

**OAKLAND COUNTY CIRCUIT COURT
PROBATION DEPARTMENT
1200 N. Telegraph Road
1st Floor North Office Building
Pontiac, MI 48341**

**CIRCUIT COURT FELONY OFFENDER
PROGRAMS AND SANCTIONS
2005**

**Kenneth J. Aud
Area Manager**

FOREWORD

The Probation Department provides both investigation and supervision services to the Sixth Judicial Circuit Court of Oakland County. The Department deals exclusively with an adult felony offender population.

In recent years, we have engaged in an aggressive effort to focus policy makers on the need to view prison and jail as a finite resource, which should be used for our most chronic and violent offenders. In this regard, we have urged the widespread use of programs and sanctions for certain eligible low level offenders at the time of sentencing. Additionally, we have developed and refined an array of programming specifically targeting probation violation behavior. We are continually applying evidence based models and practices to strengthen our programming and operations.

The results have been significant. During 2004, the Oakland County Probation Department maintained a prison commitment level of 19.4%, which was significantly below the statewide commitment rate. Further, we have maintained stable jail population levels, held locally, with many offenders successfully completing appropriate treatment alternatives. By utilizing both the existing and new programs as contained in the following pages, it is my hope that we will see even further dramatic results this year.

We are proud of what we have accomplished in the name of public safety, security and fiscal responsibility. We hope by expanding your knowledge you will be proud as well.

Kenneth J. Aud, Area Manager
Probation Department

Prepared by Oakland County Circuit Court Probation
Kenneth J. Aud, Area Manager

Special thanks to Probation Agents Jason Furst and Anthony Cotner who assisted in the preparation of this annual document.

**OAKLAND COUNTY CIRCUIT COURT FELONY OFFENDER
PROGRAMS AND SANCTIONS 2005**

PROGRAM DIRECTORY

<u>Department of Corrections Probation Boot Camp - SAI</u>	1
<u>Department of Corrections Prisoner Boot Camp - SAI</u>	2
<u>Excluded Prisoner SAI Offenses</u>	3
<u>Probation Electronic Monitoring</u>	5
<u>Structured Sentencing and Accountability Program for OUIL III Offenders</u>	6
<u>Oakland County Sheriff's Department Jail Work Release</u>	8
<u>Oakland County Sheriff's Department Zero Tolerance Program</u>	9
<u>Oakland County Sheriff's Department Boot Camp - RIDP</u>	11
<u>P.A. 511 Community Corrections</u>	13
<u>Attachment A - Ineligible Felony Offenses</u>	14
<u>Alternative Incarceration Centers</u>	17
<u>Probation Rule Violator Program (PRV)</u>	18
<u>Life and Employment Skills Program</u>	19
<u>CPI's STOP Program</u>	20
<u>CPI's Work Release Treatment Program (W.R.T.)</u>	21
<u>Community Service</u>	22
<u>Pretrial Services</u>	23
<u>PTS Supervision</u>	24
<u>Step Forward Day Reporting Center</u>	25
<u>Adult Treatment Court</u>	26

**DEPARTMENT OF CORRECTIONS PROBATION BOOT CAMP
SPECIAL ALTERNATIVE INCARCERATION PROGRAM**

Eligibility

- A. Offenders must be sentenced to probation with SAI as a **condition of probation**.
- B. Males and females are eligible.
- C. The target populations are those offenders with sentence guidelines falling within a straddle cell, or higher that would be placed in SAI as a diversion from long term jail or prison sentences.
- D. Offenses **without sentence guidelines** are eligible provided the probation officer would have otherwise recommended a substantial term of incarceration.
- E. **No age limits or restrictions** providing the probationer is capable of participating.
- F. **Excluded:**
 - Offenders serving Child Pornography, CSC I, II, III or Assault With Intent to Commit CSC, and Arson sentences and attempts.
 - Offenders who have served a prison sentence.
 - Offenders with a felony detainer or pending felony charges.
 - Offenders with emotional/mental or physical limitations who could not participate in the program regimen.
 - Offenders who have previously completed SAI or were terminated as a rules violator or quitter.
- G. **Probation violators** may be sentenced to the program providing the original sentencing guidelines meet the above criteria.
- H. **NOTE: Habitual offenders are eligible if they meet the eligibility requirements.**
- I. Individuals serving a current CSC IV or have prior adult or juvenile CSC convictions are eligible.
- J. HYTA probationers are eligible providing they meet the above criteria.

Program

The SAI program is operated by the Michigan Department of Corrections, Field Operations Administration, and SAI Division. The program is located in Chelsea, Michigan. Offenders sentenced to the program are taken into custody by the Sheriff and transported to the program. The program includes an aftercare component. Program features:

- A. Ninety to one hundred-twenty (90-120) days at the Boot Camp in Chelsea.
- B. The program includes strenuous physical exercise and work, including community projects.
- C. Program includes educational and vocational counseling.
- D. After graduation, aftercare includes:
 - Up to 30 days in a residential program (CPI in Oakland County).**
 - Up to 6 months on electronic monitoring followed by 6 months of intensive probation supervision.**
- E. Aftercare and subsequent probation supervision are provided in the area where the offender resides.

