

## LAW ENFORCEMENT INFORMATION NETWORK

### Probation Information Entry

This report is being submitted pursuant to Public Act 63 of 2011. The Act requires the department to implement procedures by which all probation information is placed on the Law Enforcement Information Network (LEIN) system and also to determine if amendments to the code of criminal procedure are needed. Public Act 63 of 2011, Section 306 states in part:

*(5) The department shall implement procedures by which all probation information is placed on the LEIN system and provide for the following:*

*(a) The LEIN system shall include information on each probationer, including any probation conditions placed on a probationer and the name of the probation officer assigned to the probationer. The LEIN system shall also include any nonstandard probation terms.*

There are two levels of probation in the State of Michigan court system: 1) district court probation, and 2) circuit court probation.

Currently, all circuit court probation departments are staffed and operated by the Michigan Department of Corrections (MDOC). All circuit court probation information is reported to the LEIN system by the MDOC. District court probation information is entered into the LEIN system by district court personnel or a criminal justice agency designated by the court.

Entering Agency	Active Probation Orders in LEIN
District Court	7,105
Circuit Court	3,133
Criminal Justice Agency	4,582
<b>Total Orders</b>	<b>14,820</b>

Public Act 63 of 2011, Section 306(5)(b) states:

*If the department determines that amendments to the code of criminal procedure, 1927 PA 175, MCL 760.1 to 777.69, are required to include all probation information on the LEIN system, the department shall deliver to members of the senate and house appropriations subcommittees on state police and military and veterans affairs amendments to the code of criminal procedure, 1927 PA 175, MCL 760.1 to 777.69, that, in the department's view, are necessary to accomplish this goal. These proposed amendments shall be delivered to subcommittee members not later than December 1, 2011.*

The department submitted proposed amendments to MCL 771.3, to the Legislature in February of 2010. House Bill 6287 was introduced by Representative LeBlanc, and the Bill was printed and placed upon the files of the members on June 24, 2010. No further action occurred at that time. Amendments to

MCL 771.3, continue to be necessary to require that all probation orders are entered into the LEIN system. The department is unable to comply with this section of the Boilerplate Act, as changes to the Code of Criminal Procedure are necessary. The proposed amendments to MCL 771.3(4) are as follows:

*(4) The court or a criminal justice agency designated by the court, or the Michigan Department of Corrections (MDOC) shall immediately enter all probation orders including all available information pertaining to the order or amended order of probation into the Law Enforcement Information Network (LEIN) or make available in the LEIN through the Offender Management Network Information (OMNI) system. If the court rescinds the order or amended order, the court or designated criminal justice agency, or MDOC shall immediately remove the order or amended order from the LEIN or the availability of the order in the LEIN through the OMNI system.*