

PRISONER BOOT CAMP ELIGIBILITY

House Bill 4540

Sponsor: Rep. Kirk Profit

Committee: Corrections

Complete to 11-7-97

A SUMMARY OF HOUSE BILL 4540 AS INTRODUCED 3-20-97

House Bill 4540 would revise the requirements for prisoner placement in special alternative incarceration units (commonly referred to as boot camps), give somewhat more authority to the sentencing judge when specifying the prisoner's placement to the Department of Corrections, and eliminate certain crimes that currently make a prisoner ineligible.

At present a prisoner is eligible for an alternative incarceration unit when: the minimum sentence is 24 months or less for breaking and entering, or 36 months or less for any other crime; the prisoner has never previously been placed in such a unit; the prisoner is physically able to participate; the prisoner does not appear to have any mental handicap; the prisoner is serving his or her first prison sentence; the judge did not prohibit participation in the program; the prisoner is otherwise suitable for the program as determined by the department; the prisoner is not serving a sentence for any of 54 different crimes as defined in the Penal Code (or an intent to commit such crimes), the Vehicle Code, the Code of Criminal Procedure, or the Public Health Code.

Under House Bill 4540, many of the eligibility requirements would remain the same. However, under the bill a prisoner would be eligible for boot camp incarceration if his or her sentence was less than five years (as opposed to two or three years); or, if at the time of a felony conviction or subsequent felony convictions the sentencing judge were to specifically recommend that the prisoner be placed in a boot camp.

House Bill 4540 also would eliminate 33 crimes from the list of more than fifty crimes that cause a prisoner to be ineligible for boot camp placement. Those that would be eliminated include: possession of a controlled dangerous substances; the unlawful manufacture, delivery, or possession of controlled substances; being under the influence of intoxicating liquor or a controlled substance while driving; attempts to wreck, detain, or rob trains; bank, safe or vault robbery; perjury; counterfeiting; placing explosives with intent to destroy or injure a person; armed assault with intent to rob and steal; setting fires to mines; animal fighting or baiting; forced marriage; mayhem; death from firearms in certain circumstances; manslaughter; malicious threats to extort money; burglary with explosives; assault with intent to maim; and, burning of dwelling houses, real property, and insured property.

MCL 791.234a

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House Bill 4540 (11-7-97)