

FIRST CONFERENCE REPORT

The Committee of Conference on the matters of difference between the two Houses concerning

Senate Bill No. 119, entitled

A bill to make appropriations for the department of corrections for the fiscal year ending September 30, 2016; and to provide for the expenditure of the appropriations.

Recommends:

First: That the House recede from the Substitute of the House as passed by the House.

Second: That the Senate and House agree to the Substitute of the Senate as passed by the Senate, amended to read as follows:

(attached)

Third: That the Senate and House agree to the title of the bill to read as follows:

A bill to make appropriations for the department of corrections for the fiscal year ending September 30, 2016; and to provide for the expenditure of the appropriations.

John Proos

Dave Pagel

Marty Knollenberg

Chris Afendoulis

Vincent Gregory

Jeff Irwin

Conferees for the Senate

Conferees for the House

**SUBSTITUTE FOR
SENATE BILL NO. 119**

A bill to make appropriations for the department of corrections for the fiscal year ending September 30, 2016; and to provide for the expenditure of the appropriations.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

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PART 1

LINE-ITEM APPROPRIATIONS

Sec. 101. There is appropriated for the department of corrections for the fiscal year ending September 30, 2016, from the following funds:

DEPARTMENT OF CORRECTIONS

APPROPRIATION SUMMARY

Average population	44,997
Full-time equated unclassified positions.....	16.0
Full-time equated classified positions.....	14,174.3

1	GROSS APPROPRIATION.....	\$ 1,962,226,000
2	Interdepartmental grant revenues:	
3	Total interdepartmental grants and intradepartmental	
4	transfers	225,000
5	ADJUSTED GROSS APPROPRIATION.....	\$ 1,962,001,000
6	Federal revenues:	
7	Total federal revenues.....	5,568,700
8	Special revenue funds:	
9	Total local revenues.....	8,533,200
10	Total private revenues.....	0
11	Total other state restricted revenues.....	43,950,700
12	State general fund/general purpose.....	\$ 1,903,948,400
13	Sec. 102. EXECUTIVE	
14	Full-time equated unclassified positions..... 16.0	
15	Full-time equated classified positions..... 20.0	
16	Unclassified positions--16.0 FTE positions.....	\$ 1,750,000
17	Executive direction--20.0 FTE positions.....	<u>4,127,100</u>
18	GROSS APPROPRIATION.....	\$ 5,877,100
19	Appropriated from:	
20	State general fund/general purpose.....	\$ 5,877,100
21	Sec. 103. PRISONER REENTRY AND COMMUNITY SUPPORT	
22	Full-time equated classified positions..... 339.4	
23	Prisoner reentry local service providers.....	\$ 13,208,600
24	Prisoner reentry MDOC programs.....	11,124,000
25	Prisoner reentry federal grants.....	250,000
26	Public safety initiative.....	4,500,000
27	Reentry services--67.0 FTE positions.....	14,391,700

1	Education program--272.4 FTE positions	35,852,400
2	Community corrections comprehensive plans and services	12,158,000
3	Felony drunk driver jail reduction and community	
4	treatment program	1,440,100
5	Residential services.....	15,475,500
6	Goodwill Flip the Script.....	<u>2,000,000</u>
7	GROSS APPROPRIATION.....	\$ 110,400,300
8	Appropriated from:	
9	Federal revenues:	
10	DOJ, prisoner reintegration.....	250,000
11	DED-vocational education equipment.....	152,200
12	DED-OESE, title I.....	899,400
13	DED-OVAE, adult education.....	353,400
14	DED-OSERS.....	115,200
15	DED, youthful offender/Specter grant.....	201,900
16	Special revenue funds:	
17	Program and special equipment fund.....	8,982,900
18	State general fund/general purpose.....	\$ 99,445,300
19	Sec. 104. BUDGET AND OPERATIONS ADMINISTRATION	
20	Full-time equated classified positions..... 172.0	
21	Budget and operations administration--172.0 FTE	
22	positions	\$ 21,946,100
23	New custody staff training.....	9,079,500
24	Compensatory buyout and union leave bank.....	100
25	Worker's compensation.....	14,149,000
26	Rent.....	2,349,100
27	Equipment and special maintenance.....	4,359,600

1	Administrative hearings officers.....		3,326,400
2	Judicial data warehouse user fees.....		50,000
3	Sheriffs' coordinating and training office.....		100,000
4	Prosecutorial and detainer expenses.....		5,001,000
5	County jail reimbursement program.....		<u>13,597,100</u>
6	GROSS APPROPRIATION.....	\$	73,957,900
7	Appropriated from:		
8	Special revenue funds:		
9	Jail reimbursement program fund.....		5,900,000
10	Program and special equipment fund.....		2,800,000
11	Local corrections officer training fund.....		100,000
12	Correctional industries revolving fund.....		600,500
13	State general fund/general purpose.....	\$	64,557,400
14	Sec. 105. FIELD OPERATIONS ADMINISTRATION		
15	Full-time equated classified positions.....	1,920.9	
16	Field operations--1,887.9 FTE positions.....	\$	209,458,800
17	Parole board operations--33.0 FTE positions.....		3,734,900
18	Parole/probation services.....		940,000
19	Parole sanction certainty pilot program.....		<u>500,000</u>
20	GROSS APPROPRIATION.....	\$	214,633,700
21	Appropriated from:		
22	Special revenue funds:		
23	Local - community tether program reimbursement.....		200,900
24	Reentry center offender reimbursements.....		23,800
25	Parole and probation oversight fees.....		4,331,900
26	Parole and probation oversight fees set-aside.....		940,000
27	Tether program participant contributions.....		2,426,700

1	State general fund/general purpose.....	\$	206,710,400
2	Sec. 106. CORRECTIONAL FACILITIES ADMINISTRATION		
3	Full-time equated classified positions.....		469.0
4	Correctional facilities administration--22.0 FTE		
5	positions	\$	6,259,000
6	Prison food service.....		52,558,900
7	Transportation--208.0 FTE positions.....		23,752,200
8	Central records--53.0 FTE positions.....		5,591,800
9	Inmate legal services.....		790,900
10	Housing inmates in federal institutions.....		611,000
11	Prison store operations--63.0 FTE positions.....		5,649,200
12	Prison industries operations--123.0 FTE positions....		9,977,900
13	Federal school lunch program.....		812,800
14	Leased beds and alternatives to leased beds.....		5,250,000
15	Public works programs.....		1,000,000
16	Cost-effective housing initiative.....		100
17	Inmate housing fund.....		<u>100</u>
18	GROSS APPROPRIATION.....	\$	112,253,900
19	Appropriated from:		
20	Interdepartmental grant revenues:		
21	IDG-MDHHS, Maxey/Woodland Center food service.....		225,000
22	Federal revenues:		
23	DAG-FNS, national school lunch.....		812,800
24	DOJ-BOP, federal prisoner reimbursement.....		411,000
25	DOJ, prison rape elimination act grant.....		659,500
26	SSA-SSI, incentive payment.....		268,000
27	Special revenue funds:		

1	Correctional industries revolving fund.....		9,977,900
2	Public works user fees.....		1,000,000
3	Resident stores.....		5,649,200
4	State general fund/general purpose.....	\$	93,250,500
5	Sec. 107. HEALTH CARE		
6	Full-time equated classified positions.....	1,484.9	
7	Prisoner health care services.....	\$	75,180,400
8	Vaccination program.....		691,200
9	Interdepartmental grant to health and human		
10	services, eligibility specialists.....		100,000
11	Healthy Michigan plan administration--12.0 FTE		
12	positions		1,076,000
13	Substance abuse testing and treatment services--11.0		
14	FTE positions		21,791,300
15	Clinical and mental health services and		
16	support--1,461.9 FTE positions.....		<u>195,566,900</u>
17	GROSS APPROPRIATION.....	\$	294,405,800
18	Appropriated from:		
19	Federal revenues:		
20	DOJ, Office of Justice Programs, RSAT.....		185,400
21	Federal revenues and reimbursements.....		247,900
22	Special revenue funds:		
23	Prisoner health care copayments.....		252,700
24	State general fund/general purpose.....	\$	293,719,800
25	Sec. 108. CORRECTIONAL FACILITIES		
26	Average population	44,997	
27	Full-time equated classified positions.....	9,768.1	

