

**STATE BAR OF MICHIGAN
PRISONS AND CORRECTIONS SECTION
MEETING MINUTES
CHRISTIE'S BISTRO, LANSING**

FEBRUARY 28, 2009

PRESENT: S. Gobbo; N. Holbrook; R. Johnson; B. Levine; M. Marutiak; D. Moffitt; J. O'Donnell; R. Stapleton; P. Streeter; A. Laws-Wright; M. VanDusen.

ABSENT W/EXCUSE: C. Green; S. Girard; D. Manville; K. Schaefer; A. Watts.

ABSENT WITHOUT NOTICE: R. Beracy

The meeting was called to order at 10:04 a.m. with a welcome and introduction of Council members to new member A. Laws-Wright.

S. Gobbo made a motion to adopt the meeting agenda and the January meeting minutes, seconded by N. Holbrook. Approved.

DISCUSSION/ACTION

- **Financial Report: S. Gobbo**

The section currently has \$2,726.71, on hand.

The section's post office box has been closed. After discussion it was determined that all future correspondence shall be sent through to the Bar Association.

Authorization was requested by P. Streeter for an invoice to continue the section's conference website. The cost is \$76.89/yr. B. Levine made a motion to accept the Treasurer's report and approve the website payment seconded by S. Gobbo.

- **Verbal Report:** Law School for Legislators 2/10/2009. The presentation and information were well received. P. Streeter will make copies of the packets for all Council members who could not attend.

- **Spring "Balancing Our Priorities" Symposium:**

Task force members were not present at the meeting. M. Marutiak will ask that dates and details be determined soon.

- **Implications of S. Lafeve Case to other Pre-TIS Cases:** R. Stapleton

Susan LaFeve, (the 1979, escapee apprehended in California), was originally sentenced under old drug laws, therefore was eligible for special parole. After her apprehension, the Judge granted authority to the Department of Corrections to make the parole decision. R. Stapleton doesn't believe there will be any implication to other pre-TIS cases due to the fact that MCL 791.233b lists many convictions specifically not eligible for special paroles.

- **Discussion/Election for Open Council Seat:**

B. Levine nominated attorney John Shea of Ann Arbor to the open Council position; seconded by D. Moffitt. All voting members approved the appointment with raised hands (9-0-0). The open term expires in 2010. The interim election allows Mr. Shea to fill the position until the next annual meeting when the remainder of the term will be open for election.

- **Discussion of TIS Policy Recommendation/Statement:** B. Levine

S. Gobbo suggested the report be reorganized to immediately show our policy position at the beginning followed by the historical and informational sections.

M. Marutiak had concerns with CRP being used with prisoners released prior to the ERD. He also had some questions as to how the process will be seen as transparent by the public at large if the state returned to pre-ERD CRP. Would the public actually see the judges' statements (recommended by the draft policy statement) on how earned credit could affect the service of the minimum sentence?

R. Stapleton believed that addressing both the CRP and ERD issues in one statement may be too much. After discussion, the consensus was to separate the two recommendations into different policy statements and for them to be offered to the Council separately.

B. Levine agreed to do a revised draft of a public policy position focusing on earned credits and transparency.

The revised draft will be distributed to Council members in advance of the March meeting with the expectation of a formal public policy position vote at that meeting.

- **Additional Discussion**

The Council then engaged in a general discussion about the recent Council of State Government report and GPS tethers for parolees.

MISCELLANEOUS BUSINESS:

- **Newsletter:**

Watts is still looking for articles. Please e-mail Adrian at attyacw@aol.com, or fax to her at 248-399-8530.

- **Chair's Report:** M. Marutiak

The Bar's Annual meeting is scheduled for 9/17-9/18/09, in Dearborn. M. Marutiak reserved both a meeting room and a program room. Because it will cost the Section the same (\$150) for one room or both, he got both. If our section decides not to do a program, we still have the option to cancel both rooms by the end of July.

Our Section's annual meeting will be on Friday, 9/18, from 9:00 a.m. to 9:30 a.m., either in the room now reserved or a nearby place to be announced later.

S. Gobbo suggested that we might do a program combining the Balancing Our Priorities presentation with the PowerPoint used for the Law School for Legislators.

NEXT MEETING: March 21, 2009, at 10:00 am, at the State Bar building.

Meeting adjourned at 12:16 p.m.

PRISONS AND CORRECTIONS SECTION

Michael J. Marutiak, Chair