

**FIRST CONFERENCE REPORT**

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

House Bill No. 5562, entitled

A bill to make appropriations for the department of corrections for the fiscal year ending September 30, 2019; and to provide for the expenditure of the appropriations.

Recommends:

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

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

(attached)

Third: That the House and Senate 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, 2019; and to provide for the expenditure of the appropriations.

\_\_\_\_\_  
Dave Pagel

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John Proos

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Jeff Yaroch

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Marty Knollenberg

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Sylvia A. Santana

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Vincent Gregory

Conferees for the House

Conferees for the Senate



**SUBSTITUTE FOR  
HOUSE BILL NO. 5562**

A bill to make appropriations for the department of corrections for the fiscal year ending September 30, 2019; 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, 2019, from the following funds:

**DEPARTMENT OF CORRECTIONS**

APPROPRIATION SUMMARY

Average population.....	38,815
Full-time equated unclassified positions.....	16.0
Full-time equated classified positions.....	13,963.2

1	GROSS APPROPRIATION.....	\$ 2,017,056,200
2	Interdepartmental grant revenues:	
3	Total interdepartmental grants and intradepartmental	
4	transfers .....	0
5	ADJUSTED GROSS APPROPRIATION.....	\$ 2,017,056,200
6	Federal revenues:	
7	Total federal revenues.....	5,315,200
8	Special revenue funds:	
9	Total local revenues.....	8,960,100
10	Total private revenues.....	0
11	Total other state restricted revenues.....	40,939,600
12	State general fund/general purpose.....	\$ 1,961,841,300
13	<b>Sec. 102. DEPARTMENTAL ADMINISTRATION AND SUPPORT</b>	
14	Full-time equated unclassified positions .....16.0	
15	Full-time equated classified positions .....322.0	
16	Unclassified salaries--16.0 FTE positions.....	\$ 1,884,600
17	Administrative hearings officers.....	3,266,100
18	Budget and operations administration--240.0 FTE	
19	positions .....	32,971,300
20	Compensatory buyout and union leave bank.....	100
21	County jail reimbursement program.....	15,064,600
22	Equipment and special maintenance.....	1,559,700
23	Executive direction--20.0 FTE positions.....	4,298,200
24	Judicial data warehouse user fees.....	50,600
25	New custody staff training.....	9,527,600
26	Prison industries operations--62.0 FTE positions.....	9,989,700
27	Property management.....	2,413,100

1	Prosecutorial and detainer expenses.....	4,901,000
2	Sheriffs' coordinating and training office.....	100,000
3	Worker's compensation.....	<u>10,613,000</u>
4	GROSS APPROPRIATION.....	\$ 96,639,600
5	Appropriated from:	
6	Federal revenues:	
7	DOJ, prison rape elimination act grant.....	674,700
8	Special revenue funds:	
9	Correctional industries revolving fund.....	9,989,700
10	Correctional industries revolving fund 110.....	616,700
11	Jail reimbursement program fund.....	5,900,000
12	Local corrections officer training fund.....	100,000
13	Program and special equipment fund.....	100
14	State general fund/general purpose.....	\$ 79,358,400
15	<b>Sec. 103. OFFENDER SUCCESS ADMINISTRATION</b>	
16	Full-time equated classified positions .....351.4	
17	Community corrections comprehensive plans and services	\$ 12,058,000
18	Education/skilled trades/career readiness programs--	
19	270.4 FTE positions .....	39,009,700
20	Enhanced food technology program--12.0 FTE positions..	2,000,000
21	Federally qualified health center pilot.....	250,000
22	Felony drunk driver jail reduction and community	
23	treatment program .....	1,440,100
24	Goodwill Flip the Script.....	1,500,000
25	Offender success federal grants.....	751,000
26	Offender success community partners.....	14,500,000
27	Offender success programming.....	11,772,800

1	Public safety initiative.....	4,000,000
2	Offender success services--69.0 FTE positions.....	15,145,700
3	Residential probation diversions.....	<u>17,825,500</u>
4	GROSS APPROPRIATION.....	\$ 120,252,800
5	Appropriated from:	
6	Federal revenues:	
7	DOJ, prisoner reintegration.....	751,000
8	Federal education funding.....	1,536,300
9	Special revenue funds:	
10	Program and special equipment fund.....	10,213,200
11	State general fund/general purpose.....	\$ 107,752,300
12	<b>Sec. 104. FIELD OPERATIONS ADMINISTRATION</b>	
13	Full-time equated classified positions .....	2,182.6
14	Criminal justice reinvestment.....	\$ 5,498,400
15	Detroit Detention Center--66.1 FTE positions.....	8,685,100
16	Detroit Reentry Center--236.0 FTE positions.....	29,989,600
17	Field operations--1,849.5 FTE positions.....	215,083,300
18	Parole board operations--31.0 FTE positions.....	3,727,300
19	Parole/probation services.....	940,000
20	Residential alternative to prison program.....	1,500,000
21	Substance abuse parole certain sanction program.....	1,440,000
22	Supervising region incentive program.....	<u>1,000,000</u>
23	GROSS APPROPRIATION.....	\$ 267,863,700
24	Appropriated from:	
25	Special revenue funds:	
26	Local - community tether program reimbursement.....	275,000
27	Local revenues.....	8,685,100

1	Parole and probation oversight fees.....	4,000,000
2	Parole and probation oversight fees set-aside.....	940,000
3	Reentry center offender reimbursements.....	10,000
4	Tether program participant contributions.....	2,630,500
5	State general fund/general purpose.....	\$ 251,323,100
6	<b>Sec. 105. CORRECTIONAL FACILITIES ADMINISTRATION</b>	
7	Full-time equated classified positions .....654.0	
8	Central records--38.0 FTE positions.....	\$ 4,446,300
9	Correctional facilities administration--24.0 FTE	
10	positions .....	5,010,700
11	Housing inmates in federal institutions.....	611,000
12	Inmate housing fund.....	100
13	Inmate legal services.....	490,900
14	Leased beds and alternatives to leased beds.....	100
15	Prison food service--352.0 FTE positions.....	70,342,800
16	Prison kitchen inspections.....	50,000
17	Prison store operations--33.0 FTE positions.....	3,282,600
18	Public works programs.....	1,000,000
19	Transportation--207.0 FTE positions.....	<u>26,768,000</u>
20	GROSS APPROPRIATION.....	\$ 112,002,500
21	Appropriated from:	
22	Federal revenues:	
23	DOJ-BOP, federal prisoner reimbursement.....	411,000
24	SSA-SSI, incentive payment.....	272,000
25	Special revenue funds:	
26	Correctional industries revolving fund 110.....	573,900
27	Public works user fees.....	1,000,000