1	Alger Correctional Facility - Munising--260.2 FTE	
2	positions	\$ 29,943,600
3	Baraga Correctional Facility - Baraga--295.8 FTE	
4	positions	34,636,600
5	Bellamy Creek Correctional Facility - Ionia--389.2	
6	FTE positions	42,754,300
7	Earnest C. Brooks Correctional Facility -	
8	Muskegon--442.9 FTE positions.....	49,684,800
9	Carson City Correctional Facility - Carson	
10	City--424.4 FTE positions	47,371,800
11	Central Michigan Correctional Facility - St.	
12	Louis--391.6 FTE positions	45,566,600
13	Chippewa Correctional Facility - Kincheloe--435.1	
14	FTE positions	49,228,800
15	Cooper Street Correctional Facility - Jackson--260.1	
16	FTE positions	28,733,600
17	G. Robert Cotton Correctional Facility -	
18	Jackson--390.1 FTE positions	43,194,100
19	Detroit Detention Center--63.1 FTE positions	8,332,300
20	Detroit Reentry Center--215.6 FTE positions	26,772,500
21	Charles E. Egeler Correctional Facility -	
22	Jackson--373.7 FTE positions	43,926,700
23	Richard A. Handlon Correctional Facility -	
24	Ionia--251.7 FTE positions	29,037,900
25	Gus Harrison Correctional Facility - Adrian--441.6	
26	FTE positions	48,151,300
27	Ionia Correctional Facility - Ionia--285.8 FTE	

1	positions	32,910,300
2	Kinross Correctional Facility - Kincheloe--323.8 FTE	
3	positions	35,662,100
4	Lakeland Correctional Facility - Coldwater--280.5	
5	FTE positions	32,637,200
6	Macomb Correctional Facility - New Haven--294.8 FTE	
7	positions	33,853,600
8	Marquette Branch Prison - Marquette--321.7 FTE	
9	positions	38,368,400
10	Michigan Reformatory - Ionia--310.7 FTE positions	34,564,800
11	Muskegon Correctional Facility - Muskegon--205.0 FTE	
12	positions	24,325,000
13	Newberry Correctional Facility - Newberry--200.1 FTE	
14	positions	23,800,300
15	Oaks Correctional Facility - Eastlake--290.4 FTE	
16	positions	33,349,500
17	Ojibway Correctional Facility - Marenisco--203.1 FTE	
18	positions	22,938,500
19	Parnall Correctional Facility - Jackson--258.0 FTE	
20	positions	27,508,600
21	Pugsley Correctional Facility - Kingsley--209.9 FTE	
22	positions	24,354,900
23	Saginaw Correctional Facility - Freeland--274.9 FTE	
24	positions	32,184,500
25	Special alternative incarceration program - Cassidy	
26	Lake--119.0 FTE positions	13,431,500
27	St. Louis Correctional Facility - St. Louis--303.6	

1	FTE positions	35,827,900
2	Thumb Correctional Facility - Lapeer--284.4 FTE	
3	positions	32,340,300
4	Womens Huron Valley Correctional Complex -	
5	Ypsilanti--501.9 FTE positions.....	58,003,600
6	Woodland Correctional Facility - Whitmore	
7	Lake--285.4 FTE positions	32,617,900
8	Northern region administration and support--48.0 FTE	
9	positions	4,425,700
10	Southern region administration and support--132.0	
11	FTE positions	<u>24,857,000</u>
12	GROSS APPROPRIATION.....	\$ 1,125,296,500
13	Appropriated from:	
14	Federal revenues:	
15	DOJ, state criminal assistance program.....	1,012,000
16	Special revenue funds:	
17	Local revenues.....	8,332,300
18	State restricted fees, revenues and reimbursements ...	99,800
19	State general fund/general purpose.....	\$ 1,115,852,400
20	Sec. 109. INFORMATION TECHNOLOGY	
21	Information technology services and projects	\$ <u>25,400,800</u>
22	GROSS APPROPRIATION.....	\$ 25,400,800
23	Appropriated from:	
24	Special revenue funds:	
25	Correctional industries revolving fund.....	175,800
26	Parole and probation oversight fees set-aside.....	689,500
27	State general fund/general purpose.....	\$ 24,535,500

PART 2

PROVISIONS CONCERNING APPROPRIATIONS

FOR FISCAL YEAR 2015-2016

GENERAL SECTIONS

Sec. 201. Pursuant to section 30 of article IX of the state constitution of 1963, total state spending from state resources under part 1 for fiscal year 2015-2016 is \$1,947,899,100.00 and state spending from state resources to be paid to local units of government for fiscal year 2015-2016 is \$114,323,600.00. The itemized statement below identifies appropriations from which spending to local units of government will occur:

DEPARTMENT OF CORRECTIONS

Field operations - assumption of county

probation staff \$ 60,402,900

Community corrections comprehensive plans

and services 12,158,000

Reentry services - intensive detention reentry program 1,500,000

Residential services..... 15,475,500

County jail reimbursement program..... 13,597,100

Felony drunk driver jail reduction and

community treatment program 1,440,100

Leased beds and alternatives to leased beds 5,250,000

Public safety initiative..... 4,500,000

TOTAL..... \$ 114,323,600

Sec. 202. The appropriations authorized under this part and part 1 are subject to the management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594.

1 Sec. 203. As used in this part and part 1:

2 (a) "Administrative segregation" means confinement for
3 maintenance of order or discipline to a cell or room apart from
4 accommodations provided for inmates who are participating in
5 programs of the facility.

6 (b) "Cost per prisoner" means the sum total of the funds
7 appropriated under part 1 for the following, divided by the
8 projected prisoner population in fiscal year 2015-2016:

9 (i) Correctional facilities.

10 (ii) Northern and southern region administration and support.

11 (iii) Clinical and mental health services and support.

12 (iv) Prisoner health care services.

13 (v) Vaccination program.

14 (vi) Prison food service and federal school lunch program.

15 (vii) Transportation.

16 (viii) Inmate legal services.

17 (ix) Correctional facilities administration.

18 (x) Central records.

19 (xi) Worker's compensation.

20 (xii) New custody staff training.

21 (xiii) Prison store operations.

22 (xiv) Education program.

23 (c) "DAG" means the United States Department of Agriculture.

24 (d) "DAG-FNS" means the DAG Food and Nutrition Service.

25 (e) "DED" means the United States Department of Education.

26 (f) "DED-OESE" means the DED Office of Elementary and
27 Secondary Education.

1 (g) "DED-OSERS" means the DED Office of Special Education and
2 Rehabilitative Services.

3 (h) "DED-OVAE" means the DED Office of Vocational and Adult
4 Education.

5 (i) "Department" or "MDOC" means the Michigan department of
6 corrections.

7 (j) "DOJ" means the United States Department of Justice.

8 (k) "DOJ-BOP" means the DOJ Bureau of Prisons.

9 (l) "DOJ-OJP" means the DOJ Office of Justice Programs.

10 (m) "EPIC program" means the department's effective process
11 improvement and communication program.

12 (n) "Evidence-based practices" or "EBP" means a decision-
13 making process that integrates the best available research,
14 clinician expertise, and client characteristics.

15 (o) "FTE" means full-time equated.

16 (p) "Goal" means the intended or projected result of a
17 comprehensive corrections plan or community corrections program to
18 reduce repeat offending, criminogenic and high-risk behaviors,
19 prison commitment rates, to reduce the length of stay in a jail, or
20 to improve the utilization of a jail.

21 (q) "IDG" means interdepartmental grant.

22 (r) "Jail" means a facility operated by a local unit of
23 government for the physical detention and correction of persons
24 charged with or convicted of criminal offenses.

25 (s) "MDHHS" means the Michigan department of health and human
26 services.

27 (t) "MDSP" means the Michigan department of state police.

1 (u) "Medicaid benefit" means a benefit paid or payable under a
2 program for medical assistance under the social welfare act, 1939
3 PA 280, MCL 400.1 to 400.119b.

4 (v) "Objective risk and needs assessment" means an evaluation
5 of an offender's criminal history; the offender's noncriminal
6 history; and any other factors relevant to the risk the offender
7 would present to the public safety, including, but not limited to,
8 having demonstrated a pattern of violent behavior, and a criminal
9 record that indicates a pattern of violent offenses.

10 (w) "OCC" means office of community corrections.

11 (x) "Offender eligibility criteria" means particular criminal
12 violations, state felony sentencing guidelines descriptors, and
13 offender characteristics developed by advisory boards and approved
14 by local units of government that identify the offenders suitable
15 for community corrections programs funded through the office of
16 community corrections.

17 (y) "Offender success" means that an offender has, with the
18 support of the community, intervention of the field agent, and
19 benefit of any participation in programs and treatment, made an
20 adjustment while at liberty in the community such that he or she
21 has not been sentenced to or returned to prison for the conviction
22 of a new crime or the revocation of probation or parole.

23 (z) "Offender target population" means felons or misdemeanants
24 who would likely be sentenced to imprisonment in a state
25 correctional facility or jail, who would not likely increase the
26 risk to the public safety based on an objective risk and needs
27 assessment that indicates that the offender can be safely treated

1 and supervised in the community.

2 (aa) "Offender who would likely be sentenced to imprisonment"
3 means either of the following:

4 (i) A felon or misdemeanant who receives a sentencing
5 disposition that appears to be in place of incarceration in a state
6 correctional facility or jail, according to historical local
7 sentencing patterns.

