

Wayne County Department of Children and Family Services

OFFENDER & PROGRAM ELIGIBILITY

HANDBOOK

FOR

DEFENSE ATTORNEYS

PROSECUTORS

PROBATION AGENTS

JUDGES

September 2005

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Wayne County PA 511 Felony Offender Targeting Policies

Introduction

Public Act 511, the Michigan Community Corrections

As a response to crowded jails and prisons, the Michigan Legislature enacted the 1988 Michigan Community Corrections Act (Public Act 511) as a way to reduce jail and prison admissions of eligible non-violent offenders. The Act grants funds to local units of government to develop well structured, safe and effective community corrections programs. Local jurisdictions choosing to voluntarily participate in Public Act 511 are required to form local Community Corrections Advisory Boards (CCABs) made up of the key players in the local criminal justice system.

The local CCAB is required to develop a Comprehensive Corrections Plan as the basis for receiving state funds. The Plan includes a detailed study of local criminal justice issues regarding jail and prison use and includes strategies which outline the local policies, practices and programs that will address goals related to reductions in the use of jail and prison without jeopardizing public safety. Each year the Comprehensive Corrections Plan is updated to respond to new felony statutes or sentencing laws and to outline the funding and policy priorities of the fiscal year.

The Wayne County Community Corrections Advisory Board develops policy and sets annual goals for implementation of the annual updated Comprehensive Corrections Plan. The Wayne County Department of Children and Family Services is the administrative agency which implements and monitors the annual Plan. The CCAB adopted in June of 1995 a Mission Statement that communicates their priorities:

Criminal justice officials exercise discretion in rendering sanctioning decisions for adult offenders in Wayne County. Those decisions shall be based on principles of equity, fairness, parsimony, and non-discrimination, with concern for cost efficiency and satisfaction from the general public that justice is served. Sanctions for adult offenders shall address, in order of priority, the community, the victims of crime, and the offenders.

(1) For the community, sanctions shall pursue the objectives of crime prevention and public safety. Such sanctions should incapacitate or control offenders when necessary, provide opportunities for offender rehabilitation to reduce future criminal behavior, and deter future criminal activity.

(2) For victims and communities harmed by crimes, sanctions should be imposed that provide maximum opportunities for reparation.

(3) For offenders, sanctions shall be imposed that provide retribution in proportion to the seriousness of crimes.

Wayne County PA 511 Felony Offender Targeting Policies

Public Act 317, Legislative Sentencing

Except when a mandatory sentence for a particular offense is prescribed by law, Michigan's criminal justice system uses an indeterminate sentencing policy. Maximum sentences for criminal offenses are specified in statute and a judge imposes a minimum sentence. Some people had long been concerned that this sentencing system failed to provide an evenhanded statewide standard for punishment of criminals. They contended that the broad discretion afforded judges had contributed to sometimes vast sentencing disparities in which two similar offenders could receive widely differing criminal sentences. In 1979, the Michigan Supreme Court appointed an advisory committee to research and design a sentencing guidelines system. A revised version of those judicial guidelines was in effect from October 1, 1988, until January 1, 1999, when statutory sentencing guidelines took effect.

Public Act 445 of 1994 established the Michigan Sentencing Commission and charged it with designing and recommending to the legislature a new sentencing guidelines system. The commission began its work in May 1995, with the goal of developing sentencing guidelines that would provide for the protection of the public, treat offenses involving violence against a person more severely than other offenses, and be proportionate to the seriousness of the offense and the offender's prior criminal record. On October 22, 1997, the commission adopted its recommendations for a set of sentencing guidelines and submitted them to the legislature for its approval. Public Act 317 of 1998 [enrolled House Bill 5419] essentially codified the commission's recommendations. The act established statutory sentencing guidelines for judges' use, beginning on January 1, 1999, in determining and imposing appropriate minimum sentences for people convicted of felonies.

The Wayne County Comprehensive Corrections Plan has recently been adapted to Public Act 317, Legislative Sentencing Guidelines. Since the law establishes three categories of felony offenders - high, medium and low risk - and provides the framework for sentencing in Michigan's circuit courts, the implementation of Public Act 511, the Michigan Community Corrections, has been affected. Under the new Legislative Sentencing Guidelines, only certain sanctions may be used (See Figure 1):

- **High risk felons (Presumptive Prison Cells):** Felons who have a lower range guideline score of 13 months or more *must* be sentenced to prison, absent a departure from the guidelines.
- **Moderate risk felons (Straddle Cells):** Felons who have a guideline range of 12 months or less to greater than 18 months *may* be sentenced to prison, jail or local intermediate sanctions.
- **Low risk felons (Intermediate Sanctions Cells):** Felons who have an upper range score of no more than 18 months *must* be sentenced to local intermediate sanctions and cannot be sentenced to the state prison system, absent a legal departure from the guidelines.