1	Resident stores.....	3,282,600
2	State general fund/general purpose.....	\$ 106,463,000
3	<b>Sec. 106. HEALTH CARE</b>	
4	Full-time equated classified positions .....	1,461.1
5	Clinical complexes--1,047.1 FTE positions.....	\$ 146,066,300
6	Health care administration--20.0 FTE positions.....	3,775,800
7	Healthy Michigan plan administration--12.0 FTE	
8	positions .....	1,124,700
9	Hepatitis C treatment.....	6,735,500
10	Interdepartmental grant to health and human services,	
11	eligibility specialists .....	119,700
12	Mental health services and support--376.0 FTE	
13	positions .....	45,981,100
14	Prisoner health care services.....	86,717,900
15	Substance abuse testing and treatment services--6.0	
16	FTE positions .....	21,386,600
17	Vaccination program.....	<u>691,200</u>
18	GROSS APPROPRIATION.....	\$ 312,598,800
19	Appropriated from:	
20	Federal revenues:	
21	DOJ, Office of Justice programs, RSAT.....	250,200
22	Federal revenues and reimbursements.....	385,200
23	Special revenue funds:	
24	Prisoner health care copayments.....	257,200
25	State general fund/general purpose.....	\$ 311,706,200
26	<b>Sec. 107. CORRECTIONAL FACILITIES</b>	
27	Average population .....	38,815

1	Full-time equated classified positions .....	8,992.1	
2	Alger Correctional Facility - Munising--259.0 FTE		
3	positions .....		\$ 31,189,400
4	Baraga Correctional Facility - Baraga--293.8 FTE		
5	positions .....		36,021,600
6	Bellamy Creek Correctional Facility - Ionia--391.2 FTE		
7	positions .....		45,003,600
8	Carson City Correctional Facility - Carson City--424.4		
9	FTE positions .....		49,613,500
10	Central Michigan Correctional Facility - St. Louis--		
11	387.6 FTE positions .....		47,009,300
12	Charles E. Egeler Correctional Facility - Jackson--		
13	387.6 FTE positions .....		46,801,100
14	Chippewa Correctional Facility - Kincheloe--445.6 FTE		
15	positions .....		52,230,000
16	Cooper Street Correctional Facility - Jackson--262.1		
17	FTE positions .....		30,325,000
18	Earnest C. Brooks Correctional Facility - Muskegon--		
19	245.2 FTE positions .....		30,604,700
20	G. Robert Cotton Correctional Facility - Jackson--		
21	393.0 FTE positions .....		45,634,700
22	Gus Harrison Correctional Facility - Adrian--443.6 FTE		
23	positions .....		50,857,600
24	Ionia Correctional Facility - Ionia--287.3 FTE		
25	positions .....		34,886,000
26	Kinross Correctional Facility - Kincheloe--256.6 FTE		
27	positions .....		33,008,100

1	Lakeland Correctional Facility - Coldwater--276.4 FTE	
2	positions .....	33,619,700
3	Macomb Correctional Facility - New Haven--292.8 FTE	
4	positions .....	35,285,600
5	Marquette Branch Prison - Marquette--319.7 FTE	
6	positions .....	38,697,200
7	Michigan Reformatory - Ionia--318.7 FTE positions.....	36,034,000
8	Muskegon Correctional Facility - Muskegon--206.0 FTE	
9	positions .....	26,109,600
10	Newberry Correctional Facility - Newberry--198.1 FTE	
11	positions .....	24,673,000
12	Oaks Correctional Facility - Eastlake--289.4 FTE	
13	positions .....	34,862,600
14	Ojibway Correctional Facility - Marenisco--201.1 FTE	
15	positions .....	23,747,300
16	Parnall Correctional Facility - Jackson--264.1 FTE	
17	positions .....	29,475,600
18	Richard A. Handlon Correctional Facility - Ionia--	
19	252.7 FTE positions .....	30,762,400
20	Saginaw Correctional Facility - Freeland--275.9 FTE	
21	positions .....	33,835,800
22	Special Alternative Incarceration Program - Cassidy	
23	Lake--120.0 FTE positions .....	14,179,300
24	St. Louis Correctional Facility - St. Louis--302.6 FTE	
25	positions .....	37,907,700
26	Thumb Correctional Facility - Lapeer--283.6 FTE	
27	positions .....	33,809,700

1	Womens Huron Valley Correctional Complex - Ypsilanti--	
2	504.1 FTE positions .....	60,568,400
3	Woodland Correctional Facility - Whitmore Lake--277.9	
4	FTE positions .....	33,169,100
5	Northern region administration and support--43.0 FTE	
6	positions .....	4,336,300
7	Southern region administration and support--89.0 FTE	
8	positions .....	20,430,900
9	Facility closure.....	<u>(19,201,100)</u>
10	GROSS APPROPRIATION.....	\$ 1,065,487,700
11	Appropriated from:	
12	Federal revenues:	
13	DOJ, state criminal assistance program.....	1,034,800
14	Special revenue funds:	
15	State restricted fees, revenues, and reimbursements...	102,100
16	State general fund/general purpose.....	\$ 1,064,350,800
17	<b>Sec. 108. INFORMATION TECHNOLOGY</b>	
18	Information technology services and projects.....	\$ <u>30,583,400</u>
19	GROSS APPROPRIATION.....	\$ 30,583,400
20	Appropriated from:	
21	Special revenue funds:	
22	Correctional industries revolving fund 110.....	178,600
23	Parole and probation oversight fees set-aside.....	701,000
24	Program and special equipment fund.....	444,000
25	State general fund/general purpose.....	\$ 29,259,800
26	<b>Sec. 109. ONE-TIME APPROPRIATIONS</b>	
27	Higher custody level programming.....	\$ 2,400,000

1	New custody staff training.....		<u>9,227,700</u>
2	GROSS APPROPRIATION.....	\$	11,627,700
3	Appropriated from:		
4	State general fund/general purpose.....	\$	11,627,700

5 PART 2  
6 PROVISIONS CONCERNING APPROPRIATIONS  
7 FOR FISCAL YEAR 2018-2019

8 **GENERAL SECTIONS**

9 Sec. 201. Pursuant to section 30 of article IX of the state  
10 constitution of 1963, total state spending from state sources under  
11 part 1 for fiscal year 2018-2019 is \$2,002,780,900.00 and state  
12 spending from state sources to be paid to local units of government  
13 for fiscal year 2018-2019 is \$122,169,600.00. The itemized  
14 statement below identifies appropriations from which spending to  
15 local units of government will occur:

16 DEPARTMENT OF CORRECTIONS

17	County jail reimbursement program.....	\$	15,064,600
18	Community corrections comprehensive plans and		
19	services .....		12,058,000
20	Felony drunk driver jail reduction and community		
21	treatment program .....		1,440,100
22	Field operations.....		65,380,300
23	Leased beds and alternatives to leased beds.....		100
24	Prosecutorial and detainer expenses.....		4,901,000
25	Public safety initiative.....		4,000,000

1	Residential alternative to prison program.....	1,500,000
2	Residential probation diversions.....	<u>17,825,500</u>
3	TOTAL.....	\$ 122,169,600

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

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

8       (a) "Administrative segregation" means confinement for  
9 maintenance of order or discipline to a cell or room apart from  
10 accommodations provided for inmates who are participating in  
11 programs of the facility.