8 (ii) A currently incarcerated felon or misdemeanant who is
9 granted early release from incarceration to a community corrections
10 program or who is granted early release from incarceration as a
11 result of a community corrections program.

12 (bb) "Programmatic success" means that the department program
13 or initiative has ensured that the offender has accomplished all of
14 the following:

15 (i) Obtained employment, has enrolled or participated in a
16 program of education or job training, or has investigated all bona
17 fide employment opportunities.

18 (ii) Obtained housing.

19 (iii) Obtained a state identification card.

20 (cc) "Recidivism" means the return of an individual to prison
21 within 3 years after he or she is released either with a new
22 sentence to prison or as a technical violator of parole conditions.

23 (dd) "RSAT" means residential substance abuse treatment.

24 (ee) "Serious emotional disturbance" means that term as
25 defined in section 100d(2) of the mental health code, 1974 PA 328,
26 MCL 330.1100d.

27 (ff) "Serious mental illness" means that term as defined in

1 section 100d(3) of the mental health code, 1974 PA 328, MCL
2 330.1100d.

3 (gg) "SSA" means the United States Social Security
4 Administration.

5 (hh) "SSA-SSI" means SSA supplemental security income.

6 Sec. 206. The department shall not take disciplinary action
7 against an employee or a prisoner for communicating with a member
8 of the legislature or his or her staff.

9 Sec. 208. The department shall use the Internet to fulfill the
10 reporting requirements of this part. This requirement may include
11 transmission of reports via electronic mail to the recipients
12 identified for each reporting requirement or it may include
13 placement of reports on an Internet or intranet site.

14 Sec. 209. Funds appropriated in part 1 shall not be used for
15 the purchase of foreign goods or services, or both, if
16 competitively priced and of comparable quality American goods or
17 services, or both, are available. Preference shall be given to
18 goods or services, or both, manufactured or provided by Michigan
19 businesses, if they are competitively priced and of comparable
20 quality. In addition, preference should be given to goods or
21 services, or both, that are manufactured or provided by Michigan
22 businesses owned and operated by veterans, if they are
23 competitively priced and of comparable quality.

24 Sec. 211. The department may charge fees and collect revenues
25 in excess of appropriations in part 1 not to exceed the cost of
26 offender services and programming, employee meals, parolee loans,
27 academic/vocational services, custody escorts, compassionate

1 visits, union steward activities, and public works programs and
2 services provided to local units of government or private nonprofit
3 organizations. The revenues and fees collected are appropriated for
4 all expenses associated with these services and activities.

5 Sec. 212. On a quarterly basis, the department shall report on
6 the number of full-time equated positions in pay status by civil
7 service classification to the senate and house appropriations
8 subcommittees on corrections, the legislative corrections
9 ombudsman, and the senate and house fiscal agencies. This report
10 shall include a detailed accounting of the long-term vacancies that
11 exist within each department. As used in this subsection, "long-
12 term vacancy" means any full-time equated position that has not
13 been filled at any time during the past 24 calendar months.

14 Sec. 214. The department shall receive and retain copies of
15 all reports funded from appropriations in part 1. Federal and state
16 guidelines for short-term and long-term retention of records shall
17 be followed. The department may electronically retain copies of
18 reports unless otherwise required by federal and state guidelines.

19 Sec. 216. The department shall prepare a report on out-of-
20 state travel expenses not later than January 1 of each year. The
21 travel report shall be a listing of all travel by classified and
22 unclassified employees outside this state in the immediately
23 preceding fiscal year that was funded in whole or in part with
24 funds appropriated in the department's budget. The report shall be
25 submitted to the senate and house standing committees on
26 appropriations, the senate and house fiscal agencies, and the state
27 budget director. The report shall include the following

1 information:

2 (a) The dates of each travel occurrence.

3 (b) The total transportation and related costs of each travel
4 occurrence, including the proportion funded with state general
5 fund/general purpose revenues, the proportion funded with state
6 restricted revenues, the proportion funded with federal revenues,
7 and the proportion funded with other revenues.

8 Sec. 219. (1) Any contract for prisoner telephone services
9 entered into after the effective date of this section shall include
10 a condition that fee schedules for prisoner telephone calls,
11 including rates and any surcharges other than those necessary to
12 meet program and special equipment costs, be the same as fee
13 schedules for calls placed from outside of correctional facilities.

14 (2) Revenues appropriated and collected for program and
15 special equipment funds shall be considered state restricted
16 revenue. Funding will shall be used for prisoner programming,
17 special equipment, and security projects. Unexpended funds
18 remaining at the close of the fiscal year shall not lapse to the
19 general fund but shall be carried forward and be available for
20 appropriation in subsequent fiscal years.

21 (3) The department shall submit a report to the senate and
22 house appropriations subcommittees on corrections, the senate and
23 house fiscal agencies, the legislative corrections ombudsman, and
24 the state budget director by February 1 outlining revenues and
25 expenditures from program and special equipment funds. The report
26 shall include all of the following:

27 (a) A list of all individual projects and purchases financed

1 with program and special equipment funds in the immediately
2 preceding fiscal year, the amounts expended on each project or
3 purchase, and the name of each vendor the products or services were
4 purchased from.

5 (b) A list of planned projects and purchases to be financed
6 with program and special equipment funds during the current fiscal
7 year, the amounts to be expended on each project or purchase, and
8 the name of each vendor for which the products or services were
9 purchased.

10 (c) A review of projects and purchases planned for future
11 fiscal years from program and special equipment funds.

12 Sec. 220. Not later than November 30, the state budget office
13 shall prepare and transmit a report that provides for estimates of
14 the total general fund/general purpose appropriation lapses at the
15 close of the fiscal year. This report shall summarize the projected
16 year-end general fund/general purpose appropriation lapses by major
17 departmental program or program areas. The report shall be
18 transmitted to the chairpersons of the senate and house of
19 representatives standing committees on appropriations and the
20 senate and house fiscal agencies.

21 Sec. 221. The department shall cooperate with the department
22 of technology, management, and budget to maintain a searchable
23 website accessible by the public at no cost that includes, but is
24 not limited to, all of the following for the department:

25 (a) Fiscal year-to-date expenditures by category.

26 (b) Fiscal year-to-date expenditures by appropriation unit.

27 (c) Fiscal year-to-date payments to a selected vendor,

1 including the vendor name, payment date, payment amount, and
2 payment description.

3 (d) The number of active department employees by job
4 classification.

5 (e) Job specifications and wage rates.

6 Sec. 223. (1) In addition to the funds appropriated in part 1,
7 there is appropriated an amount not to exceed \$10,000,000.00 for
8 federal contingency funds. These funds are not available for
9 expenditure until they have been transferred to another line item
10 in part 1 under section 393(2) of the management and budget act,
11 1984 PA 431, MCL 18.1393.

12 (2) In addition to the funds appropriated in part 1, there is
13 appropriated an amount not to exceed \$10,000,000.00 for state
14 restricted contingency funds. These funds are not available for
15 expenditure until they have been transferred to another line item
16 in part 1 under section 393(2) of the management and budget act,
17 1984 PA 431, MCL 18.1393.

18 (3) In addition to the funds appropriated in part 1, there is
19 appropriated an amount not to exceed \$2,000,000.00 for local
20 contingency funds. These funds are not available for expenditure
21 until they have been transferred to another line item in part 1
22 under section 393(2) of the management and budget act, 1984 PA 431,
23 MCL 18.1393.

24 (4) In addition to the funds appropriated in part 1, there is
25 appropriated an amount not to exceed \$2,000,000.00 for private
26 contingency funds. These funds are not available for expenditure
27 until they have been transferred to another line item in part 1

1 under section 393(2) of the management and budget act, 1984 PA 431,
2 MCL 18.1393.

3 Sec. 229. Within 14 days after the release of the executive
4 budget recommendation, the department shall cooperate with the
5 state budget office to provide the chairpersons of the senate and
6 house appropriations committees, the chairpersons of the senate and
7 house appropriations subcommittees on corrections, and the senate
8 and house fiscal agencies with an annual report on estimated state
9 restricted fund balances, state restricted fund projected revenues,
10 and state restricted fund expenditures for the fiscal years ending
11 September 30, 2015 and September 30, 2016.

12 Sec. 230. Funds appropriated in part 1 shall not be used by
13 the department to hire a person to provide legal services that are
14 the responsibility of the attorney general. This prohibition does
15 not apply to legal services for bonding activities and for those
16 outside services that the attorney general authorizes.

17 Sec. 231. The department shall maintain, on a publicly
18 accessible website, a department scorecard that identifies, tracks,
19 and regularly updates key metrics that are used to monitor and
20 improve the department's performance.

