

# Michigan Jails Task Force – House Legislative Package

Recommendations regarding driver’s license suspensions, misdemeanor reclassification, and mandatory minimum jail sentences.

## Stakeholders Consulted:

*Prosecuting Attorneys Association of Michigan*  
*Michigan District Court Judges Association*  
*Michigan Judges Association*  
*Michigan Sheriffs’ Association*  
*Fraternal Order of Police*  
*Michigan State Police*  
*Michigan Department of Transportation*  
*Secretary of State*  
*Michigan Association of Counties*  
*Michigan Coalition to End Domestic and Sexual Violence*  
*American Bail Coalition*  
*Oakland Co. Pretrial Services*  
*Americans For Prosperity (Michigan & National)*  
*Mackinac Center*  
*Michigan Catholic Conference*  
*American Conservative Union*  
*R Street Institute*  
*Americans for Tax Reform*  
*Prison Fellowship*  
*Grand Rapids Area Chamber of Commerce*  
*Safe and Just Michigan*  
*American Civil Liberties Union of Michigan*  
*Detroit Justice Center*

This bipartisan package of bills, representing part of the recommendations from the Michigan Joint Task Force on Jail and Pretrial Incarceration, and including 14 bills and one resolution introduced in the House, will reduce jail populations and preserve public safety resources by limiting incarceration for low-level offenses. The package eliminates license suspensions for violations unrelated to driving safety; reclassifies many traffic misdemeanors as civil infractions, rendering them ineligible for jail time; and eliminates mandatory minimum jail sentences.

## Reserve license suspensions for unsafe drivers

In 2018, Michigan suspended nearly 358,000 driver’s licenses for failure to appear in court or failure to pay court fines and fees, and thousands more for other violations unrelated to driving safety. For many of these violations, license suspensions occur on top of other sanctions. In a state where driving is essential to get to work, using license suspension as a punishment can limit economic stability. Many people have no choice but to drive to maintain their livelihoods, and thousands land in jail for driving on a suspended license. These eight bills and one resolution would limit license suspensions to instances of unsafe driving only.

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|----------------------|-----------------------|------------------------|-----------------------|---------------------|
| HB 5846<br>by Kahle  | HB 5847<br>by Meerman | HB 5848<br>by Lasinski | HB 5849<br>by Mueller | HB TBD by<br>Neeley |
| HB 5850<br>by Warren | HB 5851<br>by Yancey  | HB 5852<br>by Stone    | HCR 29<br>by LaFave   |                     |

## Decriminalize low-level traffic misdemeanors

Nearly half of cases filed in district court in Michigan each year are traffic misdemeanors. Many of these offenses, like invalid registration or bypassing a weigh station, do not seriously impact public safety. Yet police officers can still arrest someone and take them to jail on any of these charges. The use of criminal penalties for minor traffic violations clogs Michigan’s criminal courts, requires valuable prosecution resources, and can land people in jail who are trying to get to work or take their kids to school. HB 5853 would make many of these offenses civil, handled like a speeding ticket.

HB 5853  
by Kahle

## Eliminate mandatory minimum jail sentences

Around 50 of Michigan’s nearly 2,000 misdemeanors require a minimum jail sentence, ranging from two days to six months. Most of these mandatory minimums do not correspond to the seriousness of the offense and tie judges’ hands, wasting jail resources on offenses unrelated to public safety. These five bills will eliminate various mandatory minimum jail sentences, giving judges the discretion to impose an individualized sanction, such as fine, community service, or probation.

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|-----------------------|---------------------|--------------------------|------------------------|-----------------------|
| HB 5854<br>by Sneller | HB 5855<br>by Brann | HB 5856<br>by S. Johnson | HB 5857<br>by O’Malley | HB 5844<br>by Bellino |
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