12       (b) "Cost per prisoner" means the sum total of the funds  
13 appropriated under part 1 for the following, divided by the  
14 projected prisoner population in fiscal year 2018-2019:

- 15       (i) New custody staff training.
- 16       (ii) Education/skilled trades/career readiness programs.
- 17       (iii) Offender success programming.
- 18       (iv) Central records.
- 19       (v) Correctional facilities administration.
- 20       (vi) Inmate legal services.
- 21       (vii) Prison food service.
- 22       (viii) Prison store operations.
- 23       (ix) Transportation.
- 24       (x) Clinical complexes.
- 25       (xi) Hepatitis C treatment.
- 26       (xii) Mental health services and support.
- 27       (xiii) Prisoner health care services.

1 (xiv) Vaccination program.

2 (xv) Correctional facilities.

3 (xvi) Northern and southern region administration and support.

4 (xvii) Higher custody level programming.

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

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

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

9 (f) "EPIC program" means the department's effective process  
10 improvement and communications program.

11 (g) "Evidence-based" means a decision-making process that  
12 integrates the best available research, clinician expertise, and  
13 client characteristics.

14 (h) "Federally qualified health center" means that term as  
15 defined in section 1396d(l)(2)(B) of the social security act, 42  
16 USC 1396d.

17 (i) "FTE" means full-time equated.

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

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

26 (l) "MDHHS" means the Michigan department of health and human  
27 services.

1 (m) "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 (n) "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 (o) "OCC" means the office of community corrections.

11 (p) "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 (q) "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 (r) "Offender target populations" means felons or  
24 misdemeanants who would likely be sentenced to imprisonment in a  
25 state correctional facility or jail, who would not likely increase  
26 the 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 (s) "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 (t) "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 (u) "Recidivism" means that term as defined in section 1 of  
21 2017 PA 5, MCL 798.31.

22 (v) "RSAT" means residential substance abuse treatment.

23 (w) "Serious emotional disturbance" means that term as defined  
24 in section 100d(2) of the mental health code, 1974 PA 258, MCL  
25 330.1100d.

26 (x) "Serious mental illness" means that term as defined in  
27 section 100d(3) of the mental health code, 1974 PA 258, MCL

1 330.1100d.

2 (y) "SSA" means the United States Social Security  
3 Administration.

4 (z) "SSA-SSI" means SSA supplemental security income.

5 Sec. 204. The department shall use the internet to fulfill the  
6 reporting requirements of this part. This requirement may include  
7 transmission of reports via electronic mail to the recipients  
8 identified for each reporting requirement or it may include  
9 placement of reports on an internet or intranet site.

10 Sec. 205. Funds appropriated in part 1 shall not be used for  
11 the purchase of foreign goods or services, or both, if  
12 competitively priced and of comparable quality American goods or  
13 services, or both, are available. Preference shall be given to  
14 goods or services, or both, manufactured or provided by Michigan  
15 businesses, if they are competitively priced and of comparable  
16 quality. In addition, preference shall be given to goods or  
17 services, or both, that are manufactured or provided by Michigan  
18 businesses owned and operated by veterans, if they are  
19 competitively priced and of comparable quality.

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

23 Sec. 207. The department shall prepare a report on out-of-  
24 state travel expenses not later than January 1 of each year. The  
25 travel report shall be a listing of all travel by classified and  
26 unclassified employees outside this state in the immediately  
27 preceding fiscal year that was funded in whole or in part with

1 funds appropriated in the department's budget. The report shall be  
2 submitted to the senate and house appropriations committees, the  
3 senate and house fiscal agencies, and the state budget office. The  
4 report shall include the following information:

5 (a) The dates of each travel occurrence.

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

11 Sec. 208. Funds appropriated in part 1 shall not be used by  
12 the department to hire a person to provide legal services that are  
13 the responsibility of the attorney general. This prohibition does  
14 not apply to legal services for bonding activities and for those  
15 outside services that the attorney general authorizes.

16 Sec. 209. Not later than November 30, the state budget office  
17 shall prepare and transmit a report that provides for estimates of  
18 the total general fund/general purpose appropriation lapses at the  
19 close of the prior fiscal year. This report shall summarize the  
20 projected year-end general fund/general purpose appropriation  
21 lapses by major departmental program or program areas. The report  
22 shall be transmitted to the chairpersons of the senate and house  
23 appropriations committees and the senate and house fiscal agencies.

24 Sec. 210. (1) In addition to the funds appropriated in part 1,  
25 there is appropriated an amount not to exceed \$10,000,000.00 for  
26 federal contingency funds. These funds are not available for  
27 expenditure until they have been transferred to another line item

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

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

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

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

21 Sec. 211. 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. 212. Within 14 days after the release of the executive  
7 budget recommendation, the department shall cooperate with the  
8 state budget office to provide the chairpersons of the senate and  
9 house appropriations committees, the chairpersons of the senate and  
10 house appropriations subcommittees on corrections, and the senate  
11 and house fiscal agencies with an annual report on estimated state  
12 restricted fund balances, state restricted fund projected revenues,  
13 and state restricted fund expenditures for the prior 2 fiscal  
14 years.

15 Sec. 213. The department shall maintain, on a publicly  
16 accessible website, a department scorecard that identifies, tracks,  
17 and regularly updates key metrics that are used to monitor and  
18 improve the department's performance.

19 Sec. 214. Total authorized appropriations from all sources  
20 under part 1 for legacy costs for the fiscal year ending September  
21 30, 2019 are estimated at \$319,141,800.00. From this amount, total  
22 department appropriations for pension-related legacy costs are  
23 estimated at \$147,129,800.00. Total department appropriations for  
24 retiree health care legacy costs are estimated at \$172,012,000.00.

25 Sec. 216. On a quarterly basis, the department shall report on  
26 the number of full-time equated positions in pay status by civil  
27 service classification to the senate and house appropriations

1 subcommittees on corrections, the senate and house fiscal agencies,  
2 the legislative corrections ombudsman, and the state budget office.  
3 This report shall include a detailed accounting of the long-term  
4 vacancies that exist within the department. As used in this  
5 section, "long-term vacancy" means any full-time equated position  
6 that has not been filled at any time during the past 24 calendar  
7 months.

