



House  
Legislative  
Analysis  
Section

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BOOT CAMP FOR PRISONER WITH LOW MIN.

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House Bills 5802 and 5803  
Sponsor: Rep. Dominic J. Jacobetti  
Committee: Appropriations

Complete to 8-27-90

## A SUMMARY OF HOUSE BILLS 5802 AND 5803 AS INTRODUCED 5-22-90

The bills would expand the special alternative incarceration program (SAI; "boot camp"), now limited to probationers under 22 years old, to certain prisoners sentenced to the Department of Corrections. To be eligible, a prisoner would have to have a sentencing guidelines score that yielded an upper limit of 12 months for the minimum sentence (sentencing guidelines use offense characteristics and prior criminal record to compute a range for an offender's minimum sentence). Generally speaking, the program would be closed to prisoners who had previously been placed in an SAI unit, who were serving time for criminal sexual conduct or arson (or the attempt to commit such offenses), or who were physically or mentally unable to participate. SAI placement could not be done without the consent of the prisoner. After successfully completing the SAI program, a prisoner would be placed on parole. Neither bill could take effect unless both were enacted. A more detailed explanation follows.

House Bill 5802 would amend the Special Alternative Incarceration Act to require the Department of Corrections to establish special alternative incarceration units for the purpose of housing and training prisoners eligible for SAI under House Bill 5803. Paralleling the law for probationers, which requires 120 days of intensive probation following SAI, the bill would require 120 days of intensively-supervised parole for prisoners following their period of SAI. At least ten days before the prisoner's expected date of release, the department would notify the parole board whether the prisoner had satisfactorily completed the course of training. Prisoners would be held to the same standards as probationers: a prisoner who failed to work diligently and productively, or who failed to obey the rules of behavior, would be returned to a state correctional facility and would become ineligible for SAI placement. A prisoner removed for such reasons would be credited for the time served, but all disciplinary credits accumulated during that time would be forfeited.

MCL 798.12 et al.

House Bill 5803 would amend the Department of Corrections act to establish eligibility requirements for prisoners placed in SAI, and to provide for parole following successful completion of the SAI program. The Department of Corrections would consider for SAI placement any prisoner sentenced after the bill took effect who had a sentencing guidelines upper limit on the minimum sentence of 12 months or less, and who met additional eligibility criteria. To be eligible, a prisoner could not have been previously placed in an SAI unit, unless he or she had been removed for medical reasons; would have to be physically able to participate in the program; would not appear to have any mental handicap that would prevent participation; would not be serving a sentence for child pornography, first-, second-, or third-degree criminal sexual conduct, assault with intent to commit criminal sexual conduct, any of several arson offenses, or the attempt to commit any of these disqualifying

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offenses. In addition, the prisoner would have to be otherwise suitable for the program, as determined by the department. If the prisoner consented, the department could place an eligible prisoner in SAI.

A prisoner could be placed in SAI for up to 120 days. If the prisoner missed more than five days due to illness or injury, the period of placement would be increased by the number of days missed, beginning with the sixth day, up to a maximum of 20 days. A prisoner who was medically unable to participate in the program for more than 25 days would be returned to a state correctional facility but could be reassigned to the SAI program if he or she met the eligibility requirements.

Upon successfully completing the SAI program, a prisoner would be placed on parole under conditions determined appropriate by the parole board. Parole would last at least 18 months or the balance of the prisoner's sentence, whichever was less, with at least the first four months under intensive supervision. Parole could be suspended or revoked under current procedures. If parole was revoked before the expiration of the prisoner's minimum sentence (less disciplinary credits), accumulated disciplinary credits would be forfeited and further considerations of parole would be under existing provisions.

MCL 791.234 et al.