MICHIGAN SENTENCING POLICY

*Legislative Sentencing Guidelines (PA 317):
A New Sentencing Policy for Michigan*

Figure 1

LOW RISK <i>Intermediate Sanction Cells</i>	MODERATE RISK <i>Straddle Cells</i>	HIGH RISK <i>Presumptive Prison Cells</i>
<p><u>Guideline Ranges:</u> <i>SGL max < or = to 18 mos.</i></p> <p>✓ <i>a.k.a. “Lock-Out Cells”</i></p> <p>✓ <i>Locked Out of Prison</i></p> <p>✓ <i>Intermediate Sanctions Allowed, including Jail*</i></p> <p>✓ <i>38% More Felons in Category than under Supreme Court Guidelines*</i></p>	<p><u>Guideline Ranges:</u> <i>SGL min < or = 12 mos. to SGL max > 18 mos.</i></p> <p>✓ <i>Prison Allowed</i></p> <p>✓ <i>Intermediate Sanctions Allowed, including Jail</i></p> <p>✓ <i>13% More Felons in Category than under Supreme Court Guidelines*</i></p>	<p><u>Guideline Ranges:</u> <i>SGL min 13 mos. or more</i></p> <p>✓ <i>a.k.a. “Prison Cells”</i></p> <p>✓ <i>Truth in Sentencing Applies (Longer Sentences)</i></p> <p>✓ <i>Presumption of Prison</i></p> <p>✓ <i>Intermediate Sanctions Allowed <u>only</u> as departure</i></p> <p>✓ <i>About the Same Number of Felons in Category than under Supreme Court Guidelines*</i></p>

* Numbers will vary from county to county; numbers cited are Wayne County projections

* Intermediate sanctions are defined by PA 317 (Section 31(c) as:

... probation or any sanction, other than imprisonment in a state prison or state reformatory, that may be lawfully imposed. Intermediate sanction includes, but is not limited to, 1 or more of the following: (i) Inpatient or outpatient drug treatment, (ii) Probation with any probation conditions required or authorized by law, (iii) Residential probation, (iv) Probation with jail, (v) Probation with special alternative incarceration, (vi) Mental health treatment, (vii) Mental health or substance abuse counseling, (viii) Jail; (ix) Jail with work or school release, (xi) Participation in a community corrections program, (xii) Community service, (xiii) Payment of a fine, (xiv) House arrest, (xv) Electronic monitoring.

Wayne County PA 511 Felony Offender Targeting Policies

Wayne County Policies Pursuant to Public Act 511

As a result of Legislative Sentencing Guidelines, and the subsequent general offender targeting requirements of PA 511, the following targeting policies have been authorized (See Figure 2):

1. *High risk* felony cases: Not targeted for PA 511 Programs, presumed for prison sentences. However, if a judge departs from the guidelines, the felon will be eligible for services if all other eligibility criteria are met (See # 4 below, "Exclusions").
2. *Moderate risk* or straddle cell cases: Sentencing judges may consider offenders on a case-by-case basis for PA 511 programs if they do not exhibit a pattern of violence (see # 4).
3. *Probation Violators*: All violators - including those who are convicted of new offenses with or without the violation pending or referred for a PSI - are eligible who do not exhibit a pattern of violence (see # 4). Violators whose recommended minimum sentence range is six months or more are eligible for residential programs.
4. *Exclusions*: PA 511 requires that local CCABs exclude from eligibility felons who have "a pattern of violent behavior". Since PA 317 includes a scoring system to determine offender risk based on the offenders prior record (the Prior Record Variable Score), the law provides a logical and fair basis upon which to determine exclusions based on a "pattern of violence". *Offenders being sentenced for crimes against persons or public safety will be excluded if they have a Prior Record Variable (PRV) score of 50 or more points.*
5. *Low risk* felons: Targeted for jail release to PA 511 programs; not to be targeted during the sentencing process. Most low risk cases are now enrolled in programs through this approach.
6. *Use of the Jail Reimbursement Program*: As authorized by annual appropriations law, reimbursements are limited to *presumptive prison* felons, for certain *straddle cell* offenders and for felony drunk drivers. Only felons who are otherwise bound for prison and/or who meet other eligibility criteria stipulated in annual appropriations law (such as felony drunk drivers) shall be targeted for the Program. *Prison bound felons who do not meet MDOC reimbursement criteria under the Program will be targeted for sentencing directly to program rather than jail. Prison bound felons who do not meet the MDOC eligibility criteria under the Program and who, in the judge's discretion require incapacitation, will not be targeted for prison diversion.*

For felons not covered under PA 317, targeting policies include:

7. *Technical Probation Violators*: Targeting is addressed under local Probation Violation Processing Guidelines which define the recommended range of responses to offender behavior, offender community risk and offender need. Eligibility determined by MDOC.