8       Sec. 217. The department shall receive and retain copies of  
9 all reports funded from appropriations in part 1. Federal and state  
10 guidelines for short-term and long-term retention of records shall  
11 be followed. The department may electronically retain copies of  
12 reports unless otherwise required by federal and state guidelines.

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

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

26       (3) The department shall submit a report to the senate and  
27 house appropriations subcommittees on corrections, the senate and

1 house fiscal agencies, the legislative corrections ombudsman, and  
2 the state budget office by February 1 outlining revenues and  
3 expenditures from program and special equipment funds. The report  
4 shall include all of the following:

5 (a) A list of all individual projects and purchases financed  
6 with program and special equipment funds in the immediately  
7 preceding fiscal year, the amounts expended on each project or  
8 purchase, and the name of each vendor from which the products or  
9 services were purchased.

10 (b) A list of planned projects and purchases to be financed  
11 with program and special equipment funds during the current fiscal  
12 year, the amounts to be expended on each project or purchase, and  
13 the name of each vendor from which the products or services will be  
14 purchased.

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

17 Sec. 220. The department may charge fees and collect revenues  
18 in excess of appropriations in part 1 not to exceed the cost of  
19 offender services and programming, employee meals, parolee loans,  
20 academic/vocational services, custody escorts, compassionate  
21 visits, union steward activities, and public works programs and  
22 services provided to local units of government or private nonprofit  
23 organizations. The revenues and fees collected are appropriated for  
24 all expenses associated with these services and activities.

25 Sec. 239. It is the intent of the legislature that the  
26 department establish and maintain a management-to-staff ratio of  
27 not more than 1 supervisor for each 8 employees at the department's

1 central office in Lansing and at both the northern and southern  
2 region administration offices.

3 Sec. 247. In cooperation with the state court administrative  
4 office, the department shall assist with the data compilation for  
5 the swift and sure sanctions program.

6 Sec. 248. At the May 2019 consensus revenue estimating  
7 conference, the senate and house fiscal agencies and the state  
8 budget director, or state treasurer, shall establish a projected  
9 prisoner population for fiscal year 2019-2020, and a projected  
10 number of available beds based on the population projection.

#### 11 **DEPARTMENTAL ADMINISTRATION AND SUPPORT**

12 Sec. 301. For 3 years after a felony offender is released from  
13 the department's jurisdiction, the department shall maintain the  
14 offender's file on the offender tracking information system and  
15 make it publicly accessible in the same manner as the file of the  
16 current offender. However, the department shall immediately remove  
17 the offender's file from the offender tracking information system  
18 upon determination that the offender was wrongfully convicted and  
19 the offender's file is not otherwise required to be maintained on  
20 the offender tracking information system.

21 Sec. 304. The department shall maintain a staff savings  
22 initiative program in conjunction with the EPIC program for  
23 employees to submit suggestions for efficiencies for the  
24 department. The department shall consider each suggestion in a  
25 timely manner. By March 1, the department shall report to the  
26 senate and house appropriations subcommittees on corrections, the

1 senate and house fiscal agencies, the legislative corrections  
2 ombudsman, and the state budget office on process improvements that  
3 were implemented based on suggestions that were recommended for  
4 implementation from the staff savings initiative and EPIC programs.

5       Sec. 305. From the funds appropriated in part 1 for  
6 prosecutorial and detainer expenses, the department shall reimburse  
7 counties for housing and custody of parole violators and offenders  
8 being returned by the department from community placement who are  
9 available for return to institutional status and for prisoners who  
10 volunteer for placement in a county jail.

11       Sec. 306. Funds included in part 1 for the sheriffs'  
12 coordinating and training office are appropriated for and may be  
13 expended to defray costs of continuing education, certification,  
14 recertification, decertification, and training of local corrections  
15 officers, the personnel and administrative costs of the sheriffs'  
16 coordinating and training office, the local corrections officers  
17 advisory board, and the sheriffs' coordinating and training council  
18 under the local corrections officers training act, 2003 PA 125, MCL  
19 791.531 to 791.546.

20       Sec. 307. The department shall issue a biannual report for all  
21 vendor contracts to the senate and house appropriations  
22 subcommittees on corrections, the senate and house fiscal agencies,  
23 the legislative corrections ombudsman, and the state budget office.  
24 The report shall cover service contracts with a value of  
25 \$500,000.00 or more and include all of the following:

26       (a) The original start date and the current expiration date of  
27 each contract.

1 (b) The number, if any, of contract compliance monitoring site  
2 visits completed by the department for each vendor.

3 (c) The number and amount of fines, if any, for service-level  
4 agreement noncompliance for each vendor broken down by area of  
5 noncompliance.

6 Sec. 308. The department shall provide for the training of all  
7 custody staff in effective and safe ways of handling prisoners with  
8 mental illness and referring prisoners to mental health treatment  
9 programs. Mental health awareness training shall be incorporated  
10 into the training of new custody staff.

11 Sec. 309. The department shall issue a report for all  
12 correctional facilities to the senate and house appropriations  
13 subcommittees on corrections, the senate and house fiscal agencies,  
14 the legislative corrections ombudsman, and the state budget office  
15 by January 1 setting forth the following information for each  
16 facility: its name, street address, and date of construction; its  
17 current maintenance costs; any maintenance planned; its current  
18 utility costs; its expected future capital improvement costs; the  
19 current unspent balance of any authorized capital outlay projects,  
20 including the original authorized amount; and its expected future  
21 useful life.

22 Sec. 310. (1) By February 1, the department shall provide a  
23 report to the senate and house appropriations subcommittees on  
24 corrections, the senate and house fiscal agencies, the legislative  
25 corrections ombudsman, and the state budget office which details  
26 the strategic plan of the department. The report shall contain  
27 strategies to decrease the overall recidivism rate, measurable

1 plans to increase the rehabilitative function of correctional  
2 facilities, metrics to track and ensure prisoner readiness to  
3 reenter society, and constructive actions for providing prisoners  
4 with life skills development.

5 (2) The intent of this report is to express that the mission  
6 of the department is to provide an action plan before reentry to  
7 society that ensures prisoners' readiness for meeting parole  
8 requirements and ensures a reduction in the total number of  
9 released inmates who reenter the criminal justice system.

10 Sec. 311. By December 1, the department shall provide a report  
11 on the Michigan state industries program to the senate and house  
12 appropriations subcommittees on corrections, the senate and house  
13 fiscal agencies, the legislative corrections ombudsman, and the  
14 state budget office. The report shall include, but not be limited  
15 to, the locations of the programs, the total number of participants  
16 at each location, a description of job duties and typical inmate  
17 schedules, the products that are produced, and how the program  
18 provides marketable skills that lead to employable outcomes after  
19 release from a department facility.

