

**"RECIDIVISM," "TECHNICAL PAROLE VIOLATION,"
"TECHNICAL PROBATION VIOLATION":
DEFINE TERMS AND REQUIRE DATA COLLECTION**

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**Senate Bill 5 as passed by the Senate
Sponsor: Sen. John Proos**

**Senate Bill 6 as passed by the Senate
Sponsor: Sen. Tonya Schuitmaker**

**Senate Bill 7 as passed by the Senate
Sponsor: Sen. Marty Knollenberg**

**House Committee: Michigan Competitiveness
Senate Committee: Michigan Competitiveness
Complete to 2-6-17**

SUMMARY:

Senate Bills 5, 6, and 7 amend various acts and codes to place the same definition for the terms "recidivism," "technical parole violation," and "technical probation violation" within each act or code. Each bill will also require any data collected and used regarding recidivism to be collected and maintained in a way that separates data regarding "technical probation violations" and "technical parole violations" from data on new felony and misdemeanor convictions.

The bills will take effect 90 days after enactment. The bills are part of a larger legislative initiative regarding corrections; other bills in the package are Senate Bills 5-24 and Senate Bill 50.

"Recidivism" is defined in the bills to mean the rearrest, reconviction, or reincarceration in prison or jail for a felony or misdemeanor offense or a probation or parole violation, or any combination of those events, of an individual as measured first after three years and again after five years from the date of release from incarceration, placement on probation, or conviction, whichever is later.

"Technical parole violation" is defined to mean a violation of the terms of a parolee's parole order that is not in and of itself a violation of a law of this state, a political subdivision of this state, another state, or the United States or of tribal law.

"Technical probation violation" will be defined to mean a violation of the terms of a probationer's probation order that is not in and of itself a violation of a law of this state, a political subdivision of this state, another state, of the United States or of tribal law.

Senate Bill 5 places the definitions and data requirement within the Code of Criminal Procedure (MCL 761.1).

Senate Bill 6 places the definitions and data requirement within the Community Corrections Act (MCL 791.402 and 791.404).

Senate Bill 7 places the definitions and data requirement within the Corrections Code (MCL 761.201 to 791.285).

FISCAL IMPACT:

The bills would have no fiscal impact on the state or on local units of government.

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