



Senate Fiscal Agency
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BILL ANALYSIS



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House Bill 4723 (Substitute H-2 as passed by the House)
Sponsor: Representative Michael Nye
House Committee: Judiciary and Civil Rights
Senate Committee: Judiciary

Date Completed: 4-15-96

CONTENT

The bill would create the “Juvenile Boot Camp Act” to require the Family Independence Agency (FIA) to establish and operate at least one juvenile boot camp. To establish a boot camp and boot camp programs, the FIA could use the authority granted to the Office of Children and Youth Services under the Social Welfare Act to enter into contracts necessary for the performance of the Office’s powers and duties and to provide for the distribution of money appropriated by the Legislature to counties for the foster care of children.

The bill would take effect on August 1, 1996, and is tie-barred to Senate Bills 681, which would authorize the Department of Corrections to establish a juvenile correctional facility, and 696, which would amend the juvenile code to provide for the placement of a juvenile offender in juvenile boot camp.

Under House Bill 4723 (H-2), the FIA would have 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 FIA 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 FIA, including, at a minimum, education and substance abuse programs, and counseling. A juvenile boot camp program would have to be restricted to juveniles of the same gender.

After a juvenile was placed in a juvenile boot camp program, the FIA would have to verify that the juvenile met the requirements for boot camp participation outlined in Senate Bill 696. If a juvenile did not meet those requirements, or if there were no opening in a juvenile boot camp program, the juvenile would have to be returned to the juvenile court that entered the disposition for an alternative order of disposition.

A juvenile’s placement in a boot camp could not be less than 90 days or more than 180 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 not less than 120 days or more than 180 days under intensive supervised community reintegration 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 FIA 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 FIA 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 perform satisfactorily at a juvenile boot camp program would have to be reported to the juvenile court that entered the disposition for an alternative order of disposition.

Legislative Analyst: P. Affholter

FISCAL IMPACT

The bill 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 former Department of Social Services (now the Family Independence Agency) 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 180 days; in addition, there could be no more than 180 days of intensive community supervision. The average length of stay at the FIA 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 bill 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.