20 Sec. 312. (1) From the funds appropriated in part 1 for budget  
21 and operations administration, \$50,000.00 shall be used to conduct  
22 a comprehensive study of the prevalence of post-traumatic stress  
23 disorder and other psychological issues among correctional officers  
24 that are exacerbated by the corrections environment and exposure to  
25 highly stressful situations.

26 (2) By July 15, the department shall submit a report on the  
27 results of the study to the senate and house appropriations

1 subcommittees on corrections, the senate and house fiscal agencies,  
2 the legislative corrections ombudsman, and the state budget office.

3 **OFFENDER SUCCESS ADMINISTRATION**

4       Sec. 401. The department shall submit 3-year and 5-year prison  
5 population projection updates concurrent with submission of the  
6 executive budget recommendation to the senate and house  
7 appropriations subcommittees on corrections, the senate and house  
8 fiscal agencies, the legislative corrections ombudsman, and the  
9 state budget office. The report shall include explanations of the  
10 methodology and assumptions used in developing the projection  
11 updates.

12       Sec. 402. By March 1, the department shall provide a report on  
13 offender success expenditures and allocations to the senate and  
14 house appropriations subcommittees on corrections, the senate and  
15 house fiscal agencies, the legislative corrections ombudsman, and  
16 the state budget office. At a minimum, the report shall include  
17 information on both of the following:

18       (a) Details on prior-year expenditures, including amounts  
19 spent on each project funded, itemized by service provided and  
20 service provider.

21       (b) Allocations and planned expenditures for each project  
22 funded and for each project to be funded, itemized by service to be  
23 provided and service provider. The department shall provide an  
24 amended report quarterly, if any revisions to allocations or  
25 planned expenditures occurred during that quarter.

26       Sec. 403. The department shall partner with nonprofit faith-

1 based, business and professional, civic, and community  
2 organizations for the purpose of providing inmate offender success  
3 services. Offender success services include, but are not limited  
4 to, counseling, providing information on housing and job placement,  
5 and money management assistance.

6       Sec. 404. From the funds appropriated in part 1 for offender  
7 success services, the department, when reasonably possible, shall  
8 ensure that inmates have potential employer matches in the  
9 communities to which they will return prior to each inmate's  
10 initial parole hearing.

11       Sec. 405. By March 1, the department shall report to the  
12 senate and house appropriations subcommittees on corrections, the  
13 senate and house fiscal agencies, the legislative corrections  
14 ombudsman, and the state budget office on substance abuse testing  
15 and treatment program objectives, outcome measures, and results,  
16 including program impact on offender success and programmatic  
17 success.

18       Sec. 406. The department will work with the organization  
19 representing federally qualified health centers (FQHCs) to  
20 implement a pilot project to ensure that behavioral and physical  
21 health needs among parolees and probationers are addressed. The  
22 pilot project will position FQHCs to ensure that parolees and  
23 probationers are enrolled in and maintain access to benefits for  
24 which they qualify, are linked to the health care services they  
25 need, follow up with providers, stay on their medications, are  
26 engaged in services, and have barriers to care addressed. The  
27 department will make necessary accommodations to perform the

1 transition planning to allow for a direct referral to the FQHC  
2 organization to patients in relevant areas. The pilot project shall  
3 operate in at least Berrien, Kent, and Macomb Counties. The FQHC  
4 organization shall submit annual reports detailing these outcomes  
5 to the senate and house appropriations subcommittees on  
6 corrections, the senate and house fiscal agencies, the legislative  
7 corrections ombudsman, and the state budget office. The report  
8 shall include, but not be limited to, the number of offenders  
9 served by the pilot project in each county, the number of  
10 individual contacts with each offender, the federally reimbursable  
11 expenditures leveraged by the pilot project by county, and the  
12 state expenditures within the pilot project by county.

13       Sec. 407. By June 30, the department shall place the  
14 statistical report from the immediately preceding calendar year on  
15 an internet site. The statistical report shall include, but not be  
16 limited to, the information as provided in the 2004 statistical  
17 report.

18       Sec. 408. The department shall measure the recidivism rates of  
19 offenders.

20       Sec. 409. (1) The department shall engage with the talent  
21 investment agency within the department of talent and economic  
22 development and local entities to design services and shall use  
23 appropriations provided in part 1 for offender success and  
24 vocational education programs. The department shall ensure that the  
25 collaboration provides relevant professional development  
26 opportunities to prisoners to ensure that the programs are high  
27 quality, demand driven, locally receptive, and responsive to the

1 needs of communities where the prisoners are expected to reside  
2 after their release from correctional facilities. The programs  
3 shall begin upon the intake of the prisoner into a department  
4 facility.

5 (2) The department shall continue to offer workforce  
6 development programming through the entire duration of the  
7 prisoner's incarceration to encourage employment upon release.

8 (3) By March 1, the department shall provide a report to the  
9 senate and house appropriations subcommittees on corrections, the  
10 senate and house fiscal agencies, the legislative corrections  
11 ombudsman, and the state budget office detailing the results of the  
12 workforce development program.

13 Sec. 410. (1) The funds included in part 1 for community  
14 corrections comprehensive plans and services are to encourage the  
15 development through technical assistance grants, implementation,  
16 and operation of community corrections programs that enhance  
17 offender success and that also may serve as an alternative to  
18 incarceration in a state facility or jail. The comprehensive  
19 corrections plans shall include an explanation of how the public  
20 safety will be maintained, the goals for the local jurisdiction,  
21 offender target populations intended to be affected, offender  
22 eligibility criteria for purposes outlined in the plan, and how the  
23 plans will meet the following objectives, consistent with section  
24 8(4) of the community corrections act, 1988 PA 511, MCL 791.408:

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

27 (b) Improve the appropriate utilization of jail facilities,

1 the first priority of which is to open jail beds intended to house  
2 otherwise prison-bound felons, and the second priority being to  
3 appropriately utilize jail beds so that jail crowding does not  
4 occur.

5 (c) Open jail beds through the increase of pretrial release  
6 options.

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

8 (e) Reduce the admission or readmission to prison of  
9 offenders, including probation violators and parole violators, for  
10 substance abuse violations.

11 (f) Contribute to offender success.

12 (2) The award of community corrections comprehensive plans and  
13 residential services funds shall be based on criteria that include,  
14 but are not limited to, the prison commitment rate by category of  
15 offenders, trends in prison commitment rates and jail utilization,  
16 historical trends in community corrections program capacity and  
17 program utilization, and the projected impact and outcome of annual  
18 policies and procedures of programs on offender success, prison  
19 commitment rates, and jail utilization.