Violation

Offenders who **fail** to complete SAI are charged with probation violation.

Contact: Kathleen Shampo @ (248) 858-0328 or Kerri Moran @ (248) 858-1518

DEPARTMENT OF CORRECTIONS PRISONER BOOT CAMP, SPECIAL ALTERNATIVE INCARCERATION - SAI

I Eligibility

- A. Offenders sentenced to a minimum prison term of three (3) years or less. Two year minimum or less for B & E (ODH) or Home Invasion.
- B. At time of sentence, Court must indicate on record and in Judgment of Sentence: "No objection to placement in Prisoner SAI Program". Court does not retain jurisdiction of case.
- C. The Department of Corrections will further review to insure eligibility.
- D. Males and females are eligible.
- E. Offenders are excluded if they were convicted on one of the following offenses or attempts:
 - Offenders with pending felony charges or detainers.
 - Offenders who have served a prison sentence.
 - Offenders with emotional/mental or physical limitations who could not participate in the program regiment.
 - Habitual offenders.

II Program

The SAI Program is operated by the Michigan Department of Corrections, Field Operations Administration, and SAI Division. The program is located in Chelsea, Michigan. Offenders approved by the Court are sent directly to the SAI Program for further screening. The program includes an aftercare component. Program features are as follows:

- A. Ninety (90) days at program in Chelsea.
- B. The program includes strenuous physical exercise and work, including community projects.
- C. The program includes educational and vocational counseling.
- D. **Those who complete the Boot Camp are immediately paroled to aftercare.**
- E. Aftercare and subsequent parole supervision are provided in area of offender's' residence.

III Violation

Those who fail the Boot Camp portion of the program are transferred to a regular prison to serve their sentence. Those who violate parole are subject to the normal parole violation process.

IV Contact

Kim Eisenbeis (248) 681-1705, Ext. 226 or Peggy Flanigan (248) 681-1705, Ext. 231

See next page for a list of **EXCLUDED PRISONER SAI OFFENSES**

EXCLUDED PRISONER SAI OFFENSES

Prisoners serving for an offense listed below, or for an attempt to commit that offense, are **not** eligible for the SAI Program.

<u>MCL</u>	<u>OFFENSE</u>
257.625(4) or (5)	Person under the influence of intoxicating liquor or controlled substance, driving on highway or parking area prohibited. (Only if offense occurred on or after 1/1/93.)
750.10a	Sexually delinquent person
750.11	Taking a woman and compelling her to marry
750.49	Animals; fighting, baiting, or shooting; dogs trained for fighting
750.72	Burning a dwelling house
750.73	Burning of other real property
750.75	Burning of insurance property
750.80	Setting fire to mines and mining material
750.83	Assault with intent to commit murder
750.86	Assault with intent to maim
750.89	Assault with intent to rob and steal; armed
750.91	Attempt to murder
750.112	Burglary with explosives
750.136	Cruelty to children
750.136b(1)(2)(3)or(4)	Child abuse
750.145c	Child sexually abusive material
750.157b	Solicitation of murder or other felony
750.158	Crime against nature or sodomy
750.193	Breaking prison; escape
750.195	Jail; escape
750.207	Placing explosives with intent to destroy
750.213	Malicious threats to extort money
750.260	Counterfeiting and possession of coins
750.316	First degree murder
750.317	Second degree murder
750.319	Death as a result of fighting a duel
750.321	Manslaughter
750.327	Death due to explosives
750.328	Death due to explosives, placed with intent to destroy building or object
750.329	Death, firearm pointed intentionally, but without malice
750.335a	Indecent exposure
750.338	Gross indecency; between male persons
750.338a	Gross indecency; between female persons
750.338b	Gross indecency; between male and female persons
750.349	Kidnapping
750.349a	Prisoner taking another as a hostage
750.350	Kidnapping; child under 14

750.397	Mayhem
750.422	Perjury committed in courts
750.436	Poisoning food, drink, medicine, wells, etc.
750.511	Railroads; attempt to wreck or endanger safety of passengers
750.516	Forcible detention of railroad train
750.517	Entering train for robbing by means of intimidating
750.520b	First degree criminal sexual conduct
750.520c	Second degree criminal sexual conduct
750.520d	Third degree criminal sexual conduct
750.520g	Assault with intent to commit criminal sexual conduct
750.529	Robbery; aggravated assault
750.529a	Carjacking
750.531	Bank, safe and vault robbery
750.544	Treason
752.542	Incitement to riot

A prisoner serving a habitual offender sentence pursuant to MCL 769.10, 769.11 or 769.12 also is ineligible.

Prisoners with **previous** convictions for the sex offenses listed below are not eligible for the SAI Program.

