

**SUBSTITUTE FOR
SENATE BILL NO. 11**

A bill to create the criminal justice data collection and management program act; to describe the criminal justice data collection and management program; to provide for certain grants; 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 "criminal justice data collection and management program act".

3 Sec. 2. As used in this act:

4 (a) "County jail" means a facility operated by a county for
5 the physical detention and correction of individuals charged with
6 or convicted of criminal offenses and ordinance violations,

1 individuals found guilty of civil or criminal contempt, and
2 juveniles detained by court order.

3 (b) "County operations team" means a group of individuals, or
4 an individual, selected by the governing body of a county
5 participating in the criminal justice data collection and
6 management program to work in coordination with the state project
7 and state operations teams to implement the criminal justice data
8 collection and management program.

9 (c) "Criminal justice data collection and management program"
10 or "program" means the program created under section 3.

11 (d) "Offense type" means the category of a criminal offense as
12 categorized by the department of corrections.

13 (e) "Rearrest recidivism" means the rearrest of an offender as
14 measured first after 3 years and again after 5 years from the date
15 of his or her release from incarceration, placement on probation,
16 or conviction for a criminal offense, whichever is later, for a new
17 felony or misdemeanor offense, or for a parole or probation
18 violation.

19 (f) "Reconviction recidivism" means the reconviction of an
20 offender as measured first after 3 years and again after 5 years
21 from the date of his or her release from incarceration, placement
22 on probation, or conviction for a criminal offense, whichever is
23 later, for a new felony or misdemeanor offense, or for a parole or
24 probation violation.

25 (g) "Reincarceration recidivism" means the reincarceration in
26 jail or prison of an offender as measured first after 3 years and
27 again after 5 years from the date of his or her release from

1 incarceration, placement on probation, or conviction for a criminal
2 offense, whichever is later, for a new felony or misdemeanor
3 offense, or for a parole or probation violation.

4 (h) "State correctional facility" means any facility that
5 houses prisoners under the jurisdiction of the department of
6 corrections.

7 (i) "State operations team" means a group of individuals, or
8 an individual, appointed by the legislative council to execute
9 state-level data collection processes and criminal justice data
10 collection processes and to manage the collection of data from
11 counties participating in the criminal justice data collection and
12 management program and from state agencies and departments,
13 including, but not limited to, the state court administrative
14 office, the department of technology, management, and budget, and
15 the department of corrections.

16 (j) "State project team" means a group of individuals, or an
17 individual, appointed by the legislative council to develop and
18 assist in the implementation of processes and technology
19 improvements that facilitate the collection of criminal justice
20 data from the counties participating in the criminal justice data
21 collection and management program and from state agencies and
22 departments, including, but not limited to, the state court
23 administrative office, the department of technology, management,
24 and budget, and the department of corrections.

25 Sec. 3. (1) A criminal justice data collection and management
26 program is created within the legislative council. The program must
27 be implemented in not fewer than 1 county, selected by the

1 legislative council in consultation with the county's governing
2 body, and must work in coordination with state agencies and
3 departments, including, but not limited to, the state court
4 administrative office, the department of technology, management,
5 and budget, and the department of corrections.

6 (2) Not more than 60 days after the effective date of this
7 act, the legislative council shall appoint a state operations team
8 that shall oversee the work activities of the state project team
9 and the county operations teams.

10 (3) The state court administrative office and the department
11 of corrections must be provided, by appropriation, any necessary
12 grant funding to implement technological changes and additional
13 data collection or new data collection practices to the state court
14 administrative office and the department of corrections' data
15 collection systems based upon the recommendation of the state
16 operations team.

17 (4) The counties participating in the criminal justice data
18 collection and management program must be provided, by
19 appropriation, any necessary grant funding to implement
20 technological changes to county data collection systems based upon
21 the recommendation of the state operations team.

22 (5) The counties participating in the criminal justice data
23 collection and management program must be provided, by
24 appropriation, any necessary grant funding to implement additional
25 data collection and new data collection practices based upon the
26 recommendation of the state operations team.

27 (6) The legislative council shall distribute and manage grants

1 appropriated for the state court administrative office, the
2 department of corrections, and the counties participating in the
3 criminal justice data collection and management program under
4 subsections (3), (4), and (5).

5 (7) The counties participating in the criminal justice data
6 collection and management program shall, through their county
7 operations teams, collect and provide data to the state operations
8 team that support the determination of all of the following:

9 (a) County jail capacity.

10 (b) Rearrest recidivism.

11 (c) Reconviction recidivism.

12 (d) Reincarceration recidivism.

13 (e) The application of sentencing guidelines.

14 (8) The state court administrative office and department of
15 corrections shall collect and provide data to the state operations
16 team that support the determination of all of the following:

17 (a) State correctional facility capacity.

18 (b) Rearrest recidivism.

19 (c) Reconviction recidivism.

20 (d) Reincarceration recidivism.

21 (e) The application of sentencing guidelines.

22 (9) The state operations team shall collect the data under
23 subsections (7) and (8) and provide that data to the department of
24 technology, management, and budget.

25 (10) The department of technology, management, and budget
26 shall house and maintain the data collected under subsections (7),
27 (8), and (9).

1 (11) The department of technology, management, and budget
2 shall only allow access to the data collected under this act by
3 members of the department of technology, management, and budget and
4 the legislative council.

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