PA 317 PRIOR RECORD VARIABLE CHART

PRV#	POINTS Variable Name and Category	Instructions
1	<p>PRIOR HIGH SEVERITY FELONY CONVICTIONS</p> <p>75 Offender has 3 or more prior high severity convictions 50 The offender has 2 prior high severity convictions 25 The offender has 1 prior high severity convictions 0 The offender has no prior high severity convictions</p>	<p>"Prior low severity felony convictions" means a conviction for a crime listed in offense class E, F, G, or H, or for a felony under a law of the United States or another state corresponding to a crime listed in offense class E, F, G, or H, if the conviction was entered before the sentencing offense was committed</p>
2	<p>PRIOR LOW SEVERITY FELONY CONVICTIONS</p> <p>30 Offender has 4 or more prior low severity convictions 20 The offender has 3 prior low severity convictions 10 The offender has 2 prior low severity convictions 5 The offender has 1 prior low severity conviction 0 The offender has no prior low severity convictions</p>	<p>"Prior low severity felony convictions" means a conviction for a crime listed in offense class E, F, G, or H, or for a felony under a law of the United States or another state corresponding to a crime listed in offense class E, F, G, or H, if the conviction was entered before the sentencing offense was committed.</p>
3	<p>PRIOR HIGH SEVERITY JUVENILE ADJUDICATIONS</p> <p>50 Offender has 3 or more prior high severity juv adj 25 The offender has 2 prior high severity juv adjudications 10 The offender has 1 prior high severity juv adjudication 0 The offender has no prior high severity juvenile adjud</p>	<p>"Prior high severity juvenile adjudication" means a juvenile adjudication for conduct that would be a crime listed in offense class M2, A, B, C, or D. If committed by an adult or for conduct that would be a felony under a law of the United States or another state corresponding to a crime listed in offense class M2, A, B, C, or D if committed by an adult, if the order of disposition was entered before the sentencing offense was committed.</p>
4	<p>PRIOR LOW SEVERITY JUVENILE ADJUDICATIONS</p> <p>20 The offender has 6 or more prior low severity juv adjud 10 The offender has 4 or 5 prior low severity juv adjud 5 The offender has 2 or 3 prior low severity juv adjud 0 The offender has no prior low severity juv adjudications</p>	<p>"Prior low severity juvenile adjudications" means a juvenile adjudication for conduct that would be a crime listed in offense class E, F, G, or H, if committed by an adult or for conduct that would be a felony under a law of the United States or another state corresponding to a crime listed in offense class E, F, G, or H if committed by an adult, if the order of disposition was entered before the sentencing offense was committed.</p>
5	<p>PRIOR MISDEMEANOR CONVICTIONS OR PRIOR MISDEMEANOR JUVENILE ADJUDICATIONS</p> <p>20 The offender has 7 or more prior misdemeanor convictions or prior juvenile adjudications 15 The offender has 5 or 6 prior misdemeanor convictions or prior juvenile adjudications 10 The offender has 3 or 4 prior misdemeanor convictions or prior juvenile adjudications 5 The offender has 2 prior misdemeanor convictions or prior juvenile adjudications 2 The offender has 1 prior misdemeanor conviction or prior juvenile adjudication 0 The offender has no prior misdemeanor convictions or prior juvenile adjudications</p>	<p>1. Count a prior misdemeanor conviction or prior juvenile adjudication only if it is a crime against a person or property, a controlled substance crime, or a weapon offense enumerated in Chapter 37 of the Michigan Penal Code, 1931 PA 328, (MCL 750.222 to 750.239a).</p> <p>2. Count all prior misdemeanor and prior misdemeanor adjudications for operating a vehicle, vessel, aircraft or locomotive while under the influence of, or impaired by alcohol, a controlled substance, or a combination of alcohol and a controlled substance.</p> <p>3. Do not count a prior conviction used to enhance the sentencing offense to a felony.</p>
6	<p>RELATIONSHIP TO THE CRIMINAL JUSTICE SYSTEM</p> <p>20 The offender is a prisoner of the department of corrections or serving a sentence in jail 15 The offender is incarcerated in jail awaiting adjudication or sentencing on a conviction or probation violation 10 The offender is on parole, probation or delayed sentence status or on bond awaiting adjudication or sentencing for a felony 5 The offender is on probation or delayed sentence status, or on a bond awaiting adjudication or sentence for a misdemeanor 0 The offender has no relationship to the criminal justice system</p>	<p>1. Score the appropriate point value if the offender is involved with the criminal justice system in another state or United</p>
7	<p>SUBSEQUENT OR CONCURRENT FELONY CONVICTIONS</p> <p>20 Offender has 2 or more subsequent or concurrent convictions 10 The offender has 1 subsequent or concurrent convictions 5 The offender has no subsequent or concur convictions 0 The offender has no subsequent or concurrent convictions</p>	<p>1. Score the appropriate point value if the offender was convicted of multiple felony counts or was convicted of a felony after the sentencing offense was committed.</p> <p>2. Do not score a felony firearm conviction in this variable.</p>

