A RESOLUTION SUPPORTING THE WASHTENAW COUNTY SHERIFF'S OFFICE DEBT FORGIVENESS OF JAIL ACCOUNTS

WASHTENAW COUNTY BOARD OF COMMISSIONERS

FEBRUARY 3, 2021

Prepared by: Diane Heidt, Deputy County Administrator

WHEREAS, under the State Correctional Facility Reimbursement Act, Sheriffs have the right to recover any, and all, monies that incarcerated individuals owe as a result of their incarceration; and

WHEREAS, the Sheriff’s Office is committed to ensuring that everyone in Washtenaw County custody receives appropriate care and is treated with dignity and respect; and

WHEREAS, each individual that is lodged in the WCSO facility for more than twenty-four hours receives a set of items free of charge that is intended to help meet their basic needs. Anyone needing additional supplies and services can purchase them from the Commissary or as part of a larger Incarceration Services architecture; and

WHEREAS, individuals that receive these items and services without the financial ability to purchase incur a debt. Historically, the WCSO has not aggressively pursued non-payment through creditors or other means, but the debt held over someone does impact their day-to-day living conditions; and

WHEREAS, during a recent review of the debt owed since 2013, corrections staff were able to identify 31,614 individuals impacted by a total debt of $509,888; and

WHEREAS, relieving the burden of debt for individuals impacts jail operations in several ways:
   1. Without the debt, individuals are able to better meet their basic needs beyond what we provide while incarcerated. When basic needs are met, behavior within the jail is improved. This is key contributor to maintaining safety for staff, volunteers and incarcerated individuals,
   2. Individuals with existing debt are reluctant to seek basic services, like seeing the doctor or visiting the dentist for fear of incurring additional debt. This leads to more significant medical and dental conditions and may result in more expensive emergency care. The jail is financially obligated to cover emergency care and subsequently the budgetary impact on jail operations is significant, and
   3. Currently, if a family member of incarcerated individuals' deposits money into an account where debt is owed, the amount deposited is seized and allocated towards the debt. This discourages families from financially supporting their incarcerated loved ones and in some cases is a barrier to family involvement and reunification; and

WHEREAS, the WCSO has previously taken steps to reduce the cost of incarceration in several ways:
   1. Eliminated telephone collection fees entirely, while also reducing the cost of local or non-local calls, and
   2. During the first 2 months of Covid-19 provided access to 2 free 15-minute calls per week in order to stay in touch with family, friends, and counsel; and
   3. Incarcerated individuals that do not have the means or support to purchase supplies are considered indigent. In 2019 the Sheriff’s Office increased the monetary allocation for
individuals that are indigent from $3 to $5 per week and expanded the kinds of items that could be purchased using those funds; and

WHEREAS, “Our decision to eliminate this debt reflects our understanding of the stress and financial burden of incarceration,” said Jerry Clayton, Sheriff of Washtenaw County. “We know that as people leave our jail in hope of positioning themselves to be successful upon returning home, the burden of jail debt is an added negative factor that can undermine their attempt at reintegration and unnecessarily contribute to the cycle of incarceration. We also know that incarceration can seriously compromise a person’s ability to generate income, leading to even more debt. It’s this absurd cycle, along with reducing recidivism that we are focused on.”; and

WHEREAS, Washtenaw County Sheriff, Jerry L. Clayton is asking for the assistance of our community partners and community members to spread the word to individuals who were incarcerated in the Washtenaw County Jail at any time from January 1, 2013 to December 31, 2020 that the Washtenaw County Sheriff’s Office is formally announcing the decision to forgive any and all outstanding jail debt for individuals who accrued that debt while incarcerated within the Washtenaw County Jail.

NOW THEREFORE BE IT FURTHER RESOLVED that the Washtenaw County Board of County Commissioners hereby supports the Washtenaw County Sheriff’s Office Debt forgiveness of jail accounts for any debt incurred while incarcerated within the Washtenaw County Jail prior to January 1, 2021.

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ROLL CALL VOTE: 9 0 0

STATE OF MICHIGAN
COUNTY OF WASHTENAW

I, Lawrence Kestenbaum, Clerk/Register of said County of Washtenaw and Clerk of Circuit Court for said County, do hereby certify that the foregoing is a true and accurate copy of a resolution adopted by the Washtenaw County Board of Commissioners at a session held at the County Administration Building in the City of Ann Arbor, Michigan, on February 3, 2021, as it appears of record in my office.

In Testimony Whereof, I have hereunto set my hand and affixed the seal of said Court at Ann Arbor, this 4th day of February, 2021.

LAWRENCE KESTENBAUM, Clerk/Register

BY:______________________________________
Deputy Clerk

Res. No. 21-018