21 Sec. 239. It is the intent of the legislature that the
22 department establish and maintain a management-to-staff ratio of
23 not more than 1 supervisor for each 8 employees at the department's
24 central office in Lansing and at both the northern and southern
25 region administration offices.

26 Sec. 246. Total authorized appropriations from all sources
27 under part 1 for legacy costs for the fiscal year ending September

1 30, 2016 are \$332,330,600.00. From this amount, total department
2 appropriations for pension-related legacy costs are estimated at
3 \$188,628,700.00. Total department appropriations for retiree health
4 care legacy costs are estimated at \$143,701,900.00.

5 Sec. 247. In addition to the metrics required under section
6 447 of the management and budget act, 1984 PA 431, MCL 18.1447, for
7 each new program or program enhancement for which funds in excess
8 of \$500,000.00 are appropriated in part 1, the department shall
9 provide not later than November 1 a list of program-specific
10 metrics intended to measure its performance based on a return on
11 taxpayer investment. The department shall deliver the program-
12 specific metrics to members of the senate and house subcommittees
13 that have subject matter jurisdiction for this budget, the senate
14 and house fiscal agencies, and the state budget director. The
15 department shall provide an update on its progress in tracking
16 program-specific metrics and the status of program success at an
17 appropriations subcommittee meeting called for by the subcommittee
18 chair.

19 **EXECUTIVE**

20 Sec. 301. For 3 years after a felony offender is released from
21 the department's jurisdiction, the department shall maintain the
22 offender's file on the offender tracking information system and
23 make it publicly accessible in the same manner as the file of the
24 current offender. However, the department shall immediately remove
25 the offender's file from the offender tracking information system
26 upon determination that the offender was wrongfully convicted and

1 the offender's file is not otherwise required to be maintained on
2 the offender tracking information system.

3 Sec. 304. The director of the department shall maintain a
4 staff savings initiative program to invite employees to submit
5 suggestions for saving costs for the department. The proposed
6 savings initiatives shall be accepted or rejected within 60
7 business days. By March 1, the department shall report to the
8 senate and house appropriations subcommittees on corrections, the
9 legislative corrections ombudsman, the senate and house fiscal
10 agencies, and the state budget director on any savings proposals,
11 the date implemented, the amount of the expected savings, and any
12 process improvements that can be implemented in other areas of the
13 department. The report shall also include any rejected savings
14 proposal and the reason that the proposal was refused.

15 **PRISONER REENTRY AND COMMUNITY SUPPORT**

16 Sec. 401. The department shall submit 3-year and 5-year prison
17 population projection updates concurrent with submission of the
18 executive budget to the senate and house appropriations
19 subcommittees on corrections, the legislative corrections
20 ombudsman, the senate and house fiscal agencies, and the state
21 budget director. The report shall include explanations of the
22 methodology and assumptions used in developing the projection
23 updates.

24 Sec. 402. By March 1, the department shall provide a report on
25 prisoner reentry expenditures and allocations to the members of the
26 senate and house appropriations subcommittees on corrections, the

1 legislative corrections ombudsman, the senate and house fiscal
2 agencies, and the state budget director. At a minimum, the report
3 shall include information on both of the following:

4 (a) Details on prior-year expenditures, including amounts
5 spent on each project funded, itemized by service provided and
6 service provider.

7 (b) Allocations and planned expenditures for each project
8 funded and for each project to be funded, itemized by service to be
9 provided and service provider. The department shall provide an
10 amended report quarterly, if any revisions to allocations or
11 planned expenditures occurred during that quarter.

12 Sec. 403. By February 1, the department shall report to the
13 senate and house appropriations subcommittees on corrections, the
14 legislative corrections ombudsman, the senate and house fiscal
15 agencies, and the state budget director on the department's EPIC
16 program. The report shall include the following: the exact scope
17 and purpose of the EPIC program, the areas of the department that
18 have received any EPIC resources, the line items in part 1 that are
19 expected to recognize savings due to the EPIC program, the
20 identified areas of the department where the EPIC program has
21 changed the department's policy, and the number of the full-time
22 equivalent positions in the department that are assigned to the
23 EPIC program during the prior fiscal year.

24 Sec. 405. By March 1, the department shall report to the
25 senate and house appropriations subcommittees on corrections, the
26 legislative corrections ombudsman, the senate and house fiscal
27 agencies, and the state budget director on substance abuse testing

1 and treatment program objectives, outcome measures, and results,
2 including program impact on offender success and programmatic
3 success.

4 Sec. 407. By June 30, the department shall place the
5 statistical report from the immediately preceding calendar year on
6 an Internet site. The statistical report shall include, but not be
7 limited to, the information as provided in the 2004 statistical
8 report.

9 Sec. 408. The department shall measure the recidivism rates of
10 offenders.

11 Sec. 409. (1) The department shall engage with the talent
12 investment agency within the department of talent and economic
13 development and local entities to design services and shall use
14 appropriations provided in part 1 for reentry and vocational
15 education programs. The department shall ensure that the
16 collaboration provides relevant professional development
17 opportunities to prisoners to ensure that the programs are high
18 quality, demand driven, locally receptive, and responsive to the
19 needs of communities where the prisoners are expected to reside
20 after their release from correctional facilities. The programs
21 shall begin upon the intake of the prisoner into a department
22 facility.

23 (2) It is the intent of the legislature that the workforce
24 development programming continue through the entire duration of the
25 prisoner's incarceration to encourage employment upon release.

26 (3) By March 1, the department shall provide a report to the
27 senate and house appropriations subcommittees on corrections, the

1 legislative corrections ombudsman, and the senate and house fiscal
2 agencies detailing the results of the workforce development
3 program.

4 Sec. 410. (1) The funds included in part 1 for community
5 corrections comprehensive plans and services are to encourage the
6 development through technical assistance grants, implementation,
7 and operation of community corrections programs that enhance
8 offender success and that also may serve as an alternative to
9 incarceration in a state facility or jail. The comprehensive
10 corrections plans shall include an explanation of how the public
11 safety will be maintained, the goals for the local jurisdiction,
12 offender target populations intended to be affected, offender
13 eligibility criteria for purposes outlined in the plan, and how the
14 plans will meet the following objectives, consistent with section
15 8(4) of the community corrections act, 1988 PA 511, MCL 791.408:

16 (a) Reduce admissions to prison of offenders who would likely
17 be sentenced to imprisonment, including probation violators.

18 (b) Improve the appropriate utilization of jail facilities,
19 the first priority of which is to open jail beds intended to house
20 otherwise prison-bound felons, and the second priority being to
21 appropriately utilize jail beds so that jail crowding does not
22 occur.

23 (c) Open jail beds through the increase of pretrial release
24 options.

25 (d) Reduce the readmission to prison of parole violators.

26 (e) Reduce the admission or readmission to prison of
27 offenders, including probation violators and parole violators, for

1 substance abuse violations.

2 (f) Contribute to offender success.

3 (2) The award of community corrections comprehensive plans and
4 residential services funds shall be based on criteria that include,
5 but are not limited to, the prison commitment rate by category of
6 offenders, trends in prison commitment rates and jail utilization,
7 historical trends in community corrections program capacity and
8 program utilization, and the projected impact and outcome of annual
9 policies and procedures of programs on offender success, prison
10 commitment rates, and jail utilization.

11 (3) Funds awarded for residential services in part 1 shall
12 provide for a per diem reimbursement of not more than \$47.50 for
13 nonaccredited facilities, or of not more than \$48.50 for facilities
14 that have been accredited by the American Corrections Association
15 or a similar organization as approved by the department.

16 Sec. 411. The comprehensive corrections plans shall also
17 include, where appropriate, descriptive information on the full
18 range of sanctions and services that are available and utilized
19 within the local jurisdiction and an explanation of how jail beds,
20 residential services, the special alternative incarceration
21 program, probation detention centers, the electronic monitoring
22 program for probationers, and treatment and rehabilitative services
23 will be utilized to support the objectives and priorities of the
24 comprehensive corrections plans and the purposes and priorities of
25 section 8(4) of the community corrections act, 1988 PA 511, MCL
26 791.408, that contribute to the success of offenders. The plans
27 shall also include, where appropriate, provisions that detail how

1 the local communities plan to respond to sentencing guidelines
2 found in chapter XVII of the code of criminal procedure, 1927 PA
3 175, MCL 777.1 to 777.69, and use the county jail reimbursement
4 program under section 414. The state community corrections board
5 shall encourage local community corrections advisory boards to
6 include in their comprehensive corrections plans strategies to
7 collaborate with local alcohol and drug treatment agencies of the
8 MDCH for the provision of alcohol and drug screening, assessment,
9 case management planning, and delivery of treatment to alcohol- and
10 drug-involved offenders.