WAYNE COUNTY PA 511 TARGETING POLICIES

Pursuant to Legislative Sentencing Guidelines

Figure 2

PA 317 LOW RISK "Intermediate Sanctions Cells"	PA 317 MODERATE RISK "Straddle Cells"	PA 317 HIGH RISK "Presumptive Prison Cells"
Guideline Ranges: SGL max < or = to 18 mos. ✓ Excluded from Prison absent Departure; eligible for Intermediate Sanctions	Guideline Ranges: SGL min < or = 12 mos. to max > 18 mos. ✓ Eligible for Prison, Jail or Intermediate Sanctions	Guideline Ranges: SGL min 13 mos. or more ✓ Must be Sentenced to Prison absent Departure

Wayne County Public Act 511 Targeting Policies

✓ Not targeted: Not eligible for PA 511 Prison Admission Reduction unless offender is probation violator ✓ <u>Jail Inmates</u> eligible for PA 511 Jail Utilization Improvement Strategies ✓ All probation violators who do not exhibit a pattern of violence ✓ Jail Reimbursement for Drunk Drivers only	✓ Eligible for PA 511 Prison Admission Reduction if offender does not exhibit a pattern of violence (exclusion); ✓ All probation violators, who do not exhibit a pattern of violence ✓ <u>Exclusion:</u> Offenders are <u>excluded</u> if they exhibit a "pattern of violence" defined as: Offenders being sentenced for crimes against persons or public safety who have a Prior Record Variable score of 50 or more points. ✓ <u>Limited</u> Jail Reimbursement: If felon has PRV Score of 35 points or more EXCLUDING Crime Classes G & H	✓ Departures Eligible for PA 511 on a case-by-case basis ✓ Departures Eligible for Jail Reimbursement
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Wayne County PA 511 Felony Offender Targeting Policies

Public Act 511 Program Descriptions

RESIDENTIAL PROGRAMS

- Elmhurst Home, Operation Get Down, Sobriety House and Christian Guidance Center** are residential substance abuse treatment facilities. The programs offer up to one hundred twenty days (120) of residential programming which includes: Substance abuse treatment in the form of individual and group counseling, didactic drug education, vocational and educational training; cognitive skill development, parenting skills, financial responsibility; job seeking skills as well as referrals to community-based programs for offenders with special needs.

Special eligibility criteria: Offender must have used Alcohol or Other Drugs (AOD) within the past six months. The programs offer limited mental health support through a collaboration with Northeast Guidance Clinic, with the exception of Operation Get Down which offers specialized services for offenders with Mental Health issues.

- Elmhurst Home's Naomi's Nest** is a program that offers up to one hundred twenty days (120) of residential programming for females which includes: Vocational and educational training, cognitive skills development, parenting skills, financial responsibility, job seeking skills as well as referrals to community-based programs for offenders with special needs.
- Gateway Probation Detention Residential Program** is a program that offers up to one hundred twenty days (120) of residential programming based upon a standardized assessment of offenders risk and needs. Programs include: Vocational and educational training, cognitive skills development, parenting skills, financial responsibility, job seeking skills as well as referrals to community-based programs for offenders with special needs.

Specialized Programming: The program offers very limited mental health support through a collaboration with Northeast Guidance Clinic. (Note: Phoenix Day Reporting Center also at same location).

- Heartline** is a program that offers up to one hundred twenty days (120) of residential programming for females which includes: vocational and educational training; cognitive skill development; parenting skills; financial responsibility; job seeking skills as well as referrals to community-based programs for offenders with special needs.

Residential Program Contact Phone Numbers

Christian Guidance Center	313.852.1637x3708/ 313.869.8576	FAX 313.831.2299
Elmhurst Home– Males -	313.867.1090 x 105	FAX 313.817.1349
Elmhurst Home Naomi's Nest – Females –	313.868.1683	FAX 313.865.1477
Gateway Probation Detention Center	313.822.2126	FAX 313.822.2128
Heartline	313.923.4200	FAX 313.923.9381
Operation Get Down	313.921.9422	FAX 313.571.9022
Sobriety House	313.895.0500	FAX 313.895.9503