<u>MCL</u>	<u>OFFENSE</u>
750.10a	Sexually delinquent person
750.145a	Accosting, enticing or soliciting child for immoral purposes.
750.145b	Accosting, enticing or soliciting child for immoral purposes.
750.145c	Child sexually abusive activity or material
750.158	Crime against nature or sodomy
750.133	Incest
750.335a	Indecent exposure
750.336	Indecent liberties with a child
750.338	Gross indecency between male persons
750.338a	Gross indecency between female persons
750.338b	Gross indecency between male and female persons
750.339	Debauchery by females of males under 15
750.340	Debauchery by males of males under 15
750.341	Carnal knowledge of state ward
750.342	Carnal knowledge of female state ward
750.349	Kidnapping
750.350	Kidnapping child under 14
750.448	Soliciting and accosting
750.455	Pandering
750.520	Rape
750.520b	First degree criminal sexual conduct
750.520c	Second degree criminal sexual conduct
750.520d	Third degree criminal sexual conduct
750.520e	Fourth degree criminal sexual conduct
750.520f	Second or subsequent offenses
750.520g	Assault with intent to commit criminal sexual conduct

PROBATION ELECTRONIC MONITORING
(TETHER - HOME CONFINEMENT)

I Eligibility

- A. Offenders **must** be sentenced to a term of probation or delayed sentence.
- B. Offenders **must** have residence with phone service. Phone service must be land line without options.
- C. All probationable offenses are eligible.
- D. Offenders on **pretrial status are not eligible** for MDOC tether. (See Pretrial Services)

II Program

Electronic monitoring is a program funded by the Michigan Department of Corrections. Offenders under electronic monitoring supervision are confined to their home except for specific times when they are permitted in the community to work, participate in rehabilitation programs, or care for necessary needs as approved by the probation agent. Program features:

- A. **Offenders must wear an ankle bracelet sending unit ('tether')**. The receiving unit is connected to the home phone, and via phone lines to a central monitoring unit.
- B. The probation agent sets and may change curfew hours of offender as needed.
- C. Offender reports to a probation agent weekly if unemployed, but biweekly if employed and in compliance.
- D. Fees for tether supervision are \$10 per day (\$12.00 with Sobrietor).
- E. A sentence of **at least 60 days** and no more than one year of electronic monitoring are recommended.

III Violation

Offenders who violate electronic monitoring rules may be charged with Violation of Probation.

IV Contact

Kathleen Shampo (248) 858-0328

STRUCTURED SENTENCING AND ACCOUNTABILITY PROGRAM FOR OUIL III OFFENDERS (SSAP)

Purpose: To provide a program aimed toward reducing recidivism among OUIL III offenders, through the use of a structured sentencing and accountability program.

Volume: In 2004, 383 persons were charged with OUIL III in the Circuit Court.

Target Group: Non-straddle cell offenders (0-18 or less SGL) who are PA511 eligible and Oakland County residents.

PROCESS

Alcohol assessment: All defendants opting for the program will be required to undergo an alcohol assessment, NEEDS, to be performed by the ZTP staff at OCJ. The NEEDS evaluation provides a diagnosis as a recommendation for the level of care. The assessment results will be forwarded to the Probation Department for incorporation into the PSI.

Jail sentence: Defendants with SGL 0-11 would be given a jail sentence of 90 days or less; those with SGL 0-12 through 0-18 may receive a jail sentence of greater than 90 days at judge's discretion; work release may be granted if eligible.

Residential and community treatment: All offenders placed in SSAP will be required to complete a structured treatment program (at either CPI or New Paths), lasting 90 days, followed by up to 180 days on the SCRAM tether monitoring device. All offenders are required to receive a referral to STEP FORWARD for a substance abuse assessment and outpatient treatment services once released from residential treatment.

Additionally, all participants will be required to complete the MADD Victim Impact Panel as directed by their probation officer.

Reviews: A review of the offender's progress will be provided to the judge 60 days into the inpatient treatment program and again 30 days prior to the defendant being discharged from probation. The judge may require the offender's presence in court for the review.

Waiver of Rights: The defendant shall sign a waiver of rights form prior to entering the program. Attorney to sign: Indicating that the program has been explained to the defendant.

Funding: No defendant will be denied due to lack of financial resources. Funding will be available through Community Corrections, to assist with the cost of testing and treatment.

The three phases of the Structured Sentencing and Accountability Program

Incarceration

No more than 90 days with SGL 0-11; SGL 0-12 through 0-18 may receive a sentence of greater than 90 days.

Treatment

24/7 Structured Program (New Paths or CPI) for 90 days.

Aftercare

Up to 180 days on SCRAM alcohol monitoring tether (to be supervised by Anthony Cotner or Brigette Avolio in his absence)

Referral to Step Forward for continuation of care, AA meetings, and random testing if needed. Two years or more probation and attend Victim Impact Panel.

Violations

The first two violations detected by the SCRAM unit or other source will be handled administratively by Probation, in accordance with the following graduated sanctions.

- 1st Violation 3 days in CPI
- 2nd Violation 14 days in CPI
- 3rd Violation Judge's discretion (Show Cause Hearing)

Upon the third violation, Probation shall forthwith notify the Court Administrator. Court Administration personnel will notify the sentencing judge that a violation has occurred. Defendant will be ordered to appear before the sentencing judge on a date to be fixed by the Court.

