

# MDOC Prison Population Update

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# What is the Population Impact of COVID-19?

- ▶ In the short-term, the prison population is heavily influenced by three variables, (Moves to Parole, New Sentence Intake and Technical Parole Returns).
- ▶ As of June 5<sup>th</sup>, the MDOC's population was 35,957.
  - ▶ Male Population: 34,089
  - ▶ Female Population: 1,868
- ▶ Population Decline since March 20<sup>th</sup>: **1,958**
  - ▶ Male Population: **1,798**
  - ▶ Female Population: **160**

# Why Has the Population Declined?

- ▶ The Parole Board expedited review of additional eligible cases during this period, including the cases of previous technical violators and those prisoners with a deferred parole decision.
- ▶ The Parole Board did not release anyone “early”, as they lack the legal authority to parole a prisoner prior to the completion of their minimum date.
- ▶ The statutory requirements for parole limit the speed with which a parole release can happen, which is why we consider both Parole Grants and Moves to Parole.
- ▶ The MDOC took several steps to accelerate parole releases in accordance with the law.
- ▶ The MDOC effectively received no newly sentenced prisoners for more than 6 weeks based on the closure of courts and an Executive Order preventing intake into the MDOC until county jails have approved COVID plans.

# Prison Intake (Newly Sentenced Felons)

- ▶ The MDOC experienced the unprecedented halt of all new prisoner intake into the MDOC beginning on March 29<sup>th</sup> and intake was restarted for approved counties on May 7<sup>th</sup>. In addition to the Governor's Executive Orders, most courts around the state closed during this period.

Month	'19 Prison Intake	'20 Prison Intake	Change
March	617	500	(117)
April	641	2	(639)
May	614	167	(447)
Total	1,872	669	(1,203)

# Prison Returns (Technical Parole Violators)

- ▶ Parolees returning for serious technical violations represent the final significant short-term variable for the prison population.

Month	'19 PV Returns	'20 PV Returns	Change
March	126	138	12
April	133	44	(89)
May	131	52	(79)
Total	390	234	(156)

# Parole Board Moves

Parole Moves represent the physical release from custody. They are a lagging indicator of actual parole board activity.

Month	'19 Parole Moves	'20 Parole Moves	Change
March	670	718	48
April	775	796	21
May	745	968	223
Total	2,190	2,482	292

# Parole Board Actions

Parole grants represent positive parole actions, but physical release may not occur for 3+ months due to statutory requirements.

These are a leading indicator of future releases.

Month	'19 Parole Grants	'20 Parole Grants	Change
March	850	906	56
April	911	1226	315
May	823	963	140
Total	2,584	3,095	511

# What Has Driven the Change in Population?

- ▶ While paroles will continue to be higher than last year for the next few months, the parole grant trend indicates the peak was in April.
- ▶ Many of the cases the board voted to parole over the past two months are cases they would have voted to parole later this year, meaning the board has “pulled forward” the quality cases, leaving fewer potential paroles before the end of 2020.
- ▶ Over one third of counties are now sending prisoners to the MDOC and that number continues to increase each week.
- ▶ Crime has not stopped, but it may take the courts the remainder of 2020 to catch up on delayed cases, resulting higher than average intake over the next 6 to 12 months period.

# MDOC Capacity Update

- ▶ While the prison population has declined since March, the MDOC has had to open additional capacity. While the hope is the reopening of these units (JCF, DRF, ARF, Green Oaks) are temporary, they remain a key part of the MDOC's COVID response.
- ▶ Effective COVID mitigation plans require the following:
  - ▶ Testing: Michigan is one of only two states to test every prisoner.
  - ▶ Isolation: The MDOC has been moving prisoners to designated units based on COVID status since the start of the outbreak and must maintain the flexibility to do so until the risk of COVID has fully subsided.
  - ▶ Social Distancing: The MDOC has been aggressive with its efforts to promote social distancing. Capacity and space are both needed to support this task.

# MDOC Conclusions

- ▶ COVID-19 is likely to have a permanent impact on the prison population figures, including a potential population decline that is greater than what was projected in February, but it is too soon to gauge the exact impact.
- ▶ The prison population will likely increase from current levels before the end of the year as courts reopen, intake becomes more robust and moves to parole decline due to a lack of new meritorious cases.
- ▶ The need for prison capacity and how prisons operate has fundamentally changed due to COVID.
- ▶ While the MDOC is aware of the immense budget pressures facing our state, we strongly oppose reducing prison capacity until the threat of COVID has passed.