NON-RESIDENTIAL PROGRAMS

- ❑ **The Alternative Work Force (AWF)** is a sentencing option intended to reduce jail crowding. AWF participants may be sentenced by the Circuit and District Courts in Wayne County. Offenders are assigned to community service projects throughout Wayne County in lieu of jail confinement. The work is performed under supervision of Alternative Work Force employees. The program's mission is to administer a cost effective and efficient community service program that is both punitive and rehabilitative while providing symbolic restitution for the community.
- ❑ **Phoenix Day Reporting and Women ARISE Day Reporting Centers** are respectively male and female programs which offers up to three months of programming which include: vocational and educational training; cognitive skill development, parenting skills, financial responsibility, job seeking skills as well as referrals to community-based programs for offenders with special needs.
- ❑ **Jail-Based Treatment** is a split probation/ Wayne County Jail sentence. Felony offenders sentenced to Dickerson are screened with a risk/needs assessment tool for placement in one of 3 jail based programs; SCOT, the straddle cell offender treatment program that provides six (6) to eight (8) weeks of intensive jail based treatment followed by residential aftercare and outpatient relapse prevention, PAGE/JB3, is the three phase program for all qualified offenders and Drunk Drivers beginning with thirty (30) days of Personal Assessment and Growth Enhancement followed by residential or day reporting programs and relapse prevention, and last; Transitions, the domestic violence program that provides eight (8) to twelve (12) weeks of jail based treatment followed by a minimum of ten (10) weeks of intensive outpatient treatment/relapse prevention for a total of up to twenty-six (26) weeks of treatment/supervision.

Eligibility criteria: The offender must receive a Probation sentence and at least a 90-120 day jail sentence.

- ❑ **Case Differentiation Unit (CDU)** is a division of Matrix Human Services which provides screening and assessment of offenders based on the targeting criteria found in this Handbook. The CDU makes Conditional Jail Release and disposition recommendations to the 3rd Judicial Circuit Court judges and the Wayne County Director of Jails.
- ❑ **The City of Detroit and SEMCA/NSO** both operate relapse prevention programs. These programs offer services to offenders who have completed one of the other PA511 programs and are in need of services such as substance abuse counseling, vocational and educational referrals; cognitive skill development, and job seeking skills in order to prevent relapsing into criminal or antisocial behaviors.

Program Contact Phone Numbers:

Alternative Work Force (AWF)	313.875.7863	
City of Detroit Relapse Prevention	313.876.4048	
CDU at Dickerson and FMHJ	313.875.7460 (WCJ)	313.224.5845 (FMHJ)
ETRS JB3/PAGE, Transitions Domestic Violence, and Drunk Driver Jail/Relapse Prevention Programs	248.354-3585	FAX 248.354.4229
Phoenix Day Reporting Center	313.822.2087x248	FAX 313.822.2128
(SCOT) Straddle Cell Offender Treatment (jail based)	313.875.7695	FAX 313.875.7501
SEMCA / NSO Relapse Prevention (Outside the City of Detroit)	313.875.5521	
Women ARISE	313.758.0602	FAX 313.758.0605

Wayne County PA 511 Felony Offender Targeting Policies

Eligibility for Felony Offenders Being Sentenced

Offender Eligibility Checklist

- Is the offender physically and mentally capable of participating in human services programs?
- NO: Offender not eligible.
 - YES: Offender may be eligible; continue with checklist.

- Does the offender have a Legislative Sentencing Guidelines score in the Straddle Cell range.¹

OR

Is the offender a probation violator - charged with a new crime or a technical violation even if the violation of probation charge is pending, and/or was not referred for a new PSI on the violation of probation and/or the violation of probation was dismissed as part of the Cobb or Plea agreement?

- NO: Offender not eligible⁰
- YES: Continue with checklist

- Is the crime either a Crime against a Person or a Crime against Public Safety?

- NO: Offender is eligible for PA 511 Programs
- YES: Continue with checklist

- If the offender is charged with a Crime against a Person or a Crime against Public Safety, is the Prior Record Variable Score 50 points or more?

- NO: Offender is eligible for PA 511 Programs
- YES: Offender not eligible

Offenders eligible for PA 511 Programs may be ordered by the court into the continuum of PA 511 programs through the *PA 511 Probation Order and Program Statement* or may be ordered into specific programs as determined by the sentencing judge (See *PA 511 Program Eligibility Checklist*).

PA 511 in custody, probation violator, or substance abuse

Program Eligibility Checklist

1. Is the offender physically and mentally capable of participating in a work program?
 NO: Offender not eligible for Alternative Work Force (AWF).
 YES: Offender is eligible for AWF.
2. Special Circumstances Please note for your information. There are three special circumstances through which an offender who does not meet the straddle cell guideline sentenced offender eligibility may become eligible for PA 511 residential programs by virtue of special circumstances.

The first circumstance occurs when the offender is sentenced to the jail and is considered for Conditional Jail Release, the offender may be eligible for a residential program.

The second circumstance occurs when an offender who is a probation violator, via violation of probation (VOP) warrant, VOP show cause hearing, amended order of probation as the result of a VOP charge, or an appropriate response in the Probation Violation Response Guide, is in need of residential treatment, the offender may be eligible for PA 511 residential programs.

The third circumstance occurs when a probationer is referred to Office of Substance Abuse Services (OSAS) for residential substance abuse treatment and the treatment placements contracted by MDOC are filled, OSAS may place on offender in a PA 511 funded residential substance abuse treatment program.

