

# SENATE BILL No. 935

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

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

1 supervised individuals.

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

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

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

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

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

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

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

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

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

1       Sec. 4. (1) By January 1, 2017, the department shall adopt a  
2       supervising region incentive program to be offered to field  
3       operations administration regions that agree to seek not less than  
4       a 10% reduction in parole and probation revocations in the region's  
5       supervised population.

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

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

21      (4) A field operations administration region shall only  
22      receive incentive funding under this section if the field  
23      operations administration region achieves not less than a 10%  
24      reduction in parole and probation revocations within a 1-year  
25      period.

26      (5) A field operations administration region that receives  
27      incentive funding under subsection (4) is eligible to receive

1 additional incentive funding if, after 3 years have elapsed after  
2 the field operations administration region received incentive  
3 funding under subsection (4), the field operations administration  
4 region achieves an additional reduction in parole and probation  
5 revocations of not less than 10% within a 1-year period compared to  
6 the number of parole and probation revocations in the year it  
7 received incentive funding under subsection (4).

8 (6) A field operations administration region that receives  
9 incentive funding under this section shall divide the funds between  
10 the parole and probation divisions within the field operations  
11 administration region in a manner that is commensurate to the  
12 percentage of supervised individuals in each division.

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

- 15 (a) The purchase and maintenance of monitoring technology.  
16 (b) Job training.  
17 (c) Substance abuse treatment.  
18 (d) Mental health counseling and treatment.  
19 (e) Approved parolee and probationer incentive programs.  
20 (f) Hiring additional supervising officers to reduce  
21 supervising agent caseloads.

- 22 (g) Reimbursement for jail services.  
23 (h) Evidence-based cognitive or behavioral programs and  
24 practices that have demonstrated success in reducing recidivism.

25 Sec. 6. The department shall submit an annual report not later  
26 than November 1 of each year, providing all of the following to the  
27 members of the senate and house appropriations subcommittees on

1 corrections and the senate and house fiscal agencies:

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

5 (b) The total, if any, of the avoided costs of incarceration  
6 realized through the implementation of the supervision practices,  
7 procedures, and sanctions for probationers and parolees described  
8 in section 4.

9 (c) The total, if any, of the avoided costs to victims  
10 realized through the implementation of the supervision practices,  
11 procedures, and sanctions for probationers and parolees described  
12 in section 4.

13 (d) The total, if any, of the avoided costs of the probation  
14 or parole revocation process realized through the implementation of  
15 the supervision practices, procedures, and sanctions for the  
16 supervised individuals described in section 4.

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

19 Enacting section 2. This act does not take effect unless  
20 Senate Bill No. 932  
21 the 98th Legislature is enacted into law.