

DOC FAMILY ADVISORY BOARD

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House Bill 4965 as introduced
Sponsor: Rep. Stephanie Chang
Committee: Criminal Justice
Complete to 11-25-15

Analysis available at
<http://www.legislature.mi.gov>

SUMMARY:

The bill creates a Family Advisory Board within the Department of Corrections (DOC), prescribes membership and duties, and requires an annual report to the House and Senate criminal justice-related committees regarding the Board's activities in the preceding year. The bill is part of the legislative package to reform juvenile justice. Other bills in the package include HB 4947-4964 and HB 4966.

House Bill 4965 adds a new section to the Corrections Code to create the Family Advisory Board within the Department of Corrections. The Board would consist of at least 9 but no more than 15 members, one of which must be the Legislative Corrections Ombudsman. Membership would also include at least one individual appointed by the governor who has a parent formerly or currently incarcerated in a Michigan prison, and two appointed by the governor who are DOC employees (one of whom must be from the community corrections division). Other members, some of whom must be appointed by the governor, would include former prisoners and family members of current and former prisoners, a social worker, and no more than two members of the State Bar (i.e., lawyers) with experience working with former or current prisoners and their families. Terms would be for two years. The Board would select officers to serve one-year terms. The first meeting would have to be held not more than 90 days after the bill's effective date and subsequent meetings would have to be held at least quarterly.

The business of the Board would have to be conducted at a public meeting held in compliance with the Open Meetings Act. Writings prepared, owned, used, in the possession of, or retained by the Board in the performance of an official function would be subject to the Freedom of Information Act. Members would serve without compensation but could be reimbursed for actual and necessary expenses incurred in the performance of their official duties.

The Board would have to do the following:

- Assist and advise the DOC with the development of policies and procedures, and programs, that support family reunification during and after incarceration.
- Enhance communication between the DOC and families regarding issues impacting a broad range of current and formerly incarcerated individuals and their families.
- Identify barriers concerning family reunification during and after incarceration.

- File an annual report with the chairs of the Senate and House committees concerned with the DOC and criminal justice issues regarding its activities under the bill. The report must be filed not later than October 1 of each year.

The bill would allow the Board, in its discretion, to create regional committees or facility-focused family councils to further its mission.

The bill would take effect 90 days after enactment.

MCL 791.214a, proposed

FISCAL IMPACT:

As introduced, House Bill 4965 would have an indeterminate, but likely minimal, fiscal impact on the state Department of Corrections. Members of the board would serve without compensation, but would be reimbursed for their actual and necessary expenses incurred while performing their duties as board members. Additional costs to the state would depend on the amount of expenses incurred.

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■ This analysis was prepared by nonpartisan House Fiscal Agency staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.