



**TESTIMONY OF DAVID H. SAFAVIAN, ESQ.  
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THE CONSERVATIVE POLITICAL ACTION COALITION  
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The purpose of the criminal justice system is, first and foremost, to make communities safer. The best way to ensure we do that is by tackling the underlying drivers of crime while also ensuring we hold offenders accountable. Michigan can accomplish these goals by properly investing in mental health and vocational programming for those who are serving their time in prison. Programs like these are proven to reduce recidivism and make Michiganders safer.<sup>1</sup> This is about incentivizing the 95 percent of people who are incarcerated and will come home, to do the hard work of self-improvement in order to become productive and law-abiding citizens once they return to their communities.

The *Safer Michigan Act* and the programs it promotes through productivity credits are a step in the right direction. Studies show that those who go through similar programs, be they vocational, educational, or rehabilitative, have been less likely to recidivate upon release.

People respond to incentives, and by allowing low-level offenders to gain credits that can earn them an earlier opportunity for parole, these individuals will be directed towards programs that will benefit them not only for the rest of their time in prison, but for the rest of their lives. An *effective* public safety strategy cannot be merely longer sentences and harsher penalties; rather it requires a holistic approach to crime and recidivism. That is because every case of re-offending is also a new crime, a new victim, and likely another prison cell. The evidence is clear: to achieve long-term crime reduction, states *must address the drivers of recidivism*.<sup>2</sup> For

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<sup>1</sup> Rand Corporation, Does Providing Inmates with Education Improve Postrelease Outcomes?, Journal of Experimental Criminology, July 3, 2018, [Does Providing Inmates with Education Improve Postrelease Outcomes? A Meta-Analysis of Correctional Education Programs in the United States | RAND](#) (Finding that inmates participating in correctional education programs were 28% less likely to recidivate when compared with inmates who did not participate in those programs); Alliance for Safety and Justice, Productivity Credits-A Victim Centered Approach to Public Safety, (“Research has consistently found that providing incentives for rehabilitation reduces recidivism and decreases crime. According to the National Academies of Science, studies indicate that drug treatment, education programs, vocational training, and other forms of in-prison programming all reduce recidivism and improve outcomes post-release”).

<sup>2</sup> Bronna Kahle & David Guenther, Give inmates an education and they’ll be less likely to re-offend, Crain’s Detroit Business, May 31, 2022, [Commentary: Give inmates an education and they’ll be less likely to re-offend | Crain's Detroit Business \(crainsdetroit.com\)](#) (Mackinac Policy Center and State Representative Bronna Kahle-“Other states with similar programs have seen resounding success. According to a recent report co-authored by two renowned former corrections officials, Ohio prisoners who took part in a college degree program while behind bars

example, one study in Minnesota showed that prisoners who completed work or education programs behind bars were 17 percent less likely to be sent back to prison upon their release.<sup>3</sup> These reductions in recidivism have a direct impact on crime and community safety.

The best way to help ex-offenders stay on the straight and narrow is to address mental illness, addiction, and job training *while they are in prison*. I know from firsthand experience as a lawyer, a cop, and as a prisoner that idle hands become the devil's work. We want offenders paying off their debt to society while being incentivized to do the work that will improve post-release outcomes.<sup>4</sup> The *Safer Michigan Act* would allow inmates to earn productivity credits for engaging in programming that hits at the very heart of those problems.

This is not about letting incarcerated individuals avoid accountability. Quite the opposite. We want accountability to be paired directly with rehabilitation and the chance for redemption. Those who have committed very serious crimes are not eligible for productivity credits under the legislation. But for those who are eligible, the incentive to participate in programs that will lead to lower recidivism and earlier opportunities for parole is a powerful one that is working in over 30 other states.<sup>5</sup> Those states that have enacted similar laws have seen their recidivism rates drop or remain stable while also cutting corrections costs.

Maybe most importantly, this bill package is supported by victims. Thousands of victims across Michigan have already voiced support for the *Safer Michigan Act*.<sup>6</sup> Victims want a criminal justice system that prioritizes safety and takes steps to ensure that former offenders do not re-offend, causing further harm.

We know some of our law enforcement partners in this state have signed on to support this bill package. This hearing comes with fortuitous timing, on the heels of national police week, where we honor those who serve, including correctional officers. We believe that our correctional officers are an invaluable part of the criminal justice system in Michigan and across the country. The *Safer Michigan Act* would provide incentives that will keep prisons safer for the incarcerated and the law enforcement alike.

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were half as likely to commit new crimes. These programs also lead to millions of dollars worth of savings for taxpayers, with Pennsylvania saving more than \$400 million after 10 years.”)

<sup>3</sup> Gary Maynard & Gary Mohr, *The Case for Productivity Credits in Michigan*, Alliance for Safety and Justice, April 2021, <https://allianceforsafetyandjustice.org/wp-content/uploads/2021/04/ProductivityCreditsBrief.April2021-1.pdf> (Also Finding that in Kansas, following the establishment of similar programs, the state saw a 35 percent reduction in new crime committed and a 45 percent decrease in parole revocations by those completing the programs. In Pennsylvania, a similar program saw a 17 percent reduction in recidivism for those that completed the program.

<sup>4</sup> We want to incentivize incarcerated individuals to work and pay off their debt to society. Just like the current federal budget debate about working to get welfare benefits, we believe it is imperative that this system incentivizes working or educational programs to get credit. Unlike the ballot eliminated good time system that Michigan had previously, this bill package is forcing those incarcerated to actively do the hard work that statistically leads to better post-release outcomes. David Safavian's firsthand experience in all areas of the legal and criminal justice system is not only a testament to the power of second chances, but also allowed him to directly witness the positive results that come with the kind of programs contained in this bill package.

<sup>5</sup> Alliance for Safety and Justice, *Safer Michigan Act FAQ*

<sup>6</sup> Crime Survivors Speak: Michigan Victims' Views on Safety and Justice, Alliance for Safety and Justice, [https://allianceforsafetyandjustice.org/wp-content/uploads/2018/07/ASJ\\_MichiganCrimeSurvivorBrief-F2-ONLINE.pdf](https://allianceforsafetyandjustice.org/wp-content/uploads/2018/07/ASJ_MichiganCrimeSurvivorBrief-F2-ONLINE.pdf)

This proposal is not a one-way street. Productivity credits can be earned monthly based on participation and completion of these programs, but the credits earned in that month can also be forfeited due to major misconduct while in prison. As we noted, incentivizing good behavior in prison makes everyone involved – from the other inmates to the corrections officers and staff – safer. The policy in front of you today will incentivize those behind bars to do the hard work of self-improvement, so that when they are released, they become productive and law-abiding members of the community.

The benefits of this bill package do not stop there. It will also save Michigan taxpayers money. Estimates show that by the time the policy reaches full impact, approximately 4 years after the effective date, Michigan could save as much as \$130 million total.<sup>7</sup> Those savings will place a smaller burden on taxpayers and free up tax dollars that can be repurposed for greater investment into not only these beneficial programs, but also our law enforcement partners.

Indeed, we would urge you to earmark a significant portion of these savings for police, sheriffs and prosecutors. Putting more cops on the beat, increasing salaries and retention bonuses to keep the good ones we already have, and fully funding Prosecuting Attorneys, will reduce crime, as well ensuring that inmates have access to addiction, mental health and employment programming that has been proven to lower recidivism.

If so implemented, we are confident that *Safer Michigan Act* will increase public safety, improve prison conditions, and give those who have paid their debt to society the tools they need to put their past behind them.

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<sup>7</sup> Alliance for Safety and Justice, Safer Michigan Act FAQ