Participating Pilot Judges

Goldsmith, Grant, McDonald, Mester, Potts, Schnelz, Sosnick and Tyner

Contact Personnel

Probation: Agents: Stephen Crumb: (248) 858-452-9203 (during initial jail phase)
Anthony Cotner: (248) 655-1148 (during treatment and aftercare phases)
Brigette Avolio: (248) 858-0327

Supervisor: Kathleen Shampo (248) 858-0328 (at Pontiac office)
(248) 655-1127 (at Troy Probation office)

Community Corrections: Barbara Hankey (248) 451-2306 (supervisor); Mark Evo (248) 451-2325 (treatment provider)

Circuit Court Administration: Gwynn Starkey (248) 858-1867

SHERIFF'S JAIL WORK RELEASE

I Eligibility

- A. Offenders **must** be sentenced to a flat jail term or jail as a condition of probation.
- B. Jail terms **must** be fifteen (15) days or more.
- C. Males **and** females are eligible.
- D. The offender **must** have verified employment.
- E. If space is available, offenders may be placed in Work Release for purposes other than employment - e.g., school, provided they are able to pay the required fees.
- F. The following are **not eligible** for Work Release:
 - Offenders with two or more assaultive convictions.
 - Offenders with a felony detainer.
 - Offenders serving sentences for CSC or Attempted CSC 1, 2, or 3 and Assault or Attempted Assault with Intent to Commit Sexual Penetration, Stalking, Escape or Attempted Escape, or VOP, with one of these charges as the underlying charge.
 - Offenders with warrants/holds from other jurisdictions.

II Program

MCL 28.1747 provides that the Court may grant "Day Parole" to jail inmates for several purposes, the most common being employment. Inmates sentenced to Work Release must meet statutory and local eligibility requirements to actually be placed in the program. In Oakland County, the Sheriff's Department administers the Work Release Program. Work Release inmates are housed in a facility separate from the main jail. Complete Work Release rules may be obtained from the Sheriff's Department. Among them are:

Entry fee of \$80.00

Sliding fees of \$11.00 to \$60.00 per day based on income.

Maximum of 10 hours per day at work, with one hour travel each way - total of 12 hours.

Work no more than six days per week.

Periodic employment verifications.

Periodic drug and alcohol testing.

III Violation

The Sheriff's Department may remove the prisoner from Work Release for rule violations.

He or she will serve the balance of the jail sentence in the main jail. Probationers who violate the rules may be charged with probation violation if the rule violation is also a condition of the program - e.g., drug or alcohol use.

IV Contact

Deputy Tom Jenkinson (248) 858-5457.

SHERIFF'S ZERO TOLERANCE SUBSTANCE ABUSE PROGRAM - ZTP

I Eligibility

- A. An offender **must** be sentenced to a flat jail term or jail as a condition of probation (preferred).
- B. The offender **must** have telephone service.
- C. Offenders serving CSC sentences are **excluded**.
- D. Offenders serving sentences for assaultive offenses will be reviewed by ZTP staff for acceptance.
Contact with ZTP staff is recommended before sentencing.
- E. Offenders with felony detainers are **excluded**.

II Sentence

- A. The Court may suspend all or part of the jail term for participation in ZTP.
- B. All offenders must go through the booking process at the jail (one day). The Court may allow an offender to report to OCJ Booking on a specified day at 9:00 a.m.
- C. The Court must prepare a Judgment of Sentence committing the offender to jail, even if the sentence is suspended.

III Program

It is administered by the Sheriff's Department Substance Abuse Services staff. Substance abuse testing is performed at one of several laboratories nearest to the offender's home or work. The offender may also be referred for treatment during the program.

- A. After booking and orientation, the offender is assigned to a case supervisor in the ZTP Program.
- B. After jail release, the offender is required to follow program rules for weekly drug testing instruction(s).
- C. The offender is subject to **progressive sanctions** for positive ('dirty') substance abuse test or a missed appointment consisting of jail and/or substance abuse treatment. The jail sanctions are:
 - 1st violation: 3 days OCJ, plus outpatient treatment
 - 2nd violation: 10 days OCJ, plus inpatient treatment (if PA511 eligible)
 - 3rd violation: 30 days OCJ
 - 4th violation: Balance of sentence
- D. Duration in ZTP is set by amount of time stated in Judgment of Sentence.

Note: Outdate with ZTP will be extended if there is an outstanding violation.

IV Violation

Please refer to "Program Rules" for violations.

Offenders who fail to respond to calls from the ZTP staff will have a warrant issued by the Oakland County Sheriff's Department. Probationers who fail the program rules may be charged with a Probation Violation.

