

HOUSE SUBSTITUTE FOR
SENATE BILL NO. 17

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

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) "Avoided costs" means the amount of money that the
5 department would have expended if there were no reduction in the
6 number of parole or probation revocations within a field operations
7 administration region calculated based upon historical data
8 compared to actual department costs for offender monitoring.

1 (b) "Department" means the department of corrections.

2 (c) "Field operations administration region" means 1 of the
3 geographic regions delineated by the department that oversee
4 offenders within the region.

5 (d) "Measurable reduction in parole and probation revocations"
6 means a field operations administration region has achieved a
7 quantifiable reduction in both parole and probation revocations as
8 a percentage of the total number of offenders in each supervised
9 population by the end of a quarter compared to the number of both
10 parole and probation revocations as a percentage of the total
11 number of offenders in each supervised population in the field
12 operations administration region in the previous quarter of a 12-
13 month period.

14 (e) "Offender" means an individual placed on felony probation
15 or serving a period of parole.

16 (f) "Supervising agent" means an individual employed by the
17 department to supervise offenders.

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

20 (2) The state treasurer may receive money or other assets from
21 any source for deposit into the fund, including general fund
22 appropriations, gifts, grants, and bequests. The state treasurer
23 shall direct the investment of the fund. The state treasurer shall
24 credit to the fund interest and earnings from fund investments.

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

27 (4) The department is the administrator of the fund for

1 auditing purposes.

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

4 (a) As an incentive to field operations administration regions
5 that implement supervision practices, procedures, and sanctions
6 directed at parole and probation revocation reduction within the
7 region.

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

11 (6) The department shall not expend money from the fund to
12 provide direct monetary payments to a supervising agent.

13 Sec. 4. (1) By January 1, 2018, the department shall adopt a
14 supervising region incentive program to be offered to field
15 operations administration regions that agree to seek a measurable
16 reduction in parole and probation revocations.

17 (2) To be eligible to receive funding from the supervising
18 region incentive fund created in section 3 under the supervising
19 region incentive program under subsection (1), a field operations
20 administration region shall enter into an agreement with the
21 department to seek a measurable reduction in parole and probation
22 revocations, by implementing the practices, procedures, and
23 sanctions, as applicable, under the parole sanction certainty act
24 in chapter IIIB of the corrections code of 1953, 1953 PA 232, MCL
25 791.258 to 791.258g, as well as other efforts to reduce parole and
26 probation revocations.

27 (3) The department shall make an equal share of 20% of the

1 total incentive funds available in the supervising region incentive
2 fund created in section 3 for each field operations administration
3 region in this state, calculated by the number of field operations
4 administration regions in this state that agree to participate in
5 the supervising region incentive program and the total amount of
6 money in the fund, available to a field operations administration
7 region that enters into an agreement under subsection (2) to be
8 used by the field operations administration region to begin
9 implementing the supervision practices described in subsection (2).

10 (4) If a field operations administration region accesses funds
11 under subsection (3), the time period for seeking a measurable
12 reduction in parole and probation revocations begins to run.

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

18 (6) Except as provided in subsection (3), a field operations
19 administration region shall only receive incentive funding under
20 this section for the quarters in which the field operations
21 administration region achieves a measurable reduction in parole and
22 probation revocations, as compared to the previous quarter.

23 (7) If a field operations administration region is eligible to
24 receive funding under subsection (6), the department shall, on a
25 quarterly basis, provide the field operations administration region
26 an equal share of 20% of the total incentive funds available in the
27 supervising region incentive fund created in section 3 calculated

1 as described under subsection (3).

2 (8) A field operations administration region that receives
3 incentive funding under this section shall divide the funds between
4 the parole and probation divisions within the field operations
5 administration region in a manner that is commensurate to the
6 percentage of offenders in each division.

7 Sec. 5. Incentive funding received by a field operations
8 administration region must only be used for the following purposes:

- 9 (a) The purchase and maintenance of monitoring technology.
10 (b) Job training.
11 (c) Substance abuse treatment.
12 (d) Mental health counseling and treatment.
13 (e) Approved parolee and probationer incentive programs.
14 (f) Hiring additional supervising agents to reduce supervising
15 agent caseloads.
16 (g) Reimbursement for jail services.
17 (h) Evidence-based cognitive or behavioral programs and
18 practices that have demonstrated success in reducing recidivism.

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

23 (a) Which and how many of the field operations administration
24 regions are participating in the incentive funding program adopted
25 under section 4.

26 (b) The total, if any, of the avoided costs of incarceration
27 realized through the implementation of the supervision practices,

1 procedures, and sanctions for offenders described in section 4.

2 (c) The total, if any, of the avoided costs of the probation
3 or parole revocation process realized through the implementation of
4 the supervision practices, procedures, and sanctions for the
5 offenders described in section 4.

6 Sec. 7. This act is repealed 5 years after the effective date
7 of this act.

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

10 Enacting section 2. This act does not take effect unless
11 Senate Bill No. 16 of the 99th Legislature is enacted into law.