11 Sec. 412. (1) As part of the March biannual report specified
12 in section 12(2) of the community corrections act, 1988 PA 511, MCL
13 791.412, that requires an analysis of the impact of that act on
14 prison admissions and jail utilization, the department shall submit
15 to the senate and house appropriations subcommittees on
16 corrections, the legislative corrections ombudsman, the senate and
17 house fiscal agencies, and the state budget director the following
18 information for each county and counties consolidated for
19 comprehensive corrections plans:

20 (a) Approved technical assistance grants and comprehensive
21 corrections plans including each program and level of funding, the
22 utilization level of each program, and profile information of
23 enrolled offenders.

24 (b) If federal funds are made available, the number of
25 participants funded, the number served, the number successfully
26 completing the program, and a summary of the program activity.

27 (c) Status of the community corrections information system and

1 the jail population information system.

2 (d) Data on residential services, including participant data,
3 participant sentencing guideline scores, program expenditures,
4 average length of stay, and bed utilization data.

5 (e) Offender disposition data by sentencing guideline range,
6 by disposition type, by prior record variable score, by number and
7 percent statewide and by county, current year, and comparisons to
8 the previous 3 years.

9 (f) Data on the use of funding made available under the felony
10 drunk driver jail reduction and community treatment program.

11 (2) The report required under subsection (1) shall include the
12 total funding allocated, program expenditures, required program
13 data, and year-to-date totals.

14 Sec. 413. (1) The department shall identify and coordinate
15 information regarding the availability of and the demand for
16 community corrections programs, jail-based community corrections
17 programs, jail-based probation violation sanctions, and all state-
18 required jail data.

19 (2) The department is responsible for the collection,
20 analysis, and reporting of all state-required jail data.

21 (3) As a prerequisite to participation in the programs and
22 services offered through the department, counties shall provide
23 necessary jail data to the department.

24 Sec. 414. (1) The department shall administer a county jail
25 reimbursement program from the funds appropriated in part 1 for the
26 purpose of reimbursing counties for housing in jails certain felons
27 who otherwise would have been sentenced to prison.

1 (2) The county jail reimbursement program shall reimburse
2 counties for convicted felons in the custody of the sheriff if the
3 conviction was for a crime committed on or after January 1, 1999
4 and 1 of the following applies:

5 (a) The felon's sentencing guidelines recommended range upper
6 limit is more than 18 months, the felon's sentencing guidelines
7 recommended range lower limit is 12 months or less, the felon's
8 prior record variable score is 35 or more points, and the felon's
9 sentence is not for commission of a crime in crime class G or crime
10 class H or a nonperson crime in crime class F under chapter XVII of
11 the code of criminal procedure, 1927 PA 175, MCL 777.1 to 777.69.

12 (b) The felon's minimum sentencing guidelines range minimum is
13 more than 12 months under the sentencing guidelines described in
14 subdivision (a).

15 (c) The felon was sentenced to jail for a felony committed
16 while he or she was on parole and under the jurisdiction of the
17 parole board and for which the sentencing guidelines recommended
18 range for the minimum sentence has an upper limit of more than 18
19 months.

20 (3) State reimbursement under this subsection shall be \$60.00
21 per diem per diverted offender for offenders with a presumptive
22 prison guideline score, \$50.00 per diem per diverted offender for
23 offenders with a straddle cell guideline for a group 1 crime, and
24 \$35.00 per diem per diverted offender for offenders with a straddle
25 cell guideline for a group 2 crime. Reimbursements shall be paid
26 for sentences up to a 1-year total.

27 (4) As used in this subsection:

1 (a) "Group 1 crime" means a crime in 1 or more of the
2 following offense categories: arson, assault, assaultive other,
3 burglary, criminal sexual conduct, homicide or resulting in death,
4 other sex offenses, robbery, and weapon possession as determined by
5 the department of corrections based on specific crimes for which
6 counties received reimbursement under the county jail reimbursement
7 program in fiscal year 2007 and fiscal year 2008, and listed in the
8 county jail reimbursement program document titled "FY 2007 and FY
9 2008 Group One Crimes Reimbursed", dated March 31, 2009.

10 (b) "Group 2 crime" means a crime that is not a group 1 crime,
11 including larceny, fraud, forgery, embezzlement, motor vehicle,
12 malicious destruction of property, controlled substance offense,
13 felony drunk driving, and other nonassaultive offenses.

14 (c) "In the custody of the sheriff" means that the convicted
15 felon has been sentenced to the county jail and is either housed in
16 the county jail or has been released from jail and is being
17 monitored through the use of the sheriff's electronic monitoring
18 system.

19 (5) County jail reimbursement program expenditures shall not
20 exceed the amount appropriated in part 1 for the county jail
21 reimbursement program. Payments to counties under the county jail
22 reimbursement program shall be made in the order in which properly
23 documented requests for reimbursements are received. A request
24 shall be considered to be properly documented if it meets MDOC
25 requirements for documentation. By October 15, the department shall
26 distribute the documentation requirements to all counties.

27 (6) Any county that receives funding under this section for

1 the purpose of housing in jails certain felons who otherwise would
2 have been sentenced to prison shall, as a condition of receiving
3 the funding, report by September 30 an annual average jail capacity
4 and annual average jail occupancy for the immediately preceding
5 fiscal year.

6 Sec. 416. Allowable uses of felony drunk driver jail reduction
7 and community treatment program funding shall include reimbursing
8 counties for transportation, treatment costs, and housing felony
9 drunk drivers during a period of assessment for treatment and case
10 planning. Reimbursements for housing during the assessment process
11 shall be at the rate of \$43.50 per day per offender, up to a
12 maximum of 5 days per offender.

13 Sec. 417. (1) By March 1, the department shall report to the
14 members of the senate and house appropriations subcommittees on
15 corrections, the legislative corrections ombudsman, the senate and
16 house fiscal agencies, and the state budget director on each of the
17 following programs from the previous fiscal year:

18 (a) The county jail reimbursement program.

19 (b) The felony drunk driver jail reduction and community
20 treatment program.

21 (c) Any new initiatives to control prison population growth
22 funded or proposed to be funded under part 1.

23 (2) For each program listed under subsection (1), the report
24 shall include information on each of the following:

25 (a) Program objectives and outcome measures, including, but
26 not limited to, the number of offenders who successfully completed
27 the program, and the number of offenders who successfully remained

1 in the community during the 3 years following termination from the
2 program.

3 (b) Expenditures by location.

4 (c) The impact on jail utilization.

5 (d) The impact on prison admissions.

6 (e) Other information relevant to an evaluation of the
7 program.

8 Sec. 418. (1) The department shall collaborate with the state
9 court administrative office on facilitating changes to Michigan
10 court rules that would require the court to collect at the time of
11 sentencing the state operator's license, state identification card,
12 or other documentation used to establish the identity of the
13 individual to be admitted to the department. The department shall
14 maintain those documents in the prisoner's personal file.

15 (2) The department shall cooperate with MDCH to create and
16 maintain a process by which prisoners can obtain their Michigan
17 birth certificates if necessary. The department shall describe a
18 process for obtaining birth certificates from other states, and in
19 situations where the prisoner's effort fails, the department shall
20 assist in obtaining the birth certificate.

21 (3) The department shall collaborate with the department of
22 military and veterans affairs to create and maintain a process by
23 which prisoners can obtain a copy of their DD Form 214 or other
24 military discharge documentation if necessary.

25 Sec. 419. (1) The department shall provide weekly electronic
26 mail reports to the senate and house appropriations subcommittees
27 on corrections, the legislative corrections ombudsman, the senate

1 and house fiscal agencies, and the state budget director on
2 prisoner populations by security levels by facility, prison
3 facility capacities, and parolee and probationer populations.

4 (2) The department shall provide monthly electronic mail
5 reports to the senate and house appropriations subcommittees on
6 corrections, the legislative corrections ombudsman, the senate and
7 house fiscal agencies, and the state budget director. The reports
8 shall include information on end-of-month prisoner populations in
9 county jails, the net operating capacity according to the most
10 recent certification report, identified by date, and end-of-month
11 data, year-to-date data, and comparisons to the prior year for the
12 following:

13 (a) Community residential program populations, separated by
14 centers and electronic monitoring.

15 (b) Parole populations.

16 (c) Probation populations, with identification of the number
17 in special alternative incarceration.

18 (d) Prison and camp populations, with separate identification
19 of the number in special alternative incarceration and the number
20 of lifers.

21 (e) Prisoners classified as past their earliest release date.

22 (f) Parole board activity, including the numbers and
23 percentages of parole grants and parole denials.

24 (g) Prisoner exits, identifying transfers to community
25 placement, paroles from prisons and camps, paroles from community
26 placement, total movements to parole, prison intake, prisoner
27 deaths, prisoners discharging on the maximum sentence, and other

1 prisoner exits.