V Contact: Dominic Sacco (248) 858-4999
 Assignment Clerk (248) 452-2068

Note: **There is a \$75.00 administration fee imposed on the defendant.**

SHERIFF'S BOOT CAMP - REGIMENTED INMATE DISCIPLINE PROGRAM (RIDP)

I Eligibility

- A. The offender must be sentenced to a term of **90 days or more**. The sentence may be a flat jail term or jail as a condition of probation. The offender may **not** be sentenced only to complete RIDP without an accompanying jail term.
- B. Males **and** females are eligible.
- C. Excludes:
 - Offenders serving sentences for CSC or Attempted CSC offense and/or Escape/Attempted Escape from a Secured Facility.
 - Offenders with conviction history of multiple assaultive felonies.
 - Offenders with a felony detainer.
 - Offenders with physical or mental/emotional impairments that would prevent participation in the program regimen.

II Program

The program is administered by the Oakland County Sheriff's Department RIDP staff at the camp facility on Brown Road in Orion Township. **The balance of the jail sentence is suspended for inmates who successfully complete the program.**

Program features:

8 week program

Program includes strenuous physical exercise and work, including community projects.

Program includes an educational and employment program, and counseling. Counselor follow-up with community assistance and placement.

III Violation

Offenders who violate the program rules are returned to the main jail to serve their full sentence.

IV Contact

Sgt. Perry, OCSD (248) 391-0018

Note: Offenders are required to have \$95 (for males) and \$115 (for females) in their jail account for purchase of proper program attire.

**OAKLAND COUNTY SHERRIF'S OFFICE RIDP PROGRAM
REVISED 2005 CALENDAR YEAR SCHEDULE**

INTAKE DATES

APRIL 6, 2005

MAY 11, 2005

JUNE 15, 2005

JULY 20, 2005

AUGUST 24, 2005

SEPTEMBER 28, 2005

NOVEMBER 2, 2005

DECEMBER 7, 2005

GRADUATION DATES

JUNE 1, 2005

JULY 6, 2005

AUGUST 10, 2005

SEPTEMBER 14, 2005

OCTOBER 19, 2005

NOVEMBER 23, 2005

DECEMBER 28, 2005

FEBRUARY 1, 2006

**Due to change in staffing levels of the Corrections Division it has become necessary to change the Intake/Graduation schedule for the 200t calendar year. The new schedule change will result in all Intakes and Graduations being on Wednesdays.

Sgt. Larry Perry
Oakland County Sheriffs Office
Boot Camp
248-391-0018

PUBLIC ACT 511 OF 1988 - THE COMMUNITY CORRECTIONS ACT

P.A. 511 provides funds for local jurisdictions to implement programs which target non-violent offenders who may have otherwise been incarcerated in prison or jail. Because of Oakland's already low commitment rate, Oakland County has implemented programs to provide Oakland County Courts with a wide range of options designed as alternatives to jail, or an enhancement to community supervision, which may prevent behavior that could result in jail or prison terms.

The Oakland County Community Corrections Programs include:

Alternative Incarceration Centers (AIC)*

Life and Employment Skills Program (LESP)*

STOP Program*

Community Service

Pretrial Services

Step Forward*

Note: Offenders sentenced to AIC, LESP, STOP or Step Forward must meet the following eligibility requirements.

1. For sentence guideline offenses, the guideline range maximum (top end) must be:
9 months or more at the time of the original sentence
6 months or more for probation violations
2. For offenses without sentence guidelines, eligibility is based on whether the offender would have likely been sentenced to jail. (Must be a felony offense.)
3. Offenders currently or previously convicted of one of the following crimes, or an attempt, are not eligible (Refer to Attachment A).

Note: **Offenses which are more than five years old are not to be considered.**

4. Certain psychiatric and pain medications could make the offender ineligible for AIC programs. Contact one of the Probation Department representatives listed on Page 12.
5. Offenders must enter AIC programs with prescribed medications or a prescription for medications and funds to pay for them.

Attachment A

INELIGIBLE FELONY OFFENSES
Alphabetic Listing

OFFENSE	MCI #
Assault of a Police Officer	750.479a(6)
Assault With Intent to Commit Criminal Sexual Conduct	750.520G
Assault With Intent to Commit Felony	750.87
Assault With Intent to Commit Murder	750.83
Assault With Intent to do Great Bodily Harm	750.84
Assault With Intent to Main	750.86
Assault With Intent to Rob or Steal, Unarmed	750.88
Assault With Intent to Rob or Steal, Armed	750.89
Attempt to Murder	750.91
Bank, Safe, or Vault Robbery	750.531
Burning Dwelling House	750.72
Burning of Other Real Property	750.73
Burning of Personal Property Over \$200*	750.7(c) or (d)
Careless Use of Firearm to Kill	752.861
Carjacking	750.529a
Child Abuse - 1 st Degree	750.136b(2)
Child Abuse - 2 nd Degree	750.136b(3)
Child Abuse - 3 rd Degree	750.136b(4)
Child Abuse - 4 th Degree	750.136b(5)
Criminal Sexual Conduct, 1 st Degree	750.520B
Criminal Sexual Conduct, 2 nd Degree	750.520C
Criminal Sexual Conduct, 3 rd Degree	750.520D
Criminal Sexual Conduct, 4 th Degree	750.520E
Criminal Sexual Conduct, Second or More Offenses	750.520F
Domestic Assault 3 rd Offense*	750.81(4)
Explosives, Sending With Intent to Injure	750.204
Explosives, Placing With Intent to Destroy or Injure	750.207

