



Senate Fiscal Agency
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BILL ANALYSIS



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House Bill 5377 (Substitute H-1 as reported without amendment)
Sponsor: Representative Klint Kesto
House Committee: Law and Justice
Senate Committee: Judiciary

CONTENT

The bill would amend the Corrections Code to do the following:

- Specify that the purpose of parole guidelines would be to assist the Michigan Parole Board in making *objective, evidence based* release decisions that would enhance public safety.
- Require the Department of Corrections (MDOC) to state in writing the substantial and compelling *objective* reasons for a departure from the parole guidelines.
- Specify that substantial and compelling objective reasons for a departure from the guidelines would be limited to certain circumstances.
- Require the Parole Board to conduct a review of a prisoner who had been denied parole.
- Require the MDOC to submit to the Legislature and the Criminal Justice Policy Commission (CJPC) an annual report containing certain information about the number of prisoners who were granted and denied parole during the preceding calendar year.
- Require the MDOC to immediately advise the Legislature and the CJPC of any changes made to the scoring of the guidelines.
- Specify that there would be no entitlement to parole.

MCL 791.233e et al.

Legislative Analyst: Stephen Jackson

FISCAL IMPACT

The bill would result in savings for the State over time and would have an indeterminate impact on local governments. Savings would not be realized immediately because the bill would not apply to prisoners who are currently in custody; however, the average length of stay for future prisoners could be reduced. A reduction in the average length of stay in prison for future prisoners would result in a reduced prison population and a decrease in the number of prison beds required. The Department of Corrections anticipates the continuation of a projected 1,800 bed decline over the next five years as a result of the bill.

The bill could lead to an increase in the number of offenders on parole, which could lead to an increased need for parole supervision services and prisoner reentry services. State costs for parole supervision averaged \$3,603 per supervised offender in fiscal year 2017.

Although it is unlikely provisions of the bill would lead to more parolees reoffending, if there were more arrests, it could increase costs to local court systems, law enforcement, and jails. Shortening the average length of stay for prisoners could increase the chance that some individuals who otherwise would have been in prison will reoffend, but there is no compelling evidence that longer prison stays reduce recidivism rates.

Date Completed: 9-5-18

Fiscal Analyst: Abbey Frazier

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Bill Analysis @ www.senate.michigan.gov/sfa

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