20 (3) Funds awarded for residential probation diversions in part  
21 shall provide for a per diem reimbursement of not more than  
22 \$52.50.

23 Sec. 411. The comprehensive corrections plans shall also  
24 include, where appropriate, descriptive information on the full  
25 range of sanctions and services that are available and utilized  
26 within the local jurisdiction and an explanation of how jail beds,  
27 residential services, the special alternative incarceration

1 program, probation detention centers, the electronic monitoring  
2 program for probationers, and treatment and rehabilitative services  
3 will be utilized to support the objectives and priorities of the  
4 comprehensive corrections plans and the purposes and priorities of  
5 section 8(4) of the community corrections act, 1988 PA 511, MCL  
6 791.408, that contribute to the success of offenders. The plans  
7 shall also include, where appropriate, provisions that detail how  
8 the local communities plan to respond to sentencing guidelines  
9 found in chapter XVII of the code of criminal procedure, 1927 PA  
10 175, MCL 777.1 to 777.69, and use the county jail reimbursement  
11 program under section 414 of this part. The state community  
12 corrections board shall encourage local community corrections  
13 advisory boards to include in their comprehensive corrections plans  
14 strategies to collaborate with local alcohol and drug treatment  
15 agencies of the MDHHS for the provision of alcohol and drug  
16 screening, assessment, case management planning, and delivery of  
17 treatment to alcohol- and drug-involved offenders.

18       Sec. 412. (1) As part of the March biannual report specified  
19 in section 12(2) of the community corrections act, 1988 PA 511, MCL  
20 791.412, that requires an analysis of the impact of that act on  
21 prison admissions and jail utilization, the department shall submit  
22 to the senate and house appropriations subcommittees on  
23 corrections, the senate and house fiscal agencies, the legislative  
24 corrections ombudsman, and the state budget office the following  
25 information for each county and counties consolidated for  
26 comprehensive corrections plans:

27       (a) Approved technical assistance grants and comprehensive

1 corrections plans including each program and level of funding, the  
2 utilization level of each program, and profile information of  
3 enrolled offenders.

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

7 (c) Status of the community corrections information system and  
8 the jail population information system.

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

12 (e) Offender disposition data by sentencing guideline range,  
13 by disposition type, by prior record variable score, by number and  
14 percent statewide and by county, current year, and comparisons to  
15 the previous 3 years.

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

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

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

25 (2) The county jail reimbursement program shall reimburse  
26 counties for convicted felons in the custody of the sheriff if the  
27 conviction was for a crime committed on or after January 1, 1999

1 and 1 of the following applies:

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

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

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

17 (3) State reimbursement under this subsection shall be \$65.00  
18 per diem per diverted offender for offenders with a presumptive  
19 prison guideline score, \$55.00 per diem per diverted offender for  
20 offenders with a straddle cell guideline for a group 1 crime, and  
21 \$40.00 per diem per diverted offender for offenders with a straddle  
22 cell guideline for a group 2 crime. Reimbursements shall be paid  
23 for sentences up to a 1-year total.

24 (4) As used in this subsection:

25 (a) "Group 1 crime" means a crime in 1 or more of the  
26 following offense categories: arson, assault, assaultive other,  
27 burglary, criminal sexual conduct, homicide or resulting in death,

1 other sex offenses, robbery, and weapon possession as determined by  
2 the department based on specific crimes for which counties received  
3 reimbursement under the county jail reimbursement program in fiscal  
4 year 2007 and fiscal year 2008, and listed in the county jail  
5 reimbursement program document titled "FY 2007 and FY 2008 Group  
6 One Crimes Reimbursed", dated March 31, 2009.

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

11 (c) "In the custody of the sheriff" means that the convicted  
12 felon has been sentenced to the county jail and is either housed in  
13 a county jail, is in custody but is being housed at a hospital or  
14 medical facility for a medical or mental health purpose, or has  
15 been released from jail and is being monitored through the use of  
16 the sheriff's electronic monitoring system.

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

25 (6) Any county that receives funding under this section for  
26 the purpose of housing in jails certain felons who otherwise would  
27 have been sentenced to prison shall, as a condition of receiving

1 the funding, report by September 30 an annual average jail capacity  
2 and annual average jail occupancy for the immediately preceding  
3 fiscal year.

4 (7) Not later than February 1, the department shall report to  
5 the senate and house appropriations subcommittees on corrections  
6 all of the following information:

7 (a) The number of inmates sentenced to the custody of the  
8 sheriff and eligible for the county jail reimbursement program.

9 (b) The total amount paid to counties under the county jail  
10 reimbursement program.

11 (c) The total number of days inmates were in the custody of  
12 the sheriff and eligible for the county jail reimbursement program.

13 (d) The number of inmates sentenced to the custody of the  
14 sheriff under each of the 3 categories: presumptive prison, group 1  
15 crime, and group 2 crime in subsection (3).

16 (e) The total amount paid to counties under each of the 3  
17 categories: presumptive prison, group 1 crime, and group 2 crime in  
18 subsection (3).

19 (f) The total number of days inmates were in the custody of  
20 the sheriff under each of the 3 categories: presumptive prison,  
21 group 1 crime, and group 2 crime in subsection (3).

22 (g) The estimated cost of housing inmates sentenced to the  
23 custody of the sheriff and eligible for the county jail  
24 reimbursement program as inmates of a state prison.

25 Sec. 416. Allowable uses of felony drunk driver jail reduction  
26 and community treatment program funding shall include reimbursing  
27 counties for transportation, treatment costs, and housing felony

1 drunk drivers during a period of assessment for treatment and case  
2 planning. Reimbursements for housing during the assessment process  
3 shall be at the rate of \$43.50 per day per offender, up to a  
4 maximum of 5 days per offender.

5 Sec. 417. (1) By March 1, the department shall report to the  
6 senate and house appropriations subcommittees on corrections, the  
7 senate and house fiscal agencies, the legislative corrections  
8 ombudsman, and the state budget office on both of the following  
9 programs from the previous fiscal year:

10 (a) The felony drunk driver jail reduction and community  
11 treatment program.

12 (b) Any new initiatives to control prison population growth  
13 funded or proposed to be funded under part 1.

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

16 (a) Program objectives and outcome measures, including, but  
17 not limited to, the number of offenders who successfully completed  
18 the program, and the number of offenders who successfully remained  
19 in the community during the 3 years following termination from the  
20 program.

21 (b) Expenditures by location.

22 (c) The impact on jail utilization.

23 (d) The impact on prison admissions.

24 (e) Other information relevant to an evaluation of the  
25 program.