Explosives, Placing Offensive Substance With Intent	750.209
Explosives, Possession With Intent to Use Unlawfully	750.210
Explosive Device, Construction, Use, Possession	750.211a
Extortion	750.213
Felonious Assault*	750.82
Felonious Driving*	752.191
Fleeing & Eluding 4 th Degree*	750.479a(2)
Fleeing & Eluding 3 rd Degree*	750.479a(3)
Fleeing & Eluding 2 nd Degree	750.479a(4)
Fleeing & Eluding 1 st Degree	750.479a(5)
Gross Indecency Between Males	750.338
Gross Indecency Between Females	750.338(a)
Gross Indecency Between Males and Females	750.338(b)
Home Invasion 1 st Degree	750.110a(2)
Home Invasion 2 nd Degree*	750.110a(3)
Inciting to Riot	752.542
Jail Break - Armed	750.197
Kidnapping	750.349
Larceny From a Person*	750.357
Malicious Destruction of Police/Fire Dept. Property*	750.377b
Manslaughter	750.321
Mayhem	750.397
Murder, 1 st Degree	750.316
Murder, 2 nd Degree	750.317
Negligent Homicide	750.324
Offense by Sexually Delinquent	767.61a
Resisting or Obstructing Officer*	750.479
Second Offense Accosting, Enticing, or Soliciting Child for Immoral Purpose	750.145B
Sodomy	750.158
Stalking, Aggravated	750.411i
Use of Internet to Exploit or Solicit a Minor	750.145d

1. Offender must have a sentencing guideline score of at least 0 - 9.
2. If a probation violator, must have an original guideline score of at least 0 - 6.
3. Offender may not be charged with one of the above offenses.
4. Offender may not have been convicted of one of the above offenses within the past five years.
5. Guidelines of zero to three are ineligible offenses.

*A conviction for an asterisked offense will not necessarily preclude sentencing pursuant to the provisions of P.A. 511. In each of these cases, the defendant's prior criminal history, evaluation of the NEEDS assessment exam, and the individual facts and circumstances will be considered. In compelling cases, the defendant may be permitted to be sentenced pursuant to the provisions of P.A. 511. Offenders convicted of an asterisked offense must have the approval of the Prosecutor's Office to participate in PA511 programs.

ALTERNATIVE INCARCERATION CENTERS - AIC

Note: All offenders sentenced to an AIC must be sentenced to a term of probation and **must meet P.A. 511 eligibility requirements** (page 9).

AIC's deal with substance abuse as well as behavioral problems. The AIC's varies as to how much time is spent in 24 hour monitored residential centers before return to the community and aftercare. Oakland County Circuit Court Probation provides intensive supervision for a minimum of 90 days.

For information contact: Kathleen Shampo (248) 858-0328
Stephen Crumb (248) 452-9203 or
Alanna Miller (248) 858-7050

Violation: Offenders who fail to complete an AIC due to rule violations may be charged with Probation Violation.

Probation residential centers are a 24 hour a day supervised treatment alternative to incarceration. An offender sentenced to an AIC for a period of 6 months must adhere to strict supervision and behavioral standards, participate in various therapeutic interventions, as well as contribute to their stay once employed.

Close contact between the Circuit Court Probation staff and the AIC is **mandatory** to assure compliance with sentencing orders.

Note: Funding for an offender's stay at an AIC is provided by the Community Corrections Division. If employed, the offender may contribute a percentage of his or her salary.

The following is a list of the Alternative Incarceration Centers contracted by the Community Corrections Division.

Community Programs, Inc.*
1435 North Oakland Blvd.
Waterford, MI 47327
(248) 666-2720

Huron House, Inc. (Females only)
1331 Military St.
Port Huron, MI 48060
(810) 982-6599

New Paths
765 East Hamilton
Flint, MI 48505
(810) 233-5340

Sequoia House
239 State Street
Pontiac, MI 48341
(248) 335-5437

New Paths is now offering a 30 day residential treatment program for probation violators.

Probation Rule Violator Program (PRV):

Purpose: To provide a short-term residential sentencing alternative for individuals who have not adhered to the terms of supervision as set down by the Court and the probation department.

Eligibility Criteria:

No history of assaultive offenses, using the PA511 ineligible offense list as a guideline

Must be PA511 eligible

Offenders who have attempted suicide within the past year are not eligible

Offenders who have used intravenous drugs within the past year are not eligible

It should be noted that offenders requiring detoxification from abuse of schedule 1 or 2 narcotics would not be eligible for the program. Offenders that have been prescribed medications to control mental illness or any other medical conditions must arrive with a 30 day supply of said medications. Probation officers should contact New Paths staff to ensure that an offender with physical and/or mental health problems are eligible for the program.

