely on Citation Release to Limit Pre-trial Booking:
The Jail responds to crowding by only booking felons, felony probation violators, stalkers and domestic violence offenders. This places more violent offenders and pre-trial felons in jail. as Misdemeanants, Civil and Ordinance violators (FOC), and parolees are given a citation to appear or released on a pre-set bail amount (Parolees, diverted to MDOC facilities).

The percentage of inmates (sentenced or unsentenced) lodged on a violent offense has increased from 43% in FY 1998-99 to 54% in FY 2001-02.

The percentage of Domestic Violence offenders in jail has risen from 11% in 2001-02 to 14% in 2002-03.

No Pre-Trial Services Unit:
The County does NOT have a pre-trial services unit to assist judges in bond recommendation

As Jail Management & Diversion Strategies Prioritize Jail Use for Violent Offenders, There are fewer appropriate non-violent inmates to divert to alternatives.



Unified Court Structure:
A Unified court system allows judges to accept pleas at Preliminary Exam.

Increased flexibility in assigning judges to cases streamlines procedures, reduces the number of court appearances for prosecutors and defense attorneys, reduces jail transport and expedites the processing of cases. This shortens the overall pre-trial detention period for offenders.

Felony Dispositions Increase with Population
The number of felony dispositions has grown in the past five years despite a statewide decade long decline in crime rates. Many experts are now pointing to indicators that suggest the trend towards declining crime rates is over. As jail capacity remains constant and population grows, the 1.04 beds per 10,000 in population will fall even farther behind the state average of 1.77 per 10,000.

Prison Alternatives:

Boot Camp: The MDOC operates a 90 day military-style boot camp followed by intensive supervision for non-violent offenders.

Residential Treatment: Community Corrections funds more than \$300,000 in residential treatment for more than 110 offenders per year.

WCSD releases almost 60 inmates who do not eligible for Community Corrections to self-pay residential treatment programs.

No Local Reintegration Center: The County has no Residential Reintegration Center to provide cognitive change programming, transitional programs for jail or prison inmates recently released or structured supervision that would allow offenders release to work. The nearest facilities are in Adrian and Pontiac.

State Prison (18.85% of felony dispositions) For the past five years, Washtenaw County has maintained prison rates well below the State Average, which has remained level between 22% and 24%.

Felony Probation (48.75% of felony dispositions) MDOC Probation has specialized intensive supervision and a night surveillance program ("Nighthawk") case loads for sex offenders, boot camp graduates, clients on electronic monitoring recidivism-prone non-violent offenders (PA 511).

Most minor rule violations can be resolved informally. A violation only goes to court after many informal efforts fail.

Revoked to Prison: 14.8% of technical probation violators are sent to prison

Probation violators constitute the fastest growing group of prison intakes and nearly equal new court commitments (36% to 38%)

Reduced Discretion: Sentencing guideline Reform limits judicial discretion to sentence certain non-violent recidivists to prison at initial sentencing

Day Reporting: Provides intensive supervision as a jail diversion for non-violent offenders. Services like cognitive restructuring, drug testing/ treatment are to reduce recidivism risk.

Violations: 1 in every 4 Circuit Court dispositions involves a probation violation.

Convicted Felony → Pre-sentence Investigation (Mandatory) → Felony Sentencing (1038 dispositions)

The Probation Department Is Key to Sentencing: Probation agents conduct offender background investigations, victim interviews, and advise the court on a recommended sentence in view of the available sentencing options prescribed by law. Probation may recommend jail or prison alternative programs or other special conditions an offender must follow. Some studies show judges will follow Probation's recommendation 95% of the time. Availability and awareness of jail alternatives is as important as Probation's willingness to use them.

Jail Work Program The WCSD offers a restorative justice supervised community service program as a jail alternative for misdemeanants and felons.

Split Sentence (11.35% of dispositions)

Earned Release: Inmates earn early release or release to community aftercare programs by completing jail-based cognitive restructuring or substance abuse treatment. There are also early release programs for DV offenders through jail-based batterer's counseling.

Try Again: On average, 2 of every 3 violators had a previous violation on that same case.

Go To Jail: 68% of all revocations for technical violations served jail time

Convicted Misdemeanor → Pre-sentence Investigation (Optional) → Misdemeanor Sentencing

No Work Release: The WCSD does NOT offer a work release program. A Weekender program lets employed offenders serve jail time on weekends

Jail Jail-Based Earned Release Programs or Release Due to Emergency Overcrowding (Straight Jail with no probation equaled 20.96% of all felony dispositions) **GED classes, counseling programs and unpaid** Jail Term Expires

Some early releases to the street are violent inmates not eligible for alternative programs or probation violators who were revoked to jail after repeated violations.

Intermediate Sanctions: Intermediate Sanctions can be punitive or therapeutic alternatives to jail or prison. This includes: Jail-based, residential or outpatient cognitive restructuring or drug treatment; Specialized counseling for battering, Anger Management or Sexual Predation; Boot Camp; Day Treatment Programs (Day Reporting); electronic tether or electronic alcohol monitoring; Drug testing; Participation in Educational or Vocational Programming; Night Surveillance; Supervised or unsupervised Community Service; Victim impact Panels; Fines, Costs & Restitution

Intermediate Sanctions → Fail to Comply → Violation Substantiated

Violation Substantiated → Probation Revoked

Probation Revoked → Case Closed

Probation Violation or Judicial Review → Dismissed → Probation Reinstated

District Court (Misdemeanor Probation) Washtenaw County has a specialized Domestic Violence Unit with expanded powers to expedite arrests of probation violators.

Jail Overcrowding Act: PA 325 of 1982 mandates that Judges use their collective legal authority to reduce the jail population to 10 beds below the rated capacity within 14 days of the jail having exceeded capacity for 7 consecutive days. In the extreme case, a judge may order a blanket percentage sentence reduction for every inmate below a certain classification level.

Effective sanctioning often involves using a combination of punishments and treatment designed to manipulate positive change by increasing levels of treatment or control of the offender along a continuum of services. This requires that the right combinations of services and accountability are matched to an offenders risk and need. It is not sufficient to have a variety of sanctions. The sanctions and their purpose must be understood, linked together, and used creatively.