

SENATE BILL No. 938

May 3, 2016, Introduced by Senators COLBECK, HORN, JONES, GREGORY, SHIRKEY, PROOS, EMMONS, WARREN, ROCCA, BRANDENBURG, KNOLLENBERG, BOOHER, NOFS and MACGREGOR and referred to the Committee on Michigan Competitiveness.

A bill to create the criminal justice data collection and management program act; to describe the criminal justice data collection and management program; to provide for certain grants; 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 "criminal justice data collection and management act".

3 Sec. 2. As used in this act:

4 (a) "County operations team" means a group of individuals, or
5 an individual, selected by the governing body of a county
6 participating in the criminal justice data collection and
7 management program to work in coordination with the state project

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1 and state operations teams to implement the criminal justice data
2 collection and management program.

3 (b) "Criminal justice data collection and management program"
4 means the program created under section 3.

5 (c) "Offense type" means the category of a criminal offense as
6 categorized by the department of corrections.

7 (d) "Program" means educational and vocational training,
8 substance abuse treatment, parenting skills and anger management
9 classes, domestic violence counseling, health education, and sex
10 offender treatment provided to individuals as conditions of
11 probation, parole, or imprisonment.

12 (e) "Rearrest recidivism" means the rearrest of an offender
13 <<as measured first after 3 years and again after 5 years from the
14 date>> of his or her release from incarceration,
15 placement on probation, or conviction for a criminal offense,
16 whichever is later, for a new felony or misdemeanor offense, or for
17 a parole or probation violation.

18 (f) "Reconviction recidivism" means the reconviction of an
19 offender <<as measured first after 3 years and again after 5 years
20 from the date>> of his or her release from
21 incarceration, placement on probation, or conviction for a criminal
22 offense, whichever is later, for a new felony or misdemeanor
23 offense, or for a parole or probation violation.

24 (g) "Reincarceration recidivism" means the reincarceration in
25 jail or prison of an offender <<as measured first after 3 years and
26 again after 5 years from the date>> of his or her
27 release from incarceration, placement on probation, or conviction
28 for a criminal offense, whichever is later, for a new felony or
29 misdemeanor offense, or for a parole or probation violation.

30 (h) "State operations team" means a group of individuals, or

1 an individual, appointed by the legislative council to execute
2 state-level data collection processes and criminal justice data
3 collection processes and to manage the collection of data from
4 counties participating in the criminal justice data collection
5 program and from state agencies and departments, including, but not
6 limited to, the state court administrative office, the department
7 of technology, management, and budget, and the department of
8 corrections.

9 (i) "State project team" means a group of individuals, or an
10 individual, appointed by the legislative council to develop and
11 assist in the implementation of processes and technology
12 improvements that facilitate the collection of criminal justice
13 data from the counties participating in the criminal justice data
14 collection and management program and from state agencies and
15 departments, including, but not limited to, the state court
16 administrative office, the department of technology, management,
17 and budget, and the department of corrections.

18 Sec. 3. (1) A criminal justice data collection and management
19 program is created within the legislative council. The program
20 shall be implemented in not fewer than 1 county, selected by the
21 legislative council in consultation with the county's governing
22 body, that shall work in coordination with state agencies and
23 departments, including, but not limited to, the state court
24 administrative office, the department of technology, management,
25 and budget, and the department of corrections.

26 (2) Not more than 60 days after the effective date of this
27 act, the legislative council shall appoint a state operations team

1 that shall oversee the work activities of the state project team
2 and the county operations teams.

3 (3) The counties participating in the criminal justice data
4 collection and management program shall be provided, by
5 appropriation, any necessary grant funding to implement
6 technological changes to county data collection systems based upon
7 the recommendation of the state operations team.

8 (4) The counties participating in the criminal justice data
9 collection and management program shall be provided, by
10 appropriation, any necessary grant funding to implement additional
11 data collection and new data collection practices based upon the
12 recommendation of the state operations team.

13 (5) The legislative council shall distribute and manage grants
14 appropriated for counties participating in the criminal justice
15 data collection and management program under subsections (3) and
16 (4).

17 (6) The counties participating in the criminal justice data
18 collection and management program shall, through their county
19 operations teams, collect and provide the following data to the
20 state operations team on a daily basis:

21 (a) Offender data, including crimes committed by an offender,
22 facilities in which an offender was placed, and programs in which
23 an offender participated.

24 (b) Case data, including crimes of conviction, sentences
25 imposed, location where crimes occurred and court where the
26 criminal matter was disposed, and the sentencing judge.

27 (c) Program data, including program duration and cost,

1 rearrest recidivism rate for offenders after program completion,
2 reconviction recidivism rate for offenders after program
3 completion, reincarceration recidivism rate for offenders after
4 program completion, and offender dropout rate.

5 (d) Crime data, including data regarding sentences within or
6 outside of the sentencing guideline ranges, number of felony
7 convictions, and number of misdemeanor convictions.

8 (7) The state court administrative office and department of
9 corrections shall collect and provide the following data to the
10 state operations teams on a daily basis:

11 (a) Rearrest recidivism by offense type.

12 (b) Reconviction recidivism by offense type.

13 (c) Reincarceration recidivism by offense type.

14 (d) Rearrest recidivism by risk assessment level as determined
15 by the parole board prior to the grant of parole.

16 (e) Reconviction recidivism by risk assessment level as
17 determined by the parole board prior to the grant of parole.

18 (f) Reincarceration recidivism by risk assessment level as
19 determined by the parole board prior to the grant of parole.

20 (8) The state operations team shall collect the data under
21 subsections (6) and (7) and provide that data to the department of
22 technology, management, and budget on a daily basis.

23 (9) The department of technology, management, and budget shall
24 house and maintain the data collected under subsections (6), (7),
25 and (8).

26 (10) The department of technology, management, and budget
27 shall only allow access to the data collected under this act by

1 members of the department of technology, management, and budget and
2 the legislative council.

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