Referrals to the Probation Rule Violator Program can be made by forwarding an intake/evaluation form to New Paths, and calling to schedule an in person appointment for the prospective offender.

Any questions regarding the PRV program can be addressed with:

Mr. Melvin Ward
(810) 233-5340 ext. 154

*Probation officers will continue to keep the offenders on their respective caseload, while offenders are participating in the PRV program.

*Community Programs has a new self-pay work release program for offenders (PA 511 and non-PA 511).

LIFE & EMPLOYMENT SKILLS PROGRAM (LESP)

The program is designed for in-custody offenders who have a history of past criminal conduct and substance abuse. It provides employability training as well as life skills so that offenders are better able to support themselves as they transition back into the community.

Upon completion of the program, the inmate's jail sentence is reduced by an additional 25%.

- Eligibility:** Any felony offender with at least a 90 day jail sentence. Offenders should meet the eligibility requirements of PA 511.
- Cost:** There is no cost incurred by the offender.
- Participants:** Two groups of 20 participants (40 people simultaneously); eight sessions per year – maximum of 320 participants annually.
- Curriculum:** 6 week curriculum, Monday through Friday, 3 hours per day. Each program is broken down into groups of 10 meeting every other day with a combined session on Fridays.
- Topics:** Substance abuse, anger management, and employability skills.

Contact person: Mark Metalski (248) 975-4441

CPI STOP PROGRAM

I Eligibility

- A. Offenders sentenced to STOP **must be PA 511 eligible** (see page 9).
- B. Offenders **must** be sentenced to a term of probation.
- C. Males **and** females are eligible.

II Program

The STOP Program targets probationers who test positive for drugs and alcohol while on probation. The program is basically a separation from the community for three days. The three days are spent in residence at the CPI Program in Waterford, MI. Probation Officers are asked to fax the STOP referral form, BIR, and CFJ-140 several days in advance of the offender's date of scheduled admission. The probation agent and program staff may make treatment follow-up referrals.

Program Features:

Program targets probationers who use drugs and/or alcohol while on probation.

Three (3) days separation from the community in residence at CPI.

A probation agent may refer several times during the probation period.

The program includes some cognitive skills training.

Note: Offenders may be charged \$25.00 per diem based on ability to pay.

It should be noted that ineligible PA511 offenders can be referred to the STOP program, and must arrive with \$75.00 to cover the cost of the program. Probation Officers should contact CPI regarding any referrals for offenders who are not PA511 eligible.

III Violation

Probationers who fail to complete the program as directed by the probation agent may be charged with formal probation violation and returned for a hearing before the sentencing Judge.

- IV Contact: Jeff J. Habermas (248) 655-1136
 Darlene Craig at CPI (248) 666-2720

CPI WORK RELEASE TREATMENT PROGRAM (W.R.T.)

I Eligibility

Self-pay and offender must be able to pay for program costs of \$50.00 per day. \$750.00 is due upon arrival to cover the first 15 days. Must have reliable transportation and written proof of employment.

II Program

The W.R.T. Program targets employed offenders, subject to Court ordered detention, to continue to work and receive treatment. Program focuses on detention, monitoring, and treatment to prepare the offender for sober and pro-social living patterns.

III Contact: Darlene Craig at CPI (248) 666-2720

COMMUNITY SERVICE

I Eligibility

- A. Offenders **must** be sentenced to a term of probation.
- B. Offenders may be ordered to perform community service as a condition of probation.
- C. Indigent offenders may perform community service in lieu of costs and fees as ordered. Referral occurs through the probation agent.

II Violation

Offenders who are ordered to perform community service as a condition of probation and fail to do so may be charged with a probation violation.

Court Community Service

Provides an alternative to incarceration by allowing the offender to make a contribution to the community by performing unpaid labor with non-profit organizations and/or units of government. Offenders assigned to perform community service are supervised by the Probation Department.

An offender may be assigned to perform a specified number of hours of community service as a condition of probation. Community service can also be assigned in lieu of Court costs and/or attorney fees. In the above cases, the number of hours is determined by the amount of money owed.

One hour of community service equates to \$8.50 in Oakland County.

COMMUNITY CORRECTIONS - PUBLIC ACT OF 1988

DESCRIPTION OF PROGRAMS

Pretrial Services (PTS)

Investigators interview adults with felony and misdemeanor arrests at the Oakland County Jail or local police holding areas in order to gather and verify information for release eligibility. The information is compiled into a written report which is made available to the local Court, including the Judge, defense attorney, Prosecutor and probation officer.

PTS Investigators can be reached at:

Oakland County Jail	(248) 452-2155
46 th District Court	(248) 796-5763
47 th District Court	(248) 871-2939
50 th District Court	(248) 758-3861
51 st District Court	(248) 674-4655
52-1 District Court	(248) 305-6452
52-2 District Court	(248) 625-4888
52-3 District Court	(248) 853-5553
52-4 District Court	(248) 528-8503

PTS Supervision

The Supervision Unit of PTS monitors released pretrial arrestees to ensure compliance with conditions of release imposed by the Court. Those offenders placed on supervision can be monitored several ways including: telephone supervision, various types of electronic monitoring, or by an automated check-in program called AutoMon. Compliance/non-compliance with conditions are reported to the Court and Prosecutor.

