



Senate Fiscal Agency
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BILL ANALYSIS



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Senate Bill 695 (as passed by the Senate)
Senate Bill 696 (Substitute S-2 as passed by the Senate)
Sponsor: Senator Mike Rogers (Senate Bill 695)
 Senator Walter H. North (Senate Bill 696)
Committee: Judiciary

Date Completed: 1-8-96

CONTENT

Senate Bills 695 and 696 (S-2) would create a new act and amend the juvenile code, respectively, to require the Department of Social Services (DSS) to establish and operate at least one juvenile boot camp.

The bills are tie-barred, and Senate Bill 695 would take effect on April 1, 1996.

Senate Bill 695

The bill would create the "Juvenile Boot Camp Act" to require the DSS to establish one or more juvenile boot camps to house and train juveniles ordered by a disposition entered by the juvenile division of probate court (juvenile court) to participate in a juvenile boot camp program. The DSS would have to develop one or more juvenile boot camp programs for juveniles ordered to participate. A juvenile boot camp program would have to provide for physically strenuous work and exercise, patterned after military basic training, and other programming as determined by the DSS.

After a juvenile was placed in a juvenile boot camp program, the DSS would have to establish that the juvenile met the requirements for boot camp participation outlined in Senate Bill 696. If a juvenile did not meet those requirements, he or she would have to be returned to the juvenile court that entered the disposition for an alternative order of disposition.

A juvenile's detention in a boot camp could not exceed 120 days. If, during that period, the juvenile missed more than five days of program participation due to medical excuse for illness or injury occurring after placement in the program, however, the placement period would have to be increased by the number of days missed, beginning with the sixth day of medical excuse, up to a maximum of 20 days. A physician's statement would have to verify a medical excuse and a copy would have to be sent to the juvenile court that entered the disposition. A juvenile who was medically unable to participate in a juvenile boot camp program for more than 25 days would have to be returned to the probate court that entered the disposition for an alternative order of disposition. After a juvenile's stay in a boot camp, he or she would be required to complete a period of at least 120 days under intensive supervision by the DSS in the local community.

When a juvenile was placed in a boot camp, the clerk of the juvenile court that entered the disposition would have to mail to the DSS a certified copy of the disposition within five business days after placement. At any time during a juvenile's stay in a boot camp, but not less than five

days before his or her expected release date, the DSS would have to certify to the juvenile court that entered the disposition whether the juvenile had satisfactorily completed the course of training at the juvenile boot camp.

A juvenile who failed to work diligently and productively at a juvenile boot camp program, or who failed to obey the behavior rules of the boot camp, could be reported to the juvenile court that entered the disposition for an alternative order of disposition.

Senate Bill 696 (S-2)

The bill specifies that, if a juvenile were within the juvenile court's jurisdiction for violation of a local ordinance or State or Federal law, the court could place the juvenile in and order him or her to complete satisfactorily a program of training in a juvenile boot camp established by the DSS under the "Juvenile Boot Camp Act" proposed by Senate Bill 695. Following satisfactory completion of a juvenile boot camp program, a juvenile would have to complete an additional period of at least 120 days' intensive supervision by the DSS in the local community.

To place a juvenile in a juvenile boot camp program, the juvenile court would have to determine all of the following:

- Placement in a juvenile boot camp would benefit the juvenile.
- The juvenile was physically able to participate in the program.
- The juvenile did not appear to have any mental handicap that would prevent participation in the program.
- The juvenile would not be a danger to other juveniles in the boot camp.

If the juvenile court entered an order of disposition placing a juvenile in a boot camp program and the court received from the DSS a report of unsatisfactory performance in the program or a report that the juvenile did not meet the program's requirements or was medically unable to participate in the program for more than 25 days, the juvenile court would have to release the juvenile from detention in the boot camp and enter an alternative order of disposition. A juvenile could not be placed in a juvenile boot camp more than once, except that a juvenile returned to the juvenile court for a medical condition existing when he or she was placed in the program could be placed in the boot camp program again, after the medical condition was corrected.

The bill also would allow the juvenile court, if a juvenile were within the court's jurisdiction for the violation of any municipal ordinance or State or Federal law, to order the juvenile's parent or guardian to participate personally in treatment reasonably available in the parent's or guardian's location.

MCL 712A.18 (S.B. 696)

Legislative Analyst: P. Affholter

FISCAL IMPACT

The bills would have an indeterminate impact on State funds due to the following reasons. First, the development of a boot camp would have an initial start-up cost. The Department of Social Services received for FY 1995-96 a \$37,500 matching Federal grant (General Fund match of \$12,500) for the purpose of planning boot camp services. Second, any comparison between the cost of boot camp and the cost of residential services (incarceration) must take into account the average length of stay and the population served, such as the crimes the detainees committed, whether they are male or female, and the services to be included. The average annual cost for

boot camp and related services, developed specifically for nonviolent offenders, could be less because a juvenile's length of stay in the camp could not exceed 120 days; in addition, there could be no more than 120 days of intensive community supervision. The average length of stay at the DSS training schools for all crimes committed is 365 to 548 days at an average daily cost of \$216. Therefore, even at the same average daily cost rate of juvenile training schools, the cost of boot camp placement would be less.

The bills would have no fiscal impact on the courts.

Fiscal Analyst: C. Cole
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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.