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House Bill 4538 (H-1 as passed by the House)

Sponsor: Representative Rick Jones

House Committee: Appropriations

Senate Committee: Appropriations

Date Completed: 9-21-10

CONTENT

The bill would amend the Corrections Code to eliminate the scheduled sunset of the Special Alternative Incarceration (SAI) program. Otherwise known as "boot camp", the SAI program currently operates as an alternative to incarceration in State prison facilities for individuals who meet specific criteria. Prisoners who participate in the program generally serve 90 days, and State law limits participation to no more than 120 days. Upon successful completion, a prisoner is placed on parole for at least the remainder of his or her minimum sentence.

Under current law, the program is scheduled to sunset on September 30, 2010. The House-passed Substitute would eliminate this sunset altogether. (The agreement between the Chairs of the House and Senate Appropriations Subcommittees on Corrections, however, is to delay the sunset for two years.)

The bill also would make a single change to current law regarding SAI eligibility. Under current law, a prisoner serving a sentence for breaking and entering under MCL 750.110 must have a minimum sentence of 24 months or less to be eligible for SAI. Under the bill, this also would apply to home invasion under MCL 750.110e. For all other eligible crimes, the minimum sentence must be 36 months or less.

MCL 791.234e

FISCAL IMPACT

Current year appropriations to the SAI program total \$10,772,600. As of September 3, 2010, SAI housed 202 prisoners (182 male, 19 female) and 136 probationers (123 male, 13 female). If the program is allowed to sunset, the prisoners who otherwise could be housed at SAI will be incarcerated in State correctional facilities. A prison population analysis submitted by the Michigan Department of Corrections (MDOC) concurrent with the release of the FY 2010-11 Executive Budget Recommendation indicates that an additional 1,285 prison beds would be occupied during the course of FY 2010-11 if the SAI program sunsets on September 30.

Enactment of the bill would allow the Department to avoid the cost of prison beds that otherwise will have to be returned to service. The cost of an additional 1,200 prison beds would be roughly \$15.0 to \$20.0 million annually. A more precise estimate of the cost of these beds would depend on the security classification of the prisoners who would otherwise

BOOT CAMP CONTINUATION

participate in SAI, among other factors. The Conference Report on Senate Bill 1153, the corrections budget bill for FY 2010-11, includes \$10,965,800 Gross for the SAI program. Assuming this funding remains static, the program would allow the MDOC to achieve relative savings of approximately \$4.0 million to \$9.0 million in FY 2010-11.

Fiscal Analyst: Matthew Grabowski

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.