

HB 1173 -- COMMUNITY REBOUND ACT OF 2021

SPONSOR: Coleman (97)

This bill establishes the "Community Rebound Act of 2021".

The bill authorizes funding, subject to appropriation, for purposes including rehabilitation, enhanced performance by officers, and data collection and administrative work by the Division of Probation and Parole within The Department of Corrections.

Of the funds appropriated and after the Division makes appropriate calculations as specified in the act, the Division shall disburse funding to eligible supervision jurisdictions for use in the following proportions:

- (1) Of allocated incentive funds, 60% shall be used to improve supervision and rehabilitative services at the discretion of the respective district administrator;
- (2) Of the allocated incentive funds, 25% shall be used for performance-based financial bonuses for all officers within a given supervision jurisdiction that receives funding for improved performance; and
- (3) Of the allocated incentive funds, 15% shall be used by the Division of Probation and Parole for administrative and data collection purposes.

In any fiscal year in which a supervision jurisdiction receives moneys to be expended for the implementation of the act, the funds, including any interest, shall be made available to the Department of Corrections within 30 days of the deposit of such moneys. The Division of Budget and Planning of the Office of Administration shall periodically provide oversight regarding the monetary allocation to the specific supervision jurisdictions tasked with administering the moneys to ensure that disbursed funds are being appropriately used. The Division of Probation and Parole shall maintain a complete and accurate accounting of any and all funds.

The Division of Probation and Parole shall define and track specific outcome-based measures. At a minimum, the outcome-based measures shall include:

- (1) Identifying any Parole or Probation programs that were eliminated; and
- (2) Calculating the percentage of persons on probation or parole who successfully complete the period of supervision in each

supervision jurisdiction and statewide in a given fiscal year.

After the conclusion of each fiscal year, the Department of Corrections shall calculate the marginal cost of incarceration in prison for that fiscal year. The calculation shall consider factors including the average length of stay in state facilities for persons entering or returning to prison and any variable costs such as health care services, food, and clothing.

After the conclusion of each fiscal year, the Division of Probation and Parole shall gather data and calculate for that fiscal year:

- (1) The baseline probation failure rate per supervision jurisdiction;
- (2) The probation failure rate for each supervision jurisdiction;
- (3) The baseline parole failure rate per supervision jurisdiction;
- (4) The parole failure rate for each supervision jurisdiction;
- (5) An estimate of the number of adult probationers and parolees each supervision jurisdiction successfully prevented from entering or returning to prison. The estimate shall be calculated by comparing the probation failure rate to the baseline probation failure rate. The Division of Probation and Parole shall adjust the calculation to account for changes in a supervision jurisdiction's adult probation and parole caseload in the most recent completed fiscal year as compared to fiscal years 2017 to 2019, inclusive; and
- (6) An accounting of the current total population of probationers and parolees in each supervision jurisdiction in each of the last three fiscal years as of the date of the required report.

The Division of Probation and Parole shall deliver an annual written report to the Division of Budget and Planning of the Office of Administration and to the Department of Corrections. The report shall account for all funds appropriated to the Program and shall evaluate the effectiveness of the Program. No later than 18 months after the initial appropriation and annually thereafter, the Department of Corrections shall submit to the Governor and the General Assembly a comprehensive report on the implementation of the Community Rebound Act of 2021. The report shall include, but not be limited to, information in the applicable year regarding:

- (1) The effectiveness of programs based on the reports of performance-based outcome measures;

(2) The percentage of adult probationers and parolees whose supervision was revoked;

(3) The percentage of probationers and parolees who were convicted of crimes during their term of supervision;

(4) The impact of the moneys appropriated regarding:

(a) Enhancing public safety by reducing the percentage and number of probationers and parolees whose supervision was revoked for violations or new convictions; and

(b) Reducing the number of probationers and parolees entering or returning to prison;

(5) Any recommendations regarding resource allocations or additional collaboration with other state, regional, or local entities for improvements; and

(6) The number of probationers and parolees whose supervision was revoked solely for a violation of the terms of probation or parole, and the number of probationers and parolees whose supervision was revoked because of the commission of a new crime.

The bill has a delayed effective date of January 1, 2022.