26 Sec. 418. (1) The department shall collaborate with the state  
27 court administrative office on facilitating changes to Michigan

1 court rules that would require the court to collect at the time of  
2 sentencing the state operator's license, state identification card,  
3 or other documentation used to establish the identity of the  
4 individual to be admitted to the department. The department shall  
5 maintain those documents in the prisoner's personal file.

6 (2) The department shall cooperate with MDHHS to create and  
7 maintain a process by which prisoners can obtain their Michigan  
8 birth certificates if necessary. The department shall describe a  
9 process for obtaining birth certificates from other states, and in  
10 situations where the prisoner's effort fails, the department shall  
11 assist in obtaining the birth certificate.

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

16 Sec. 419. (1) The department shall provide weekly electronic  
17 mail reports to the senate and house appropriations subcommittees  
18 on corrections, the senate and house fiscal agencies, the  
19 legislative corrections ombudsman, and the state budget office on  
20 prisoner populations by security levels by facility, prison  
21 facility capacities, and parolee and probationer populations.

22 (2) The department shall provide monthly electronic mail  
23 reports to the senate and house appropriations subcommittees on  
24 corrections, the senate and house fiscal agencies, the legislative  
25 corrections ombudsman, and the state budget office. The reports  
26 shall include information on end-of-month prisoner populations in  
27 county jails, the net operating capacity according to the most

1 recent certification report, identified by date, the number of beds  
2 in currently closed housing units by facility, and end-of-month  
3 data, year-to-date data, and comparisons to the prior year for the  
4 following:

5 (a) Community residential program populations, separated by  
6 centers and electronic monitoring.

7 (b) Parole populations.

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

10 (d) Prison and camp populations, with separate identification  
11 of the number in special alternative incarceration and the number  
12 of lifers.

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

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

16 (g) Prisoner exits, identifying transfers to community  
17 placement, paroles from prisons and camps, paroles from community  
18 placement, total movements to parole, prison intake, prisoner  
19 deaths, prisoners discharging on the maximum sentence, and other  
20 prisoner exits.

21 (h) Prison intake and returns, including probation violators,  
22 new court commitments, violators with new sentences, escaper new  
23 sentences, total prison intake, returns from court with additional  
24 sentences, community placement returns, technical parole violator  
25 returns, and total returns to prison and camp.

26 Sec. 421. (1) Funds appropriated in part 1 for the substance  
27 abuse parole certain sanction program shall be distributed to an

1 American Correctional Association accredited rehabilitation  
2 organization operating in any of the following counties: Berrien,  
3 Calhoun, Genesee, Kalamazoo, Kent, Macomb, Muskegon, Oakland,  
4 Saginaw, and Wayne for operations and administration of the  
5 program. The program may be utilized as a condition of parole for  
6 technical parole violators to ensure public safety and justice  
7 through a program based on evidence-based tactics and programs.

8 (2) The program or programs selected shall report by March 30  
9 to the department, the senate and house appropriations  
10 subcommittees on corrections, the senate and house fiscal agencies,  
11 the legislative corrections ombudsman, and the state budget office.  
12 The report shall include program performance measurements, the  
13 number of individuals who participate in the program, the number of  
14 individuals who return to prison after participating, and outcomes  
15 of participants who complete the program.

16 Sec. 422. On a quarterly basis, the department shall issue a  
17 report to the senate and house appropriations subcommittees on  
18 corrections, the senate and house fiscal agencies, the legislative  
19 corrections ombudsman, and the state budget office, for the  
20 previous 4 quarters detailing the outcomes of prisoners who have  
21 been reviewed for parole. The report shall include all of the  
22 following:

- 23 (a) How many prisoners in each quarter were reviewed.  
24 (b) How many prisoners were granted parole.  
25 (c) How many prisoners were denied parole.  
26 (d) How many parole decisions were deferred.  
27 (e) The distribution of the total number of prisoners reviewed

1 during that quarter grouped by whether the prisoner had been  
2 interviewed for the first, second, third, fourth, fifth, sixth, or  
3 more than sixth time.

4 (f) The number of paroles granted, denied, or deferred for  
5 each of the parole guideline scores of low, average, and high.

6 (g) The reason for denying or deferring parole.

7 Sec. 423. From the funds appropriated in part 1 for offender  
8 success administration, the department shall collaborate with the  
9 Michigan Restaurant Association for job placement for individuals  
10 on probation and parole.

11 Sec. 425. (1) From the funds appropriated in part 1 for  
12 offender success programming, \$1,000,000.00 shall be used by the  
13 department to establish medication-assisted treatment offender  
14 success pilot programs to provide prerelease treatment and  
15 postrelease referral for opioid-addicted and alcohol-addicted  
16 offenders who voluntarily participate in the medication-assisted  
17 treatment offender success pilot programs. The department shall  
18 collaborate with residential and nonresidential substance abuse  
19 treatment providers and with community-based clinics to provide  
20 postrelease treatment. The programs shall employ a multifaceted  
21 approach to treatment, including a long-acting nonaddictive  
22 medication approved by the Food and Drug Administration for the  
23 treatment of opioid and alcohol dependence, counseling, and  
24 postrelease referral to community-based providers.

25 (2) The manufacturer of a long-acting nonaddictive medication  
26 approved by the Food and Drug Administration for opioid and alcohol  
27 dependence shall provide the department with samples of the

1 medication, at no cost to the department, during the duration of  
2 the medication-assisted treatment offender success pilot programs.  
3 Offenders shall receive 1 injection prior to being released from  
4 custody and shall be connected with an aftercare plan and  
5 assistance with obtaining insurance to cover subsequent injections.

6 (3) Participants of the programs shall be required to attend  
7 substance abuse treatment programming as directed by their agent,  
8 including coordination of both direct or indirect services through  
9 federally qualified health centers in Wayne, Washtenaw, Genesee,  
10 Berrien, Van Buren, and Allegan Counties, but not limited to only  
11 those counties, shall be subject to routine drug and alcohol  
12 testing, shall not be allowed to consume drugs or alcohol, and  
13 shall possess a strong will to overcome addiction.

14 (4) The department shall submit a report by September 30 to  
15 the senate and house appropriations subcommittees on corrections,  
16 the senate and house fiscal agencies, the legislative corrections  
17 ombudsman, and the state budget office on the number of offenders  
18 who received injections upon release, the number of offenders who  
19 received injections and tested positive for drugs or alcohol, the  
20 number of offenders who received injections in the community for a  
21 duration of at least 3 months, and the number of offenders who  
22 received injections and were subsequently returned to prison.

23 Sec. 426. From the funds appropriated in part 1, the  
24 department shall ensure that any inmate with a diagnosed mental  
25 illness is referred to a local mental health care provider that is  
26 able and willing to treat the inmate upon parole or discharge. The  
27 department shall ensure that the provider is informed of the

1 inmate's current treatment plan including any medications that are  
2 currently prescribed to the inmate.

