

PAROLE ABSCONDERS

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Senate Bill 18 as passed by the Senate
Sponsor: Sen. Ken Horn

Analysis available at
<http://www.legislature.mi.gov>

Senate Bill 19 as passed by the Senate
Sponsor: Sen. Dale W. Zorn

House Committee: Michigan Competitiveness
Senate Committee: Michigan Competitiveness
Complete to 2-7-17

BRIEF SUMMARY:

Senate Bill 18 will require each Field Operations Administration Region to provide a list of parole absconders to the Department of Health and Human Services (MDHHS) on a quarterly basis.

Senate Bill 19 will prohibit the MDHHS from granting food assistance to any person having an outstanding felony warrant and prohibit cash assistance and food assistance to any individual who has absconded from parole supervision.

The bills are tie-barred together, meaning neither can take effect unless both are enacted. If enacted, they would take effect 90 days after enactment.

DETAILED SUMMARY:

Senate Bill 18 adds a new section to the Corrections Code (MCL 791.284). On a quarterly basis, each of the ten Field Operations Administration Regions (FOA) will be required to provide the Department of Health and Human Services (MDHHS) with a list of supervised individuals within that region who have absconded from supervision *and* whom a law enforcement agency is actively seeking. The bill defines *supervised individual* as an individual who has been released from prison on parole.

Abscond is defined as the intentional failure of an individual supervised under the Corrections Code to report to the supervising agent and to advise the supervising agent of his or her whereabouts.

Actively seeking means either:

- A law enforcement agency intends to enforce an outstanding felony warrant for a supervised individual or arrest a supervised individual for a parole violation or for absconding from supervision within the following 30 days; or,
- The supervised individual has an active warrant for one of the following National Crime Information Center categories: escape, flight to avoid, or flight and escape.

Field Operations Administration Region means one of the geographic regions delineated by the Department of Corrections that are charged with the responsibility of overseeing supervised individuals released from prison on parole, and that employ parole and probation agents to engage in direct supervision of the supervised individuals.

Senate Bill 19 amends the Social Welfare Act (MCL 400.10b). Public assistance is currently withheld from individuals eluding arrest under outstanding warrants issued for felony charges in Michigan or any other jurisdiction. The bill retains this provision, but revises it to specifically withhold "cash assistance" from those individuals. In addition, the bill adds language to prohibit the MDHHS from granting "food assistance" to an individual who has an outstanding felony warrant and is being actively sought by law enforcement. Other references to "public assistance" in Section 10b are also revised to instead specify "cash assistance" or "food assistance."

The bill also will prohibit the MDHHS from granting *cash* assistance to an individual if the department receives information from a Field Operations Administration (FOA) office under the provisions of Senate Bill 18 that the individual is a parole absconder. *Food* assistance could not be granted to an individual who is a parole absconder and is being actively sought by law enforcement.

In addition, the bill revises a provision that currently requires the MDHHS director or a designee to review information regarding individuals for whom a felony warrant or extradition warrant has been issued (provided by the Department of State Police under provisions of the C.J.I.S. Policy Council Act) to determine if any listed individuals are also receiving public assistance. Instead, the bill requires the director or designee to review the state police information to determine if cash assistance or food assistance recipients or applicants have absconded from supervision (parole).

The bill also requires the director or designee to review information provided by a FOA under Senate Bill 18 to determine if *cash* assistance recipients or applicants have absconded from supervision and if *food* recipients or applicants have absconded from supervision and law enforcement is actively seeking them. The MDHHS could not grant cash or food assistance to individuals who are subject to an arrest under an outstanding warrant or to parole absconders.

Cash assistance means cash benefits provided under the Family Independence Program, the Refugee Assistance Program, or state disability assistance.

Food assistance means the food benefits provided under the Food Assistance Program administered under the Social Welfare Act.

FISCAL IMPACT:

Senate Bill 18 would have no fiscal impact on the Department of Corrections or on local units of government. The Department of Corrections would produce the required reports using existing appropriations.

Senate Bill 19 could result in savings to the State through the termination of certain public assistance benefits to individuals who are either parole absconders or are subject to an arrest under an outstanding warrant. Public assistance benefits are administered by the Department of Health and Human Services. The amount of possible state savings would depend how many individuals who currently receive public assistance also fit into one of these categories. However, because the number of parole absconders and/or individuals with outstanding warrants that also receive public assistance is not currently known, the amount of savings that the state might achieve through the bill's provisions is indeterminate at this time.

Legislative Analyst: Susan Stutzky
Jenny McInerney
Fiscal Analyst: Robin Risko
Viola Bay Wild

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