2 (h) Prison intake and returns, including probation violators,
3 new court commitments, violators with new sentences, escaper new
4 sentences, total prison intake, returns from court with additional
5 sentences, community placement returns, technical parole violator
6 returns, and total returns to prison and camp.

7 Sec. 421. (1) Funds appropriated in part 1 for the parole
8 sanction certainty pilot program shall be distributed to an
9 American Correctional Association accredited rehabilitation
10 organization operating in any of the following counties: Berrien,
11 Calhoun, Kalamazoo, Macomb, Muskegon, Oakland, and Wayne for
12 operations and administration of the pilot program. The pilot
13 program may be utilized as a condition of parole for technical
14 parole violators to ensure public safety and justice through a
15 program based on evidence-based tactics and programs.

16 (2) The program or programs selected shall report by March 30
17 to the department, the senate and house appropriations
18 subcommittees on corrections, the senate and house fiscal agencies,
19 the legislative corrections ombudsman, and the state budget
20 director. The report shall include program performance
21 measurements, the number of individuals who participate in the
22 pilot program, the number of individuals who return to prison after
23 participating, and outcomes of participants who complete the
24 program.

25 Sec. 434. The department shall explore opportunities to
26 collaborate with Michigan colleges and universities on establishing
27 programs that will employ parolees in agricultural settings.

1 Sec. 437. (1) Funds appropriated in part 1 for Goodwill Flip
2 the Script shall be distributed to a Michigan-chartered 501(c)(3)
3 nonprofit corporation operating in a county with greater than
4 1,500,000 people for administration and expansion of a program
5 which serves a population of persons aged 16 to 29. The program
6 shall target those who are entering the criminal justice system for
7 the first or second time and shall assist those individuals through
8 the following program types:

9 (a) Alternative sentencing programs in partnership with a
10 local district or circuit court.

11 (b) Educational recovery for special adult populations with
12 high rates of illiteracy.

13 (c) Career development and continuing education for women.

14 (2) The program selected shall report by March 30 to the
15 department, the senate and house appropriations subcommittees on
16 corrections, the senate and house fiscal agencies, the legislative
17 corrections ombudsman, and the state budget director. The report
18 shall include program performance measurements, the number of
19 individuals diverted from incarceration, the number of individuals
20 served, and outcomes of participants who complete the program.

21 **BUDGET AND OPERATIONS ADMINISTRATION**

22 Sec. 501. From the funds appropriated in part 1 for
23 prosecutorial and detainer expenses, the department shall reimburse
24 counties for housing and custody of parole violators and offenders
25 being returned by the department from community placement who are
26 available for return to institutional status and for prisoners who

1 volunteer for placement in a county jail.

2 Sec. 502. Funds included in part 1 for the sheriffs'
3 coordinating and training office are appropriated for and may be
4 expended to defray costs of continuing education, certification,
5 recertification, decertification, and training of local corrections
6 officers, the personnel and administrative costs of the sheriffs'
7 coordinating and training office, the local corrections officers
8 advisory board, and the sheriffs' coordinating and training council
9 under the local corrections officers training act, 2003 PA 125, MCL
10 791.531 to 791.546.

11 Sec. 505. The department shall provide for the training of all
12 custody staff in effective and safe ways of handling prisoners with
13 mental illness and referring prisoners to mental health treatment
14 programs. Mental health awareness training shall be incorporated
15 into the training and new custody staff.

16 Sec. 508. The department shall issue a report for all
17 correctional facilities to the senate and house appropriations
18 subcommittees on corrections, the senate and house fiscal agencies,
19 and the legislative corrections ombudsman by October 1 setting
20 forth the following information for each facility: its name, street
21 address, and date of construction; its current maintenance costs;
22 any maintenance planned; its current utility costs; its expected
23 future capital improvement costs; and its expected future useful
24 life.

25 Sec. 509. (1) The department shall conduct a study on the
26 Michigan state industries program. The study shall focus on
27 determining which industries within the 10 identified prosperity

1 regions in this state have the maximum benefit to the prisoner
2 population in providing marketable skills and leading to employable
3 outcomes after release of the prisoner from a department facility.
4 The report shall also include data on the current labor force
5 trends in the prosperity regions of this state and how the
6 operations of Michigan state industries can work in coordination
7 with local communities to determine the industries that would
8 produce the greatest number of employable prisoners upon release.

9 (2) By December 1, the department shall provide a report to
10 the senate and house appropriations subcommittees on corrections,
11 the senate and house fiscal agencies, and the legislative
12 corrections ombudsman detailing the results and recommendations
13 from the study on Michigan state industries described in subsection
14 (1).

15 Sec. 511. (1) By February 1, the department shall provide a
16 report to the senate and house appropriations subcommittees on
17 corrections, the senate and house fiscal agencies, the legislative
18 corrections ombudsman, and the state budget director which details
19 the strategic plan of the department. The report shall contain
20 strategies to decrease the overall recidivism rate, measurable
21 plans to increase the rehabilitative function of correctional
22 facilities, metrics to track and ensure prisoner readiness to re-
23 enter society, and constructive actions for providing prisoners
24 with life skills development.

25 (2) The intent of this report is to express that the mission
26 of the department is to provide an action plan before reentry to
27 society that ensures prisoners' readiness for meeting parole

1 requirements and ensures a reduction in the total number of
2 released inmates who reenter the criminal justice system.

3 **FIELD OPERATIONS ADMINISTRATION**

4 Sec. 601. (1) From the funds appropriated in part 1, the
5 department shall conduct a statewide caseload audit of field
6 agents. The audit shall address public protection issues and assess
7 the ability of the field agents to complete their professional
8 duties. The complete audit shall be submitted to the senate and
9 house appropriations subcommittees on corrections, the legislative
10 corrections ombudsman, the senate and house fiscal agencies, and
11 the state budget office by March 1.

12 (2) It is the intent of the legislature that the department
13 maintain a number of field agents sufficient to meet supervision
14 and workload standards.

15 Sec. 603. (1) All prisoners, probationers, and parolees
16 involved with the curfew monitoring program shall reimburse the
17 department for costs associated with their participation in the
18 program. The department may require community service work
19 reimbursement as a means of payment for those able-bodied
20 individuals unable to pay for the costs of the equipment.

21 (2) Program participant contributions and local program
22 reimbursement for the curfew monitoring program appropriated in
23 part 1 are related to program expenditures and may be used to
24 offset expenditures for this purpose.

25 (3) Included in the appropriation in part 1 is adequate
26 funding to implement the curfew monitoring program to be

1 administered by the department. The curfew monitoring program is
2 intended to provide sentencing judges and county sheriffs in
3 coordination with local community corrections advisory boards
4 access to the state's curfew monitoring program to reduce prison
5 admissions and improve local jail utilization. The department shall
6 determine the appropriate distribution of the curfew monitor units
7 throughout the state based upon locally developed comprehensive
8 corrections plans under the community corrections act, 1988 PA 511,
9 MCL 791.401 to 791.414.

10 (4) For a fee determined by the department, the department
11 shall provide counties with the curfew monitor equipment,
12 replacement parts, administrative oversight of the equipment's
13 operation, notification of violators, and periodic reports
14 regarding county program participants. Counties are responsible for
15 curfew monitor equipment installation and service. For an
16 additional fee as determined by the department, the department
17 shall provide staff to install and service the equipment. Counties
18 are responsible for the coordination and apprehension of program
19 violators.

20 (5) Any county with curfew monitor charges outstanding over 60
21 days shall be considered in violation of the community curfew
22 monitor program agreement and lose access to the program.

23 Sec. 611. The department shall prepare by March 1 individual
24 reports for the community reentry program, the electronic
25 monitoring program, and the special alternative to incarceration
26 program. The reports shall be submitted to the senate and house
27 appropriations subcommittees on corrections, the legislative

1 corrections ombudsman, the senate and house fiscal agencies, and
2 the state budget director. Each program's report shall include
3 information on all of the following:

4 (a) Monthly new participants by type of offender. Community
5 reentry program participants shall be categorized by reason for
6 placement. For technical rule violators, the report shall sort
7 offenders by length of time since release from prison, by the most
8 recent violation, and by the number of violations occurring since
9 release from prison.

10 (b) Monthly participant unsuccessful terminations, including
11 cause.

12 (c) Number of successful terminations.

13 (d) End month population by facility/program.

14 (e) Average length of placement.

15 (f) Return to prison statistics.

16 (g) Description of each program location or locations,
17 capacity, and staffing.

18 (h) Sentencing guideline scores and actual sentence statistics
19 for participants, if applicable.

20 (i) Comparison with prior year statistics.

21 (j) Analysis of the impact on prison admissions and jail
22 utilization and the cost effectiveness of the program.