In all three special circumstances, the offender must meet the criteria defined below:

3. Does the offender have a guideline score for new charge at least within the 0 to 9 mo. range OR for a probation violation with a guideline range at least 0 to 6 months for the underlying offense and/or new offense?
 NO: Not eligible for residential programs; continue checklist at #7.
 YES: Offender eligible for residential programs; continue checklist #4 thru #6
(NOTE: Arsonists excluded from residential programming).
4. Is the offender male?
 NO: Continue checklist at #5
 YES: Continue with checklist #6
5. Does the male offender's history indicate the need for substance abuse treatment?
 NO: Offender eligible for Gateway Probation Residential Program.
 YES: Offender eligible for: Elmhurst Home, Sobriety House, Operation Get Down, or Christian Guidance Center Substance Abuse Programs and/or the one of the Jail Based Substance Abuse Treatment Programs. Offenders not needing residential treatment may be referred to Phoenix Day Reporting with any guideline score.

6. Does the female offender's history indicate the need for substance abuse treatment?
 - NO: Offender eligible for Heartline. Offenders not eligible/needing residential treatment may be referred to Women ARISE Day Reporting with any guideline score.
 - YES: Offender eligible for Elmhurst Home Naomi's Nest. Offenders not eligible/needing residential treatment may be referred to Women ARISE Day Reporting with any guideline score.

7. Does the offender need intensive case management emphasizing services in the area(s) of counseling, remedial education, impulse control, cognitive skills, financial management and /or employability?
 - NO: Offender eligible for standard Probation
 - YES: Offender eligible for Day Reporting Program

8. Does the offender require monitoring and lives in a home with a telephone where a responsible person will agree to the use of the phone for supervision?
 - NO: Offender not eligible for MDOC Electronic Monitoring
 - YES: Offender eligible for MDOC Electronic Monitoring with Day Reporting

9. Pursuant to MDOC Policy Directives PD 06.04.105, Special Alternative to Incarceration (SAI) Program -PD 06.04.106, Special Alternative to Incarceration Program - Prisoner
 - NO: Offender not eligible for MDOC SAI (Boot Camp)
 - YES: Offender eligible for MDOC SAI (Boot Camp)

¹ *Straddle Cell Range*: A recommended lower range minimum of 12 months or less AND a recommended low range maximum of greater than 18 months

Offenders eligible for PA 511 Programs may be ordered by the court into the continuum of PA 511 programs through the *PA 511 Probation Order and Program Statement* or may be ordered into specific programs as determined by the sentencing judge (See *PA 511 Program Eligibility Checklist*).

² Jail based treatment requires a minimum of 90-120 days jail sentence and is most appropriate when the defendant is a probation violator, and/or a PA 511 program violator and/or has an SGL in the high range of the straddle cells, or is resistant to treatment in the community.

PA 511 Program Probation Violation Response Guide

The Michigan Department of Corrections and the Wayne County Department of Community Justice collaborated in the establishment of Violation of Probation Response Guide to facilitate probation agents and judges in responding to violations of probation.

The Violation of Probation Decision Guide policy is a four-step decision process which evaluates:

- ✓ The seriousness of the underlying offense;
- ✓ The nature of the violation;
- ✓ The method, show cause hearing or warrant request, used to bring the defendant before the bench;
- ✓ The availability of local resources to respond to the violation.

The use of PA 511 funded programs, described in this Handbook, are certainly appropriate and effective sanctions to manage and control violation behavior.

Probationer Name: _____

Agent Name: _____

MDOC Location: _____

Supervisor Approval: _____

Date: _____

Probation Violation Response Guide

Instructions: Check appropriate response range from CFJ-266, Probation Violation Decision Guide, and check appropriate box(es) to indicate response(s). The Region One Show Cause Process (Rev. 05/05) must be used in conjunction with the Guide.

Response Range 1	Response Range 2	Response Range 3
<ul style="list-style-type: none"> <input type="checkbox"/> Verbal Warning or Counseling by Agent or Supervisor <input type="checkbox"/> Loss of Travel or other Privileges <input type="checkbox"/> PA 511 Community Programs, if eligible <input type="checkbox"/> Increased Reporting Requirements <input type="checkbox"/> Day Reporting <input type="checkbox"/> Increase Level of Supervision <input type="checkbox"/> Community Service up to 20 hours <input type="checkbox"/> Add Special Condition <input type="checkbox"/> Add or increase Drug/Alcohol Testing <input type="checkbox"/> Assessment/Outpatient Substance Abuse/Mental Health Counseling <input type="checkbox"/> Extend Probation <input type="checkbox"/> 24 Hour Home Confinement for EMS Offenders 	<ul style="list-style-type: none"> <input type="checkbox"/> Any Response or Combination of Responses in Range One and/or: <input type="checkbox"/> Up to 200 Hours Community Service <input type="checkbox"/> Intensive Outpatient Substance Abuse Treatment <input type="checkbox"/> Mental Health Residential Placement <input type="checkbox"/> Residential Substance Abuse Treatment <input type="checkbox"/> Electronic Monitoring up to 90 Days <input type="checkbox"/> Special Alternative to Incarceration (Boot Camp), if eligible <input type="checkbox"/> Up to 200 Hours of Community Service <input type="checkbox"/> 90 to 120 Days Probation Detention Program <input type="checkbox"/> PA 511 Community Programs, if eligible 	<ul style="list-style-type: none"> <input type="checkbox"/> Any Combination of Responses in Range One and Two and/or: <input type="checkbox"/> Day Reporting <input type="checkbox"/> Prison <input type="checkbox"/> 120 to 180 Days Jail <input type="checkbox"/> Electronic Monitoring 90-180 days

