EVIDENCE-BASED PRACTICES FOR PROBATION AND PAROLE SUPERVISION (EXCERPT)
Act 5 of 2017

798.32 Adoption of policies, rules, and regulations; expenditures; elimination of certain supervision policies, procedures, programs, and practices; collection and maintenance of data.

Sec. 2.

(1) The agency shall adopt policies, rules, and regulations that within 4 years after the effective date of this act result in all supervised individuals being supervised in accordance with evidence-based practices, or practices developed based upon evidence-based practices, in order to improve the success rates of and to reduce recidivism rates for supervised individuals. The agency shall consult with and seek recommendations from local law enforcement agencies, including sheriff's departments, circuit courts, county prosecutor's offices, and community corrections programs, in adopting policies, rules, and regulations for evidence-based supervision practices.

(2) The policies, rules, and regulations adopted under subsection (1) must include all of the following:

(a) The adoption, validation, and utilization of an objective risk and needs assessment tool.

(b) The use of assessment scores and other objective criteria to determine the risk level and program needs of each supervised individual, prioritizing supervision and program resources for offenders who are at higher risk to reoffend.

(c) Definitions of low-, moderate-, and high-risk levels during the period of supervision.

(d) The development of a case plan, based on the assessment score, for each individual who is assessed to be moderate to high risk. The case plan developed under this subdivision must allow a supervised individual options for programming and is subject to conditions of supervision, if any, imposed by a court having jurisdiction over the supervised individual.

(e) The development of a case plan, based on the assessment score, for each individual who is assessed to be low risk. The case plan developed under this subdivision must allow a supervised individual options for programming and is subject to conditions of supervision, if any, imposed by a court having jurisdiction over the supervised individual.

(f) The identification of swift, certain, proportionate, and graduated responses that a supervising agent will apply in response to a supervised individual's compliant and noncompliant behaviors.

(g) The adoption of caseload guidelines that are based on offender risk levels and take into account agency resources and employee and supervising agent workload.

(h) The establishment of protocols and standards that assess the degree to which agency policies, procedures, programs, and practices relating to offender recidivism reduction are evidence-based.

(3) Not more than 4 years after the effective date of this act, all state funds expended on programs must be for programs that are in accordance with evidence-based practices or are developed based upon evidence-based practices.

(4) Not more than 4 years after the effective date of this act, the agency shall eliminate supervision policies, procedures, programs, and practices intended to reduce recidivism that scientific research demonstrates do not reduce recidivism.

(5) Any data collected and maintained under this act regarding recidivism rates must be collected and maintained in a manner that separates the data regarding technical probation violations and technical parole violations from data on new felony and misdemeanor convictions.

History: 2017, Act 5, Eff. June 29, 2017