

Spreen's view

Jail crowding law 'schizophrenic'

By Carol Azilian
staff writer

A new state law designed to reduce overcrowding in county jails has drawn both criticism and praise from sheriffs in Oakland and Wayne counties.

Oakland County Sheriff Johannes F. Spreen dislikes it, saying it gives a "schizophrenic message." Wayne Sheriff Loren Pittman praises it.

Sheriffs must comply with the new law by declaring a state of emergency when the inmate population exceeds maximum capacity for seven consecutive days. They also must take steps to reduce sentences and release prisoners when jails are overcrowded.

"On the one hand," said Spreen, "we work to arrest offenders and take them off the streets. Then, under the bill, we must participate in a process to release them before their sentences are completed."

BUT WAYNE Sheriff Pittman said Wayne County has followed procedures

similar to those outlined in the bill for several years.

Pittman, a former River Rouge police chief, admitted "the concept of early releases, lower bonds and other formulas designed to ease overcrowding is usually contrary to general police philosophy."

But he said, "My duties with the Wayne County Sheriff's Department have shown me the other side of the coin."

SPREEN, WHO already has declared a state of emergency, will start making plans to release nearly 70 Oakland prisoners.

Under the law, the maximum number of prisoners allowed in the Oakland jail is 385. During the first week of this month, there have been as many as 494 inmates in the jail at Pontiac.

"We're going to end up releasing all the good prisoners (those in work release programs and trusty camps) and keep all the bad," said Spreen. He said the problem could become

chronic in Oakland County.

"It is entirely possible that we will be in almost a continuous state of emergency if our inmate population follows past trends."

"We're herding people in there like cattle," he said. "If we had more space, we could treat the prisoners better."

SPREEN HAS been battling for almost two years with the County Board of Commissioners for either a larger jail facility or alternative housing for low-risk prisoners in empty buildings such as closed schools.

Current solutions to the overcrowding problem are costly and ineffective, Spreen said.

The county now ships as many as 60 inmates to jails in Washtenaw and Allegan counties at a cost of nearly \$50,000 per month.

Spreen has suggested that a 100-bed women's facility be constructed to relieve the problem. "This would allow us to use almost 50 beds for male prisoners in the main jail."

"Modular construction would allow us to have such a facility at much less cost and build it within six months," he said. It takes up to three years to build a permanent jail facility.

WAYNE COUNTY'S new jail, scheduled for completion in fall, is expected to ease overcrowding problems.

But Pittman cautioned that the new jail may only provide a temporary solution. "It has been my experience that any new space available is quickly filled," he said.

The new jail will house 576 prisoners. The maximum capacity for the Wayne County jail, including an annex in Westland, is 1,033 prisoners.

For the past month, the inmate population has been near capacity every day, according to a sheriff's department spokesman.

Those measures are necessary because Wayne County has been under a court order for several years to hold its population down to the maximum capacity, the spokesman said.

Overcrowding law only a 'short-term solution'

The new law designed to ease overcrowding at county jails has been described by sponsors of the bill as a "short-term solution to a very serious problem."

The bill provides incentives to county officials to use already available legal means to ease overcrowding, according to state Rep. Jeffrey Padden, D-Wyandotte, chief sponsor.

Here's how the law works:

- When the inmate population exceeds maximum capacity for seven consecutive days, the sheriff must notify the chief circuit judge, chief district judge and each municipal court judge in the county, the chairman of the county board of commissioners and the county executive.

- If county and court officials agree with the sheriff's jail count figures, then the sheriff declares a state of emergency.

- The sheriff and judges then attempt to reduce the jail population by legal, available means. Those include reducing bonds, delaying sentences, giving out work release or community service orders or providing alternative

housing.

- If those measures fail to reduce the jail population to 90 percent of maximum capacity within two weeks after the state of emergency is declared, then the sheriff must give the chief circuit judge a list of prisoners, their offenses and sentences.

- The chief circuit judge classifies the prisoners into two groups — low and high risk — and sets limits for reducing sentences. The sheriff then reduces sentences of all low-risk prisoners.

- If the jail population still exceeds 90 percent of maximum capacity after 28 days, then the sheriff must reduce sentences of all prisoners. But he can't reduce sentences by more than 30 percent across the board.

- If that measure fails to reduce the inmate population, the sheriff can turn away some prisoners. He can't, however, turn away persons convicted of or charged with violent or assaultive crimes, sex offenses, escape from prison or jail, drug or weapons offenses.



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