**Wayne County Department of Children & Family Services
Community Corrections Weekly Projected Capacity Report**

Week of SAMPLE

Program Name	Type	Contract Slots	Available Slots
Case Differentiation Unit (CDU) Rodney Pitts- 875-8667(Dickerson Jail) Kathleen Lormin- 833-3669	Screening and Referral Unit. Based at FMHJ and Wayne County Jail (Div.III). Screens defendants for appropriate PA511 programs.		Based on numbers below
Christian Guidance Center Eddie Gaston or Julius Johnson 313-852-1637x3706 or 313-869-8576	Male Residential ½-Way House Facility, including substance abuse treatment. Transitional Housing available thru HUD	40	
Heartline Sr. Barbara Bouchard or Resident Advisor 313-923-4200 on Duty	Female Residential Services including substance abuse assessment and referral. Can translate agency documents into language of foreign speaking persons.	10	
Operation Get Down Ed Bell or Brenda Gray-Thompson 313-921-9422	Male Residential substance abuse treatment facility. Transitional Housing Available thru HUD	50	
Elmhurst Home Inc. Ethel Pattman 313-867-1090 x105	Male Residential substance abuse treatment facility.	80	
Elmhurst Home Inc. (Naomi's Nest) Ethel Pattman 313-867-1090 x105	Female Residential substance abuse treatment facility.	40	
Gateway Probation Detention Facility Lynda Brown 313-822-2126	Male Residential Services including substance abuse assessment and referral.	100	
Genesis House Janice Smith or Eddie Gaston 313-331-8990x5513 or 313-852-1637x3706	Female Residential substance abuse treatment facility. Transitional Housing Available thru HUD.	5	
Sobriety House Jerry Foster or Gerald Roberts 313-895-0500	Male Residential substance abuse treatment facility.	20	
Straddle Cell Offender Treatment (SCOT) Tina Williams 313-875-8851	Male Treatment continuum: in-custody, residential and outpatient. STRADDLE CELL SGL OFFENDERS ONLY!	60	
Straddle Cell Offender Treatment (SCOT) Tina Williams 313-875-8851	Female Jail Based Substance Abuse Treatment Readiness STRADDLE CELL SGL OFFENDERS ONLY!	20	
Jail Based 3 Phase Program (JB3) PAGE Stan Monroe 313-875-7460	Male screening and treatment readiness program followed by residential, day reporting, relapse prevention, &/or straight probation.	60	
Phoenix Day Reporting Center Cheryl James 313-822-2087	Male Day Reporting and Case Management (NO SGL REQUIREMENT)	180	
Women Arise Day Reporting Center Deborah Drennan 313-758-0602	Female Day Reporting and Case Management (NO SGL REQUIREMENT)	60	
Relapse Prevention Support Programs City of Detroit - 313-876-4048 SEMCA - 800-686-6543	For those who have substance abuse &/or co-occurring disorders. Typically will have completed phase I or II of JB 3, but can be referred directly to the programs.	300	
Buprenorphine Drug Treatment Program Andrea Ramos 313-967-2554	To eliminate cravings & prevent withdrawal symptoms for those who are addicted to opiates such as heroin, pain medication, or methadone; on a volunteer basis.	40	

Defendants must have a Probationary term and at least the following SGL ranges and to qualify for placement in Residential programs:

- 0-6 Probation Violator/Show Cause or
- 0-9 or higher

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WAYNE COUNTY

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

DR. ARTHUR CARTER
DIRECTOR

SUE HAMILTON-SMITH
DEPUTY DIRECTOR

DEBORAH HENDRIX
Division of Adult Services
Director – 833-4605

The Director of Adult Services works with the general methods and procedures to ensure the effective coordination of the Public Act 511 (PA511) Wayne County Comprehensive Corrections plan which includes developing and implementing policies, processes and programs needed to reduce jail and prison overcrowding while protecting public safety. This executive position administers the appropriate adult service programs offering alternatives to incarceration and community based residential early intervention/prevention services; while providing the appropriate punishment for criminal activity and probation violations and controlling costs to detention facilities. Requires knowledge of policies, procedures, laws, and regulations governing the operation of adult detention, probation, and alternative community-based programs.

