



Circuit Court
for the County of Oakland

MARTHA D. ANDERSON
CIRCUIT JUDGE

May 22, 2015

SIXTH JUDICIAL CIRCUIT
OF MICHIGAN
248-858-7954

House Criminal Justice Committee
124 North Capitol Avenue
P.O. Box 30014
Lansing, MI 48909-7514

Representative Heise, Chair of the House Criminal Justice Committee:

The Michigan Judges Association (MJA) has appreciated the opportunity to participate in the various workgroups held by both former Representative Haveman, yourself and Representative Howrylak on the issues of probation and parole reform. MJA is cognizant of the need for reform and has worked consistently and diligently in attempting to reach a workable compromise with all of the stakeholders involved.

It has always been the position of our association that the Judge who has dealt with and sentenced a defendant is in the best position to determine punishment for probation violations. We do understand not all violations are the same and the punishment should fit the crime, so to speak.

MJA agrees with the amendments outlined in House Bill 4137 (H-1), Sec. 2(1). This allows the court to review a probationer's performance and determine whether the term of probation should be reduced or terminated due to the probationer's compliance with all of his/her probation requirements. The amendment also provides for compliance with the Crime Victim's Right Act for notification to all concerned if the court is considering reducing or terminating a defendant's probation.

This amendment achieves what all of the stakeholders are hoping to achieve, i.e., reducing the number of individuals on probation, thereby reducing the associated costs, and allowing the sentencing judge to make the determination with input from the prosecutor, the defendant and the victim.

MJA agrees with the modifications to the Probation Swift and Sure Sanctions Act with the understanding the program will remain voluntary and that appropriate funding be provided for the courts implementing the program. Those judges who are participating in the Swift and Sure Probation indicate the program is working well as it is. The changes being implemented expand the number and types of individuals that would qualify for the program in response to our membership request.

Thank you,

Hon. Martha D. Anderson
Oakland County Circuit Court