23 Sec. 612. (1) The department shall review and revise as
24 necessary policy proposals that provide alternatives to prison for
25 offenders being sentenced to prison as a result of technical
26 probation violations and technical parole violations. To the extent
27 the department has insufficient policies or resources to affect the

1 continued increase in prison commitments among these offender
2 populations, the department shall explore other policy options to
3 allow for program alternatives, including department or OCC-funded
4 programs, local level programs, and programs available through
5 private agencies that may be used as prison alternatives for these
6 offenders.

7 (2) By April 1, the department shall provide a report to the
8 senate and house appropriations subcommittees on corrections, the
9 legislative corrections ombudsman, the senate and house fiscal
10 agencies, and the state budget director on the number of all
11 parolees returned to prison and probationers sentenced to prison
12 for either a technical violation or new sentence during the
13 preceding fiscal year. The report shall include the following
14 information for probationers, for parolees after their first
15 parole, and for parolees who have been paroled more than once:

16 (a) The numbers of parole and probation violators returned to
17 or sent to prison for a new crime with a comparison of original
18 versus new offenses by major offense type: assaultive,
19 nonassaultive, drug, and sex.

20 (b) The numbers of parole and probation violators returned to
21 or sent to prison for a technical violation and the type of
22 violation, including, but not limited to, zero gun tolerance and
23 substance abuse violations. For parole technical rule violators,
24 the report shall list violations by type, by length of time since
25 release from prison, by the most recent violation, and by the
26 number of violations occurring since release from prison.

27 (c) The educational history of those offenders, including how

1 many had a high school equivalency or high school diploma prior to
2 incarceration in prison, how many received a high school
3 equivalency while in prison, and how many received a vocational
4 certificate while in prison.

5 (d) The number of offenders who participated in the reentry
6 program versus the number of those who did not.

7 (e) The unduplicated number of offenders who participated in
8 substance abuse treatment programs, mental health treatment
9 programs, or both, while in prison, itemized by diagnosis.

10 Sec. 615. The department shall submit a report containing a
11 list detailing the number of prisoners who have received life
12 imprisonment sentences with the possibility of parole and who are
13 currently eligible for parole to the senate and house
14 appropriations subcommittees on corrections, the senate and house
15 fiscal agencies, the legislative corrections ombudsman, and the
16 state budget director by January 1.

17 Sec. 616. The parole board shall review its policies related
18 to the review and parole of those offenders serving a parolable
19 life sentence with consideration given to those that do not pose an
20 ongoing risk to society.

21 HEALTH CARE

22 Sec. 802. As a condition of expenditure of the funds
23 appropriated in part 1, the department shall provide the senate and
24 house of representatives appropriations subcommittees on
25 corrections, the legislative corrections ombudsman, the senate and
26 house fiscal agencies, and the state budget director with quarterly

1 reports on physical and mental health care detailing quarterly and
2 fiscal year-to-date expenditures itemized by vendor, allocations,
3 status of payments from contractors to vendors, and projected year-
4 end expenditures from accounts for prisoner health care, mental
5 health care, pharmaceutical services, and durable medical
6 equipment.

7 Sec. 803. (1) The department shall assure that all prisoners,
8 upon any health care treatment, are given the opportunity to sign a
9 release of information form designating a family member or other
10 individual to whom the department shall release records information
11 regarding a prisoner. A release of information form signed by a
12 prisoner shall remain in effect for 1 year, and the prisoner may
13 elect to withdraw or amend the release form at any time.

14 (2) The department shall assure that any such signed release
15 forms follow a prisoner upon transfer to another department
16 facility or to the supervision of a parole officer.

17 (3) The form shall be placed on an online, public website
18 managed by the department.

19 Sec. 804. The department shall report quarterly to the senate
20 and house appropriations subcommittees on corrections, the
21 legislative corrections ombudsman, the senate and house fiscal
22 agencies, and the state budget director on prisoner health care
23 utilization. The report shall include the number of inpatient
24 hospital days, outpatient visits, emergency room visits, and
25 prisoners receiving off-site inpatient medical care in the previous
26 quarter, by facility.

27 Sec. 805. If a prisoner aged 26 years or under is determined

1 not to be eligible for Medicaid, the department shall determine
2 whether the prisoner is eligible for dependent health insurance
3 coverage.

4 Sec. 812. (1) The department shall provide the department of
5 health and human services with a monthly list of prisoners newly
6 committed to the department of corrections. The department and the
7 department of health and human services shall enter into an
8 interagency agreement under which the department of health and
9 human services provides the department of corrections with monthly
10 lists of newly committed prisoners who are eligible for Medicaid
11 benefits in order to maintain the process by which Medicaid
12 benefits are suspended rather than terminated. The department shall
13 assist prisoners who may be eligible for Medicaid benefits after
14 release from prison with the Medicaid enrollment process prior to
15 release from prison.

16 (2) The department shall provide the senate and house
17 appropriations subcommittees on corrections, the legislative
18 corrections ombudsman, the senate and house fiscal agencies, and
19 the state budget director with quarterly updates on the utilization
20 of Medicaid benefits for prisoners.

21 Sec. 814. The department shall assure that psychotropic
22 medications are available, when deemed medically necessary by a
23 licensed medical service provider, to prisoners who have mental
24 illness diagnoses but are not enrolled in corrections mental health
25 services.

26 Sec. 816. By April 1, the department shall provide the members
27 of the senate and house appropriations subcommittees on

1 corrections, the senate and house fiscal agencies, the state budget
2 director, and the legislative corrections ombudsman with a report
3 on pharmaceutical expenditures and prescribing practices. In
4 particular, the report shall provide the following information:

5 (a) A detailed accounting of expenditures on antipsychotic
6 medications.

7 (b) Any changes that have been made to the prescription drug
8 formularies.

9 **CORRECTIONAL FACILITIES ADMINISTRATION**

10 Sec. 904. The department shall calculate the per prisoner/per
11 day cost for each prisoner security custody level. This calculation
12 shall include all actual direct and indirect costs for the previous
13 fiscal year, including, but not limited to, the value of services
14 provided to the department by other state agencies and the
15 allocation of statewide legacy costs. To calculate the per
16 prisoner/per day costs, the department shall divide these direct
17 and indirect costs by the average daily population for each custody
18 level. For multilevel facilities, the indirect costs that cannot be
19 accurately allocated to each custody level can be included in the
20 calculation on a per-prisoner basis for each facility. Marginal
21 cost per prisoner by age cohort shall be calculated under the
22 assumptions made by the department under prior marginal cost
23 analysis. A report summarizing these calculations and the direct
24 and indirect costs included in them shall be submitted to the
25 senate and house appropriations subcommittees on corrections, the
26 legislative corrections ombudsman, the senate and house fiscal

1 agencies, and the state budget director not later than December 15.

2 Sec. 906. Any local unit of government or private nonprofit
3 organization that contracts with the department for public works
4 services shall be responsible for financing the entire cost of such
5 an agreement.

6 Sec. 907. The department shall report by March 1 to the senate
7 and house appropriations subcommittees on corrections, the
8 legislative corrections ombudsman, the senate and house fiscal
9 agencies, and the state budget director on academic and vocational
10 programs. The report shall provide information relevant to an
11 assessment of the department's academic and vocational programs,
12 including, but not limited to, all of the following:

13 (a) The number of instructors and the number of instructor
14 vacancies, by program and facility.

15 (b) The number of prisoners enrolled in each program, the
16 number of prisoners completing each program, the number of
17 prisoners who fail each program, the number of prisoners who do not
18 complete each program and the reason for not completing the
19 program, the number of prisoners transferred to another facility
20 while enrolled in a program and the reason for transfer, the number
21 of prisoners enrolled who are repeating the program by reason, and
22 the number of prisoners on waiting lists for each program, all
23 itemized by facility.

24 (c) The steps the department has undertaken to improve
25 programs, track records, accommodate transfers and prisoners with
26 health care needs, and reduce waiting lists.

27 (d) The number of prisoners paroled without a high school

1 diploma and the number of prisoners paroled without a high school
2 equivalency.

3 (e) An explanation of the value and purpose of each program,
4 for example, to improve employability, reduce recidivism, reduce
5 prisoner idleness, or some combination of these and other factors.

6 (f) An identification of program outcomes for each academic
7 and vocational program.

8 (g) An explanation of the department's plans for academic and
9 vocational programs, including plans to contract with intermediate
10 school districts for high school equivalency and high school
11 diploma programs.

12 (h) The number of prisoners not paroled at their earliest
13 release date due to lack of a high school equivalency, and the
14 reason those prisoners have not obtained a high school equivalency.

15 Sec. 910. The department shall allow the Michigan Braille
16 transcribing fund program to operate at its current location. The
17 donation of the building by the Michigan Braille transcribing fund
18 at the G. Robert Cotton Correctional Facility in Jackson is
19 acknowledged and appreciated. The department shall continue to
20 encourage the Michigan Braille transcribing fund program to produce
21 high-quality materials for use by the visually impaired.

