

HOUSE BILL No. 4164

February 24, 1987, Introduced by Reps. Kilpatrick, Clack, Murphy, Bennane
and Saunders and referred to the Committee on Appropriations.

A bill to provide for the funding of community-based corrections programs; to prescribe the powers and duties of certain state agencies; to provide for community corrections advisory boards and prescribe their powers and duties; and to create a state community corrections advisory board and prescribe its powers and duties.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. This act shall be known and may be cited as the
2 "community corrections act".

3 Sec. 2. As used in this act:

4 (a) "City advisory board" means a community corrections
5 advisory board created by a distressed city pursuant to
6 section 6.

7 (b) "Community corrections program" means a program that is
8 operated by or contracted for by a city, county, or group of

1 counties and is an alternative to incarceration in a state
2 correctional facility or a county jail, or is a program intended
3 to provide community reintegration services for ex-offenders.

4 (c) "County advisory board" means a community corrections
5 advisory board created by a county pursuant to section 6.

6 (d) "Department" means the department of corrections.

7 (e) "Distressed city" means a city which meets all of the
8 following requirements:

9 (i) Is eligible for the federal urban development action
10 grant program pursuant to section 119 of the housing and commu-
11 nity development act of 1974, 42 U.S.C. 5318.

12 (ii) Has had a poverty rate that is more than the statewide
13 average rate as defined by the most recent federal decennial
14 census.

15 (iii) Has had an unemployment rate higher than the state
16 average unemployment rate for 3 of the preceding 5 calendar
17 years.

18 (iv) Shows a population decline from the next most recent to
19 the most recent federal decennial census.

20 (v) Shows an increase in state equalized value of real and
21 personal property of less than the statewide average increase
22 during the prior 10 calendar years.

23 (f) "Plan" means a comprehensive corrections plan submitted
24 by a county or regional advisory board pursuant to section 8.

25 (g) "Regional advisory board" means a community corrections
26 advisory board created by a group of 2 or more counties pursuant
27 to section 6.

1 (h) "State advisory board" means the state community
2 corrections advisory board created in section 3.

3 Sec. 3. The commission of corrections shall appoint a state
4 community corrections advisory board consisting of 7 members who
5 shall be representative of law enforcement officials, the legal
6 community, advocates of alternatives of incarceration, and the
7 general public. Members shall serve without compensation, but
8 shall be reimbursed for actual and necessary expenses incurred in
9 attending meetings.

10 Sec. 4. The state advisory board shall advise the depart-
11 ment in the development of program guidelines, goals, and evalu-
12 ation criteria for all components of community corrections
13 programs.

14 Sec. 5. The department shall do all of the following:

15 (a) Provide technical assistance to cities, counties, or
16 regions in developing, implementing, and operating community cor-
17 rections programs.

18 (b) Develop program standards for community corrections
19 programs.

20 (c) Act as an information clearinghouse regarding community
21 corrections programs for cities, counties, or regions which
22 receive funding under this act, and other local units of
23 government.

24 (d) Enter into agreements with city, county, or regional
25 advisory boards for the operation of community corrections pro-
26 grams by those boards.

1 Sec. 6. (1) A county may elect to apply for funding and
2 other assistance under this act by a vote of the county board of
3 commissioners approving the decision to apply, and by appointing
4 a county advisory board. Two or more counties, by vote of the
5 county boards of commissioners of each county, may agree to
6 create a regional advisory board instead of a county advisory
7 board. A regional advisory board shall perform the same func-
8 tions as a county advisory board for each county that partici-
9 pates in establishing the regional board.

10 (2) A city that is a distressed city may apply for assist-
11 ance under this act by submitting to the department a city cor-
12 rections plan. The city corrections plan shall be developed by
13 the city advisory board and shall include a system for the devel-
14 opment, implementation, and operation of community corrections
15 programs in the city, in cooperation with community corrections
16 programs operated by the county or regional advisory board in
17 whose jurisdiction the city is located. If the plan is approved,
18 the city and the department shall enter into a written agreement
19 with the department by which the city advisory board shall oper-
20 ate community corrections programs in the city. The agreement
21 shall be for a term of 2 years, and may be renewed. The proposed
22 agreement shall be submitted to the department by the mayor of
23 the city, and shall be subject to approval by the city council.

24 Sec. 7. (1) A county advisory board, regional advisory
25 board, or city advisory board shall consist of not less than 5
26 members who shall be appointed from among law enforcement
27 officials, the legal community, advocates of alternatives to

1 incarceration, and the general public. In the case of a county
2 or regional advisory board, the members shall be appointed by the
3 county board or boards of commissioners. In the case of a city
4 advisory board, the members shall be appointed by the mayor with
5 the approval of the city council.

6 (2) Before an appointment is made under subsection (1), the
7 appointing authority as designated under subsection (1), in coop-
8 eration with the chief judges of the courts of record of the
9 county or counties, shall notify persons in the county, counties,
10 or city who represent law enforcement, the legal community,
11 alternatives to incarceration, and citizen groups, and shall
12 request that the persons notified submit to the appointing
13 authority the names of persons that may be qualified to serve on
14 the county, regional, or city advisory board.

15 Sec. 8. (1) A county or regional advisory board, on behalf
16 of the county or counties it represents, may apply for funding
17 and other assistance under this act by submitting to the depart-
18 ment a comprehensive corrections plan that meets the requirements
19 of this section.

20 (2) The plan shall be developed by the county or regional
21 advisory board and shall include all of the following for the
22 county or counties represented by the advisory board:

23 (a) A system for the development, implementation, and opera-
24 tion of community corrections programs and an explanation of how
25 the state prison commitment rate for the area represented by the
26 county or regional advisory board will be reduced as a result of
27 implementation of the comprehensive corrections plan.

1 (b) An analysis of the current use of the county jail or
2 jails, including information as to the utilization of the county
3 jail or jails by sentenced and unsentenced inmates, violent and
4 nonviolent inmates, and juvenile and adult inmates.

5 Sec. 9. (1) The department shall authorize payments, from
6 funds appropriated to the department, to counties for the commu-
7 nity corrections programs described in the plan submitted to the
8 department under section 8, if the plan is approved by the
9 department.

10 (2) Not more than 40% of the total amount paid to a county
11 under this section during any county fiscal year shall be used
12 for housing county jail inmates.

13 (3) The funds provided to a county under this section shall
14 not supplant a county's current spending for community correc-
15 tions programs, county jails, or other county-operated correc-
16 tions programs. For every \$1.00 received by a county under this
17 section, or by a group of counties in the case of a regional
18 advisory board, the county or counties shall expend \$3.00 for
19 those same purposes.