

SUBSTITUTE FOR
SENATE BILL NO. 935

A bill to create the supervising region incentive program act; to create the supervising region incentive fund; to provide for use of the fund; and to provide for the powers and duties of certain state and local governmental officers and entities.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. This act shall be known and may be cited as the
2 "supervising region incentive act".

3 Sec. 2. As used in this act:

4 (a) "Department" means the department of corrections.

5 (b) "Field operations administration region" means 1 of the
6 geographic regions delineated by the department that oversee
7 supervised individuals within the region and that employ parole and
8 probation officers to engage in direct supervision of the
9 supervised individuals.

1 (c) "Supervised individual" means an individual placed on
2 probation or serving a period of parole or postrelease supervision
3 from prison or jail.

4 (d) "Supervising officer" means a person appointed or employed
5 by a field operations administration region to supervise supervised
6 individuals.

7 Sec. 3. (1) The supervising region incentive fund is created
8 within the state treasury.

9 (2) The state treasurer may receive money or other assets from
10 any source for deposit into the fund, including general fund
11 appropriations, gifts, grants, and bequests. The state treasurer
12 shall direct the investment of the fund. The state treasurer shall
13 credit to the fund interest and earnings from fund investments.

14 (3) Money in the fund at the close of the fiscal year shall
15 remain in the fund and not lapse to the general fund.

16 (4) The department shall be the administrator of the fund for
17 auditing purposes.

18 (5) The department shall expend money from the fund, upon
19 appropriation, only for 1 or both of the following purposes:

20 (a) As an incentive to field operations administration regions
21 that implement supervision practices, procedures, and sanctions
22 directed at parole and probation revocation reduction within the
23 region.

24 (b) To assist field operations administration regions to
25 implement supervision practices, procedures, and sanctions directed
26 at parole and probation revocation reduction within the region.

27 Sec. 4. (1) By January 1, 2017, the department shall adopt a

1 supervising region incentive program to be offered to field
2 operations administration regions that agree to seek not less than
3 a 10% reduction in parole and probation revocations in the region's
4 supervised population.

5 (2) To be eligible to receive funding from the supervising
6 region incentive fund created in section 3 under the supervising
7 region incentive program under subsection (1), a field operations
8 administration region shall enter into an agreement with the
9 department to seek not less than a 10% reduction within an 18-month
10 period in parole and probation revocations in the field operations
11 administration region by implementing the practices, procedures,
12 and sanctions, as applicable, under the parole sanction certainty
13 act in chapter IIIB of the corrections code of 1953, 1953 PA 232,
14 MCL 791.258 to 791.258g, as well as other efforts to reduce parole
15 and probation revocations.

16 (3) The department shall make 20% of an equal share of the
17 total incentive funds available in the supervising region incentive
18 fund created in section 3 for each field operations administration
19 region in this state, calculated by the number of field operations
20 administration regions in this state and the total amount of money
21 in the fund, available to a field operations administration region
22 that enters into an agreement under subsection (2) to be used by
23 the field operations administration region to begin implementing
24 the supervision practices described in subsection (2).

25 (4) If a field operations administration region accesses funds
26 under subsection (3), the 18-month period for seeking a 10%
27 reduction in parole and probation revocations under subsection (2)

1 begins to run.

2 (5) A field operations administration region shall work with
3 local law enforcement agencies within the region, including the
4 sheriff's departments, circuit courts, county prosecutor's offices,
5 and community corrections programs in developing the region's plan
6 to reduce parole and probation revocations.

7 (6) Except as provided in subsection (3), a field operations
8 administration region shall only receive incentive funding under
9 this section if the field operations administration region achieves
10 not less than a 10% reduction in parole and probation revocations
11 within an 18-month period.

12 (7) A field operations administration region that receives
13 incentive funding under subsection (6) is eligible to receive
14 additional incentive funding if, after 3 years have elapsed after
15 the field operations administration region received incentive
16 funding under subsection (6), the field operations administration
17 region achieves an additional reduction in parole and probation
18 revocations of not less than 10% within a 1-year period compared to
19 the number of parole and probation revocations in the year it
20 received incentive funding under subsection (6).

21 (8) A field operations administration region that receives
22 incentive funding under this section shall divide the funds between
23 the parole and probation divisions within the field operations
24 administration region in a manner that is commensurate to the
25 percentage of supervised individuals in each division.

26 Sec. 5. Incentive funding received by a field operations
27 administration region may only be used for the following purposes:

1 (a) The purchase and maintenance of monitoring technology.

2 (b) Job training.

3 (c) Substance abuse treatment.

4 (d) Mental health counseling and treatment.

5 (e) Approved parolee and probationer incentive programs.

6 (f) Hiring additional supervising officers to reduce
7 supervising officer caseloads.

8 (g) Reimbursement for jail services.

9 (h) Evidence-based cognitive or behavioral programs and
10 practices that have demonstrated success in reducing recidivism.

11 Sec. 6. The department shall submit an annual report not later
12 than November 1 of each year, providing all of the following to the
13 members of the senate and house appropriations subcommittees on
14 corrections and the senate and house fiscal agencies:

15 (a) Which and how many of the field operations administration
16 regions are participating in the incentive funding program created
17 in section 4.

18 (b) The total, if any, of the avoided costs of incarceration
19 realized through the implementation of the supervision practices,
20 procedures, and sanctions for probationers and parolees described
21 in section 4.

22 (c) The total, if any, of the avoided costs to victims
23 realized through the implementation of the supervision practices,
24 procedures, and sanctions for probationers and parolees described
25 in section 4.

26 (d) The total, if any, of the avoided costs of the probation
27 or parole revocation process realized through the implementation of

1 the supervision practices, procedures, and sanctions for the
2 supervised individuals described in section 4.

3 Enacting section 1. This act takes effect 90 days after the
4 date it is enacted into law.

5 Enacting section 2. This act does not take effect unless
6 Senate Bill No. 932 of the 98th Legislature is enacted into law.