22 Sec. 911. By March 1, the department shall report to the
23 senate and house appropriations subcommittees on corrections, the
24 senate and house fiscal agencies, the legislative corrections
25 ombudsman, and the state budget director the number of critical
26 incidents occurring each month by type and the number and severity
27 of assaults, escape attempts, suicides, and attempted suicides

1 occurring each month at each facility during the immediately
2 preceding calendar year.

3 Sec. 912. The department shall report to the senate and house
4 appropriations subcommittees on corrections, the legislative
5 corrections ombudsman, the senate and house fiscal agencies, and
6 the state budget director by March 1 on the ratio of correctional
7 officers to prisoners for each correctional institution, the ratio
8 of shift command staff to line custody staff, and the ratio of
9 noncustody institutional staff to prisoners for each correctional
10 institution.

11 Sec. 913. (1) It is the intent of the legislature that any
12 prisoner required to complete a violence prevention program, sexual
13 offender program, or other program as a condition of parole shall
14 be transferred to a facility where that program is available in
15 order to accomplish timely completion of that program prior to the
16 expiration of his or her minimum sentence and eligibility for
17 parole. Nothing in this section should be deemed to make parole
18 denial appealable in court.

19 (2) The department shall submit a quarterly report to the
20 members of the senate and house appropriations subcommittees on
21 corrections, the senate and house fiscal agencies, the state budget
22 director, and the legislative corrections ombudsman detailing
23 enrollment in sex offender programming, assaultive offender
24 programming, violent offender programming, and thinking for change.
25 At a minimum, the report shall include the following:

26 (a) A full accounting of the number of individuals who are
27 required to complete the programming, but have not yet done so.

1 (b) The number of individuals who have reached their earliest
2 release date, but who have not completed required programming.

3 (c) A plan of action for addressing any waiting lists or
4 backlogs for programming that may exist.

5 Sec. 924. The department shall evaluate all prisoners at
6 intake for substance abuse disorders, serious developmental
7 disorders, serious mental illness, and other mental health
8 disorders. Prisoners with serious mental illness or serious
9 developmental disorders shall not be removed from the general
10 population as a punitive response to behavior caused by their
11 serious mental illness or serious developmental disorder. Due to
12 persistent high violence risk or severe disruptive behavior that is
13 unresponsive to treatment, prisoners with serious mental illness or
14 serious developmental disorders may be placed in secure residential
15 housing programs that will facilitate access to institutional
16 programming and ongoing mental health services. A prisoner with
17 serious mental illness or serious developmental disorder who is
18 confined in these specialized housing programs shall be evaluated
19 or monitored by a medical professional at a frequency of not less
20 than every 12 hours.

21 Sec. 925. By March 1, the department shall report to the
22 senate and house appropriations subcommittees on corrections, the
23 senate and house fiscal agencies, the legislative corrections
24 ombudsman, and the state budget director on the annual number of
25 prisoners in administrative segregation between October 1, 2014 and
26 September 30, 2015, and the annual number of prisoners in
27 administrative segregation between October 1, 2014 and September

1 30, 2015 who at any time during the current or prior prison term
2 were diagnosed with serious mental illness or have a developmental
3 disorder and the number of days each of the prisoners with serious
4 mental illness or a developmental disorder have been confined to
5 administrative segregation.

6 Sec. 929. From the funds appropriated in part 1, the
7 department shall do all of the following:

8 (a) Ensure that any inmate care and control staff in contact
9 with prisoners less than 18 years of age are adequately trained
10 with regard to the developmental and mental health needs of
11 prisoners less than 18 years of age. By April 1, the department
12 shall report to the senate and house appropriations subcommittees
13 on corrections, the senate and house fiscal agencies, and the state
14 budget director on the training curriculum used and the number and
15 types of staff receiving annual training under that curriculum.

16 (b) Provide appropriate placement for prisoners less than 18
17 years of age who have serious mental illness, serious emotional
18 disturbance, or a serious developmental disorder and need to be
19 housed separately from the general population. Prisoners less than
20 18 years of age who have serious mental illness, serious emotional
21 disturbance, or a serious developmental disorder shall not be
22 removed from an existing placement as a punitive response to
23 behavior caused by their serious mental illness, serious emotional
24 disturbance, or a serious developmental disorder. Due to persistent
25 high violence risk or severe disruptive behavior that is
26 unresponsive to treatment, prisoners less than 18 years of age with
27 serious emotional disturbance, serious mental illness, or serious

1 developmental disorders may be placed in secure residential housing
2 programs that will facilitate access to institutional programming
3 and ongoing mental health services. A prisoner less than 18 years
4 of age with serious mental illness, serious emotional disturbance,
5 or a serious developmental disorder who is confined in these
6 specialized housing programs shall be evaluated or monitored by a
7 medical professional at a frequency of not less than every 12
8 hours.

9 (c) Implement a specialized reentry program that recognizes
10 the needs of prisoners less than 18 years old for supervised
11 reentry.

12 Sec. 937. The department shall not issue a request for
13 proposal (RFP) for a contract in excess of \$5,000,000.00, unless
14 the department has first considered issuing a request for
15 information (RFI) or a request for qualification (RFQ) relative to
16 that contract to better enable the department to learn more about
17 the market for the products or services that are the subject of the
18 future RFP. The department shall notify the department of
19 technology, management, and budget of the evaluation process used
20 to determine if an RFI or RFQ was not necessary prior to issuing
21 the RFP.

22 Sec. 940. (1) Any lease, rental, contract, or other legal
23 agreement that includes a provision allowing a private person or
24 entity to use state-owned facilities or other property to conduct a
25 for-profit business enterprise shall require the lessee to pay fair
26 market value for the use of the state-owned property.

27 (2) The lease, rental, contract, or other legal agreement

1 shall also require the party using the property to make a payment
2 in lieu of taxes to the local jurisdictions that would otherwise
3 receive property tax revenue, as if the property were not owned by
4 the state.

5 Sec. 942. The department shall ensure that any contract with a
6 public or private party to operate a facility to house state
7 prisoners includes a provision to allow access by both the office
8 of the legislative auditor general and the office of the
9 legislative corrections ombudsman to the facility and to
10 appropriate records and documents related to the operation of the
11 facility. These access rights for both offices shall be the same
12 for the contracted facility as for a general state-operated
13 correctional facility.

14 Sec. 945. The department shall investigate options for
15 increasing the visiting capacity at Central Michigan Correctional
16 Facility - St. Louis in order to ease visiting room overcrowding.
17 The department shall submit a report by April 1 to the senate and
18 house of representatives appropriations subcommittees on
19 corrections, the senate and house fiscal agencies, the legislative
20 corrections ombudsman, and the state budget director on progress
21 being made to address visiting room overcrowding.

22 **MISCELLANEOUS**

23 Sec. 1009. The department shall make an information packet for
24 the families of incoming prisoners available on the department's
25 website. The information packet shall be updated by February 1 of
26 each year thereafter. The packet shall provide information on

1 topics including, but not limited to: how to put money into
2 prisoner accounts, how to make phone calls or create Jpay email
3 accounts, how to visit in person, proper procedures for filing
4 complaints or grievances, the rights of prisoners to physical and
5 mental health care, how to utilize the offender tracking
6 information system (OTIS), truth-in-sentencing and how it applies
7 to minimum sentences, the parole process, and guidance on the
8 importance of the role of families in the reentry process. The
9 department is encouraged to partner with external advocacy groups
10 and actual families of prisoners in the packet-writing process to
11 ensure that the information is useful and complete.

12 Sec. 1011. The department may accept in-kind services and
13 equipment donations to facilitate the addition of a cable network
14 that provides programming that will address the religious needs of
15 incarcerated individuals. This network may be a cable television
16 network that presently reaches the majority of households in the
17 United States. A bilingual channel affiliated with this network may
18 also be added to department programming to assist the religious
19 needs of Spanish-speaking inmates. The addition of these channels
20 shall be of no additional cost to this state.

21 Sec. 1012. From the funds appropriated in part 1, priority may
22 be given to funding reentry or rehabilitation programs that have
23 been demonstrated to reduce prison violence and recidivism such as
24 faith-based initiatives.

25

PART 2A

1 PROVISIONS CONCERNING ANTICIPATED APPROPRIATIONS
2 FOR FISCAL YEAR 2016-2017

3 **GENERAL SECTIONS**

4 Sec. 1201. It is the intent of the legislature to provide
5 appropriations for the fiscal year ending on September 30, 2017 for
6 the line items listed in part 1. The fiscal year 2016-2017
7 appropriations are anticipated to be the same as those for fiscal
8 year 2015-2016, except that the line items will be adjusted for
9 changes in caseload and related costs, federal fund match rates,
10 economic factors, and available revenue. These adjustments will be
11 determined after the January 2016 consensus revenue estimating
12 conference.