



# LAW ENFORCEMENT ACTION PARTNERSHIP

ADVANCING JUSTICE AND PUBLIC SAFETY SOLUTIONS

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Date: March 21st, 2024

Re: HB 599 - Medically Frail Reform

Position: SUPPORT

To: The Michigan Committee on Civil Rights, Judiciary, and Public Safety

Distinguished Members of the Committee,

The Law Enforcement Action Partnership supports SB 599 - Medically Frail Reform. Holding people with permanent, serious, or terminal medical conditions when they do not pose a significant public safety threat is a waste of our justice system's finite resources.

The Law Enforcement Action Partnership (LEAP) is a nonprofit group of police, prosecutors, judges, and other criminal justice professionals who speak from firsthand experience. Our mission is to make communities safer by focusing law enforcement resources on the greatest threats to public safety and addressing the root causes of crime.

As law enforcement, it concerns us to see our criminal justice system valuing punishment above safety. Since most incarcerated people will be released, we rely on our prison system to focus its limited resources to ensure people are prepared to successfully reenter society. However, the prison system is unable to effectively focus its resources when it must also house a large population of people who do not need to be incarcerated.

One particularly large drain on our prison system is the unnecessary incarceration of medically frail people. Prisons are not designed to house medically vulnerable people, but the Michigan Department of Corrections must address any medical needs that arise – no matter how complex or costly. As a result, Michigan spends over \$327.2 million annually on healthcare for incarcerated people. These costs will only continue to increase as the prison population ages. By 2026 1 in 5 incarcerated people in Michigan are expected to be 55 or older.

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*Formerly known as Law Enforcement Against Prohibition*

The overall costs for older people in prison are approximately [three times](#) higher than for younger incarcerated people. Providing healthcare for medically frail people drains the finite funds of the Michigan Department of Corrections.

Many medically frail incarcerated people pose little risk to public safety and no longer need to be behind bars. Thousands of people who committed crimes as youth are still in prison as middle-aged and senior citizens. Decades of brain research shows that [young brains continue to develop into adulthood](#), so people change as they begin to weigh long-term consequences of their actions. People in their 40s are [much less likely to commit crimes](#). Nationally, the recidivism rate for people over 50 is [just 2%](#), and it is near zero for people over 65. Many medically frail people— the vast majority of whom are elderly – can be released without creating a significant risk to public safety.

We applaud the legislature for recognizing this problem and passing medically frail reform in 2019, legislation that now needs to be fixed. The [2019 Medical Parole laws](#) are not functioning as intended due to unforeseen issues with statutory definitions, available placements, and release issues. Since 2019, [only one person has been paroled under this law, while 158 people died of COVID](#).

Fortunately, legislators have introduced SB 599 to help correct issues in the 2019 Medical Parole laws. SB 599 would enable the parole board to parole medically frail people, allowing them to get appropriate care outside of prison. The parole board, in consultation with the bureau of health care, would use their expertise to determine if a person is medically frail. Medically frail parole would be reserved for people who, by definition, pose no threat to public safety due to a permanent, serious, or terminal condition and/or a disabling mental disorder that significantly impairs one's ability to perform daily living activities (such as walking or standing) without assistance. Addressing the problems with the 2019 legislation would allow the Michigan Department of Corrections to focus on its core function of public safety instead of addressing complex healthcare needs.

Releasing medically frail people on parole would also help strengthen police-community trust. When one person is incarcerated, their families and communities are also impacted. Tens of thousands of families across our state are missing one or more family members: children, parents, grandparents, and great-grandparents. We lose critical community trust when we incarcerate their loved ones for long periods of time when they hold little to no threat to public safety. When we have the public's trust and cooperation, we are more successful in preventing and solving serious crime.

As law enforcement professionals, we believe SB 599 would help prioritize the state's resources to focus on preventing future serious, violent crime. Michigan has an opportunity to save lives – and [millions of dollars annually](#) – by listening to the [70% of Americans](#) across party lines who support compassionate release programs and medically frail parole. By enabling a parole board to parole medically frail people, we could strengthen police-community trust and free up law enforcement resources, which would make the communities we protect and serve safer.

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Thank you for the opportunity to share our experience in support of this bill.

Respectfully,



Diane Goldstein  
Redondo Beach Police Department  
Executive Director, The Law Enforcement Action Partnership