

Legislative Analysis



COMMUNITY CORRECTIONS PLACEMENT CRITERIA

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House Bill 4977

Sponsor: Rep. Andrew Kandrevas

Committee: Judiciary

Complete to 5-21-09

A SUMMARY OF HOUSE BILL 4977 AS INTRODUCED 5-20-09

The bill would base the eligibility of offenders for placement in a community corrections program on an objective risk and needs assessment.

Currently, participation in community corrections programs is encouraged for offenders who are likely to be sent to prison or jail, do not increase the risk to public safety, have no demonstrated pattern of violent behavior, and do not have a criminal record demonstrating a pattern of violent offenses.

House Bill 4977 would amend the Community Corrections Act (MCL 791.408) to revise the eligibility criteria for participation by offenders in community corrections programs. The new criteria would be (new language is highlighted):

- The offenders would likely be sentenced to imprisonment in a state correctional facility or jail.
- The offenders would not likely increase the risk to public safety based on an objective risk and needs assessment that demonstrates that the offender can be safely treated and supervised in the community.

“Objective risk and needs assessment” would mean an evaluation of a probationer’s criminal history; the probationer’s noncriminal history; the availability in the community of evidence-based programming; and any other factors relevant to predicting the risk the probationer would present to the public safety, including, but not limited to, a criminal record that indicates a pattern of violent offenses.

FISCAL IMPACT:

The bill's fiscal impact on state and local correctional systems would depend on how it affected sanctions for criminal offenders, which in turn would depend on funding levels for community corrections grant programs, state and local priorities regarding targeted groups of offenders, success of local programs implemented as a result of the bill, how any changes affected the numbers of felony offenders sent to state prison, and how any changes affected jail utilization, especially for sentenced felons.

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