



## **MAC 2020-2021 Proposed Judiciary & Public Safety Platform**

There are two copies of the 2020-2021 Proposed platform in this document:

- The first document is the final proposed form with all edits and review cleaned up with no track marks
- The second document shows how our committee arrived at the final proposed language. All colored text, strike-throughs, and comments are indicative of changes made during this year's committee process



## 2020-2021 PROPOSED JUDICIARY & PUBLIC SAFETY PLATFORM

This committee shall review all pending criminal justice and public safety policy and fiscal reforms that may impact county governments. This committee has the responsibility to assess the impact and adequacy of state appropriations related to local criminal justice systems.

### COURTS

#### MAC supports:

- the creation or expansion of sustainable court-funding mechanisms.
- courts assessing reasonable costs on criminal defendants in accordance with PA 352 of 2014.
- court reforms that seek administrative and operational efficiencies, such as, but not limited to, controlling personnel costs and streamlining records management procedures and data collection efforts.
- the role of county clerks of the circuit court, which have a constitutional stake in the trial court funding reform and should be consulted as the State considers critical funding reforms for the court system.
- the establishment and/or expansion of funding for specialty courts.
- statutory language that prohibits judges from bringing an action against a county without prior approval by the Michigan Supreme Court, as it pertains to claims of inadequate funding from the county board of commissioners.
- implementation of indigent defense standards, but only if the state provides full and complete funding, not to include dollars remitted from local funds, for the changes, now and into the future.
- codifying best practices for setting bail that includes provisions to minimize any risk to public safety and does not violate Article 1, section 15 of the Michigan constitution.
- expansion of pre-trial risk assessment tools that create accuracy in the criminal justice system while maintaining safe communities.
- continued partnership with the Michigan Task Force on Jail and Pretrial Incarceration to support smart criminal justice reform and lessening burdens on county jails while maintaining public safety. We recognize that communities of color are often over-represented in our jails and support continued work on more equitable policies.

### CORRECTIONS

#### MAC supports:

- county discretion to utilize private detention facilities. Statutory and budgetary changes to reduce the cost of health care and mental health services in county detention facilities.
- changes to allow healthcare providers to bill at the Medicaid established rate for all inmates who do not possess private health care insurance and receive medical care outside of the county jail.
- the continuation of Truth-in-Sentencing policies.
- the funding of and new investment in community corrections programs.
- the restoration of the state’s leased beds program and exploration of alternatives to the leased beds program.
- the continuation of the County Jail Reimbursement Program that does not include any financial penalties due to county policy/ordinance/rule, especially those policies/ordinances/rules that county boards do not have sole authority over.
- mandatory impact analyses of all state juvenile and adult criminal justice policy proposals, including estimates of fiscal impacts on state and local budgets.
- full funding for treatment programming and services for the 17-year-old juvenile justice population.
- a policy emphasizing the implementation of the following before initiatives to house state prison inmates in county jails are contemplated:
  - primary prevention;
  - juvenile education;
  - drug education and effective law enforcement;
  - expanded substance abuse treatment programs;
  - adequate funding of youth assistance prevention programs;
  - expanded Mental Health Treatment alternatives to incarceration; and
  - use of the Michigan Prisoner Re-entry Program (MPRI) to reduce probation and parole failure rates.

**MAC opposes:**

- any state-led efforts to alleviate prison crowding by shifting responsibilities to counties, unless full funding for all related costs is appropriated and sufficient time is allocated for all diversion programs.
- Any effort to remove the constitutional right of crime victims to be treated fairly and with dignity in the truthful sentencing of defendants.

**LAW ENFORCEMENT**

**MAC supports:**

- funding of secondary road patrol.
- legislation that holds county governments and law enforcement harmless from liability in pursuit situations and emergency response.

**EMERGENCY 911 FUNDING AND OPERATIONS**

**MAC supports:**

- keeping 911 operations and funding at the local level.
- the concept of voluntary consolidation of local 911 centers, either physically or virtually, when efficiencies can be gained and public safety is not diminished. The state should grant opportunities for this purpose.
- adequate state funding for NG 911 or 911 services and continued ability for county governments to ensure all telecommunication devices shall share in the responsibility of funding through the retention of the 911 surcharge.
- policy changes for transparency so counties have an accurate accounting of devices from the telecommunications industry.
- rules to require entities with multi-line telephone systems, such as schools and businesses, to have the location of the phone register at 911.
- legislation that requires telecommunication providers to annually report funding collected from 911 surcharges levied on all telecommunication devices.
- legislation that enables counties to audit 911 surcharge collections by telecommunications providers that mirrors the current ability to audit lodging tax collections by hotels and motels.

**MAC opposes:**

- the mandated consolidation of 911 dispatch.



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#### MAC opposes:

- [constitutional revisions that change duties of the county clerk.](#)

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- mandatory impact analyses of all state juvenile and adult criminal justice policy proposals, including estimates of fiscal impacts on state and local budgets.
- ~~a policy that treats full funding for treatment programming and services for the 17-year-olds juvenile justice population, as juveniles so long as counties are held harmless and funding for treatment programming and services are funded solely by the state.~~
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