

Senate Fiscal Agency
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SFA**BILL ANALYSIS**

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Senate Bill 873 (Substitute S-1 as reported)
Sponsor: Senator Leon Stille
Committee: Judiciary

CONTENT

The bill would amend the Department of Corrections (DOC) law to remove a prisoner's ability to appeal an action of the parole board in granting or denying parole; and require the parole board to review the case of prisoners sentenced to imprisonment for life, rather than interview the prisoners, after their initial 10-year interview.

Under the DOC law, a prisoner sentenced for life or for a term of years, other than for first-degree murder or for a major controlled substance offense, is subject to the jurisdiction of the parole board after serving either 10 years (for a crime committed before October 1, 1992) or 15 years (for a crime committed on or after that date). One member of the parole board must interview a prisoner at the conclusion of 10 years of the sentence and every five years after that until the prisoner is paroled, discharged, or deceased. Under the bill, a parole board member would have to review the prisoner's case every five years, after the initial 10-year interview.

In addition, the law requires that one parole board member interview a prisoner serving a sentence for first-degree murder (which is not parolable) or a sentence of imprisonment for life without parole at the end of 10 years and thereafter as determined appropriate by the board, but not later than every five years, until the prisoner is granted a reprieve, commutation, or pardon or is deceased. Under the bill, a parole board member would have to review the prisoner's case every five years, after the initial 10-year interview.

MCL 791.234 & 791.244

Legislative Analyst: P. Affholter

FISCAL IMPACT

Senate Bill 873 (S-1) would have an indeterminate fiscal impact on State and local government. The bill would affect paroles of prisoners with life sentences. To the extent that changes in prison population reflect the interaction of admissions and exits, and that parole is the primary means of prison exit, adjustments to parole policy and practice could lead to an increase or decrease of the prison population. Increases in prison population could lead to increased facility and operating costs; decreasing population would lower these costs. Based on data from the Department of Corrections, prisoners serving life sentences have very low probability of parole, so the bill could have little impact on the prison population.

To the extent that the parole board would have to review rather than interview prisoners with life sentences for parole once every five years, the parole board would have less travel and a smaller workload. However, the impact of this reduction on operating expenses for the parole board is indeterminate. Fiscal year 1997-98 appropriations for parole board operations are \$1,386,200.

Date Completed: 2-18-98

Fiscal Analyst: K. Firestone

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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.