Lead staff for supervision: Sue Edmonds
(248) 451-2332

Pretrial Services Supervision Supervisor: Lisa Smith
(248) 451-2307

Note: There is no fee imposed for the above services unless the defendant is participating in electronic monitoring or drug testing.

STEP FORWARD COMMUNITY ASSESSMENT CENTER

PA 511 Eligible Felons

At present, Community Corrections has many alternatives to incarceration programs including residential care for substance abusing clients. There are, however, some PA 511 eligible felons who do not require residential care but who would benefit from a structured learning environment. The center will allow for a full Needs/Risk assessment, development of a treatment plan and reporting of these offenders without the excess costs of housing and food. In addition, the offender can receive counseling, support and training if needed.

Description of the Program

In a collaborative effort with the Oakland County Substance Abuse Office, Community Mental Health-Easter Seals, Employment and Training Division, and the Community Corrections Division, the Step Forward program offers an extensive array of program services for offenders and their families. The program is open Monday through Thursday, from 8:00 a.m. until 7:30 p.m. and Fridays 8:00 a.m. until 5:00 p.m., to accommodate offenders and their work shifts. Services offered include:

- Case Managers to assist the offender through the process, to provide follow-up contact, coordinate services, provide monthly progress reports and program evaluation data upon release from the program.

- Onsite substance abuse didactic and therapeutic groups and individual counseling sessions.
- Onsite mental health groups and individual counseling, including access to a psychiatrist for medication review (sliding fee scale).

- Computers to assist offenders in seeking jobs and sharpening their reading and learning skills. Reading to Reduce Recidivism will also be housed in the Waterford location.

- Job training and placement readiness classes.

- Onsite random drug and alcohol testing (\$10 per drug test; no charge for PBT's).

- Anger Management groups.

- 12 Step Group (AFC).

- Cognitive Behavioral Therapy Group.

- Family Orientation Group.

- Woman's Support Group.

- Domestic Violence Group-meets state requirements (\$25.00 per class or sliding fee scale for indigent participants).

NOTE: All services are at no charge to the participant unless otherwise noted above.

Contact Persons:	Waterford	Denise Willis (248) 451-2354
	Troy	Aimee Sova (248) 655-1262
Supervisor Julie Fisher:		(248) 451-2311

ADULT TREATMENT COURT

Eligibility Requirements

The Prosecutor approves defendant.
Defendant must be a resident of Oakland County.
Defendant must be charged with a non-violent, PA 511 eligible crime.
Defendant must have a **non-violent** history.
Defendant must have reliable transportation.
The defendant must meet the NEEDS assessment as a drug addict in need of treatment.
No Manufacture/Delivery of Cocaine Cases
No Parole Holds

Procedure for Sentencing to Adult Treatment Court

1. Defendant makes a COBBS plea before original Judge requesting Adult Treatment Court (ATC), providing the Prosecutor approves entry to the program.
2. While taking plea, Judge asks defendant if he/she understands the Adult Treatment Court program.
3. Program requires a presumptive minimum guideline score of 5 months or more in a straddle cell.
4. Prior to sentencing, the Probation Department verifies eligibility, and gives Judge the PSI, either recommending assignment to ATC or declining to do so.
5. If Judge decides to send defendant to ATC, defendant is put on probation for a minimum of two (2) years with ATC as a condition of probation.
6. Judge shall direct a non-custodial defendant to report directly to Jason Furst at Circuit Court Probation, 1200 N. Telegraph, North Office Building, #26 East, Telephone (248) 858-1776.
7. A defendant who is in custody shall remain in custody until the next Treatment Court session.
8. Judge gives defendant a date (held bi-weekly on Wednesday afternoon) to appear before Judge Joan E. Young, at 1:30 p.m. (Courtroom 2H for male defendants) or Wednesday afternoon at 3:30 p.m. before Judge Colleen A. O'Brien, (Courtroom 4C for female defendants).
9. If a defendant is determined ineligible after sentencing, the defendant will be referred back to the original judge for sentencing.

10. If participant fails to complete the program, participant is referred for violation of probation (VOP) hearing.
11. Upon successful completion of the ATC program, participant graduates and is either discharged from probation or remains on the caseload of the ATC probation officer for the duration of the term remaining.

Any questions please call:

Jason Furst, Probation Agent, Department of Corrections	(248)858-1776
Alanna Miller, Probation Agent, Department of Corrections	(248) 858-7050
Ellen Zehnder, Adult Treatment Court Coordinator	(248) 975-9890
Jack Holmes, Adult Treatment Court Defense Advisor	(248) 424-9394
Randy Secontine, Assistant Prosecutor	(248) 858-7281

Probation violators may be sentenced to the program, providing they meet the above criteria, except that the original sentencing guidelines must fall within a **straddle cell**.