

Legislative Analysis



ELIMINATE PRISONER BOOT CAMP SUNSET

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House Bill 5311

Sponsor: Rep. Alma Wheeler Smith

Committee: Judiciary

Complete to 9-9-09

A REVISED SUMMARY OF HOUSE BILL 5311 AS INTRODUCED 9-2-09

The bill would amend the Corrections Code (MCL 791.234a) to eliminate a sunset of September 30, 2009 on prisoner participation in the special alternative incarceration (SAI, or "boot camp") program. The sunset was placed on the prisoner program by 2008 PA 158, which extended prisoner SAI eligibility -- then limited to first-time prisoners -- to prisoners who had once previously been in prison. Eliminating the sunset would allow prisoner participation in the "boot camp" program to continue. (There is no sunset on participation by probationers.)

FISCAL IMPACT:

As of September 1, 2009, there were a reported 267 prisoners (33 women, 234 men) in the SAI program; there also were 130 probationers (5 women, 125 men), for a total program population of 397. If prisoners currently in SAI had to be immediately returned to prison, the sunset would have an immediate impact of about 265 beds, and that impact would grow as prisoners who otherwise would have been transferred to the program were instead kept in prison placements. The Department of Corrections has estimated that if prisoner placements in the 90-day SAI program were to cease on October 1, but prisoners currently enrolled in the program were allowed to finish, the department would need an additional 390 prison beds by the end of the calendar year. Based on an assumption that prisoner placement in SAI would have continued to expand to a maximum capacity of 580 beds and would have stayed fully occupied, the Department projects that loss of the prisoner SAI program would have an annualized bed space impact of 1,585 by the end of Fiscal Year 2009-10, peak at 1,927 in March 2011, and decline thereafter, stabilizing at around 1,620.

Enactment of the bill would allow avoidance of the cost of prison beds that otherwise would have to be returned to service. The cost of an additional 1,600 to 1,800 prison beds would be roughly \$40 to \$45 million annually; actual costs would depend on the security levels of the affected prisoners, staffing levels, and which prisons or units were reopened. The Department of Corrections reports that the SAI program costs \$73.73 per offender per day; cost of the 90-day program for 1,600 to 1,800 prisoners thus would be about \$10.6 to \$11.9 million. Net cost avoidance under the bill therefore could be approximately \$30 to \$35 million annually, based on an assumption that the SAI program would have been running at its capacity of 580 beds.

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