NAME	PHONE	TITLE
LUCILE BATTLE	833-4589	PROGRAM QUALITY ASSURANCE
CARLTON FLAKES	833-3602	MENTAL HEALTH / EDUCATION AND TRAINING
KATHLEEN LORMIN	833-3669	CONTRACTS MANAGER / PROGRAM UTILIZATION
RODNEY PITTS	875-8667	CASE DIFFERENTIATION UNIT

PROGRAM RECOMMENDATION CHART BASED ON SENTENCING GUIDELINE RANGE

SENTENCING GUIDLINE RANGE	CONSIDERATIONS FOR RECOMMENTATIONS
0 – 6 or less	Alternative Workforce (AWF), &/or Probation with Day Reporting
0 – 6 violation of probation	AWF, &/or Probation with Day Reporting, Residential substance abuse treatment or Gateway Probation Detention.
Minimum: 0 – 9 Maximum: Presumptive Prison (may exclude assaultive or PRV > 50)	Probation with Residential substance abuse treatment, Gateway Probation Detention, or the Jail Based 3 Phase Program (JB3) – this program includes combinations of jail, residential, day reporting, and/or relapse prevention. (Includes Domestic Violence)
OUIL Programs	Drunk Driver Jail Reduction Program – tether through WC Sheriff Dept., substance abuse treatment, &/or relapse prevention. No min./max. SGL required for outpatient treatment.
Relapse Prevention Programs City of Detroit - 313-876-4048 SEMCA-(NSO) - 313-875-5521	Relapse prevention supportive services for offenders who have substance abuse &/or co-occurring disorders. These offenders will typically have completed phase I or II of JB 3, but can be referred directly to the program. No min./max. SGL required.

*****Note*** All sentences to PA511 programs must include a Probationary term, except AWF.**

Wayne County Department of Children Family Services - Division of Adult Services
PA 511 Community Corrections Sanctions and Services Reference Guide

Community Service Provider									
Agency	Gender	Length of Stay	Education & Employment	Financial Management Training	Substance Abuse Education and Treatment	Intensive Substance Abuse Treatment	Cognitive Skills Education	Mental Health Treatment Services	Outpatient
Alternative Work Force									
	Both	Variable							
Day Reporting Case Management									
Eligibility Criteria: Must have Probation sentence.									
Agency	Gender	Length of Stay	Education & Employment	Financial Management & Parenting Skills Training	Substance Abuse Education and Treatment	Intensive Substance Abuse Treatment	Cognitive Skills Education	Mental Health Treatment Services	Outpatient
Phoenix Day Reporting	Male	Variable	X	X	X		X	X	
Women Arise	Female	Variable	X	X	X		X	X	
Residential Service Providers									
Eligibility Criteria: Probation & SGL 0-9 (or PV's w/ SGL 0-6) or greater w/ a PRV no greater than 50 in crimes involving public safety & crimes against persons.									
Agency	Gender	Length of Stay	Education & Employment	Financial Management	Substance Abuse Education and Treatment	Intensive Substance Abuse Treatment	Cognitive Skills Education	Mental Health Treatment Services	Outpatient
Christian Guidance Center (DRMM)	Both	90 day max. w agent & CFS approval	X	X	X	X	X		
Elmhurst Home Substance Abuse Treatment	Both	90 day max. w agent & CFS approval	X	X	X	X	X		
Gateway Detention Center	Male	90 max. w agent & CFS approval	X	X	X		X		
Heartline Residential Center (LSSM)	Female	90 day max. w agent & CFS approval	X	X	X		X		
Operation Get Down	Male	90 day max. w agent & CFS approval	X	X	X	X	X	X	
Sobriety House	Male	90 day max. w agent & CFS approval	X	X	X	X	X		
Jail-Based 3 Phase Program									
Eligibility Criteria: Sentenced to a split probation/jail sentence.									
Agency	Gender	Length of Stay	Education & Employment Referral	Financial Management Referral	Substance Abuse Education and Treatment Readiness	Domestic Violence Referral	Cognitive Skills Education	Mental Health Treatment Services	Outpatient Referrals
Elmhurst Home Straddle Call Offender Treatment (SCOT)	Both	Continuum includes 30-90 days jail followed by residential &/or outpatient treatment			X		X		
Education Training Research Services (ETRS) includes: PAGE (Personal Assessment & Growth Enhancement) Program TRANSITIONS (Domestic Violence) Program	Male	0 - 30 days followed by residential, day reporting case management, relapse prevention or straight probation supervision.	X	X	X	X	X	X	X

See reverse for additional information regarding referrals.