3       Sec. 437. (1) Funds appropriated in part 1 for Goodwill Flip  
4 the Script shall be distributed to a Michigan-chartered 501(c)(3)  
5 nonprofit corporation operating in a county with greater than  
6 1,500,000 people for administration and expansion of a program  
7 which serves a population of persons aged 16 to 39. The program  
8 shall target those who are entering the criminal justice system for  
9 the first or second time and shall assist those individuals through  
10 the following program types:

11       (a) Alternative sentencing programs in partnership with a  
12 local district or circuit court.

13       (b) Educational recovery for special adult populations with  
14 high rates of illiteracy.

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

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

### 23 **FIELD OPERATIONS ADMINISTRATION**

24       Sec. 602. The funds appropriated in part 1 for the supervising  
25 region incentive program shall be used only to fund an incentive  
26 program for field operations administration regions in accordance

1 with the supervising region incentive act, 2017 PA 11, MCL 791.131  
2 to 791.137.

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

9       (2) Program participant contributions and local program  
10 reimbursement for the curfew monitoring program appropriated in  
11 part 1 are related to program expenditures and may be used to  
12 offset expenditures for this purpose.

13       (3) Included in the appropriation in part 1 is adequate  
14 funding to implement the curfew monitoring program to be  
15 administered by the department. The curfew monitoring program is  
16 intended to provide sentencing judges and county sheriffs in  
17 coordination with local community corrections advisory boards  
18 access to the state's curfew monitoring program to reduce prison  
19 admissions and improve local jail utilization. The department shall  
20 determine the appropriate distribution of the curfew monitor units  
21 throughout the state based upon locally developed comprehensive  
22 corrections plans under the community corrections act, 1988 PA 511,  
23 MCL 791.401 to 791.414.

24       (4) For a fee determined by the department, the department  
25 shall provide counties with the curfew monitor equipment,  
26 replacement parts, administrative oversight of the equipment's  
27 operation, notification of violators, and periodic reports

1 regarding county program participants. Counties are responsible for  
2 curfew monitor equipment installation and service. For an  
3 additional fee as determined by the department, the department  
4 shall provide staff to install and service the equipment. Counties  
5 are responsible for the coordination and apprehension of program  
6 violators.

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

10 Sec. 604. (1) The funds appropriated in part 1 for criminal  
11 justice reinvestment shall be used only to fund data collection and  
12 evidence-based programs designed to reduce recidivism among  
13 probationers and parolees.

14 (2) Of the funds appropriated in part 1 for criminal justice  
15 reinvestment, at least \$600,000.00 shall be allocated to an  
16 organization that has received a United States Department of Labor  
17 training to work 2-adult reentry grant to provide county jail  
18 inmates with programming and services to prepare them to get and  
19 keep jobs. Examples of eligible programs and services are, but are  
20 not limited to: adult education, tutoring, manufacturing skills  
21 training, participation in a simulated work environment, mentoring,  
22 cognitive therapy groups, life skills classes, substance abuse  
23 recovery groups, fatherhood programs, classes in understanding the  
24 legal system, family literacy, health and wellness, finance  
25 management, employer presentations, and classes on job retention.  
26 Programming and support services should begin before release and  
27 continue after release from the county jail. To be eligible for

1 funding, an organization must show at least 2 years' worth of data  
2 that demonstrate program success.

3       Sec. 611. The department shall prepare by March 1 individual  
4 reports for the residential reentry program, the electronic  
5 monitoring program, and the special alternative to incarceration  
6 program. The reports shall be submitted to the senate and house  
7 appropriations subcommittees on corrections, the senate and house  
8 fiscal agencies, the legislative corrections ombudsman, and the  
9 state budget office. Each program's report shall include  
10 information on all of the following:

11       (a) Monthly new participants by type of offender. Residential  
12 reentry program participants shall be categorized by reason for  
13 placement. For technical rule violators, the report shall sort  
14 offenders by length of time since release from prison, by the most  
15 recent violation, and by the number of violations occurring since  
16 release from prison.

17       (b) Monthly participant unsuccessful terminations, including  
18 cause.

19       (c) Number of successful terminations.

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

21       (e) Average length of placement.

22       (f) Return to prison statistics.

23       (g) Description of each program location or locations,  
24 capacity, and staffing.

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

27       (i) Comparison with prior year statistics.

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

3 Sec. 612. (1) The department shall review and revise as  
4 necessary policy proposals that provide alternatives to prison for  
5 offenders being sentenced to prison as a result of technical  
6 probation violations and technical parole violations. To the extent  
7 the department has insufficient policies or resources to affect the  
8 continued increase in prison commitments among these offender  
9 populations, the department shall explore other policy options to  
10 allow for program alternatives, including department or OCC-funded  
11 programs, local level programs, and programs available through  
12 private agencies that may be used as prison alternatives for these  
13 offenders.

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

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

27 (b) The numbers of parole and probation violators returned to

1 or sent to prison for a technical violation and the type of  
2 violation, including, but not limited to, zero gun tolerance and  
3 substance abuse violations. For parole technical rule violators,  
4 the report shall list violations by type, by length of time since  
5 release from prison, by the most recent violation, and by the  
6 number of violations occurring since release from prison.

7 (c) The educational history of those offenders, including how  
8 many had a high school equivalency or high school diploma prior to  
9 incarceration in prison, how many received a high school  
10 equivalency while in prison, and how many received a vocational  
11 certificate while in prison.

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

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

17 Sec. 615. (1) The department shall submit a report detailing  
18 the number of prisoners who have received life imprisonment  
19 sentences with the possibility of parole and who are currently  
20 eligible for parole to the senate and house appropriations  
21 subcommittees on corrections, the senate and house fiscal agencies,  
22 the legislative corrections ombudsman, and the state budget office  
23 by April 30.

24 (2) The report shall include the following information on  
25 parolable lifers who have served more than 25 years: prisoner name,  
26 MDOC identification number, prefix, offense for which life term is  
27 being served, county of conviction, age at time offense was

1 committed, current age, race, gender, true security classification,  
2 dates of parole board file reviews, dates of parole board  
3 interviews, parole guideline scores, and reason for decision not to  
4 release.

5       Sec. 617. From the funds appropriated in part 1 for the  
6 residential alternative to prison program, the department shall  
7 provide vocational, educational, and cognitive programming in a  
8 secure environment to enhance existing alternative sentencing  
9 options, increase employment readiness and successful placement  
10 rates, and reduce new criminal behavior for the west Michigan  
11 probation violator population. The department shall measure and set  
12 the following metric goals:

13       (a) 85% of participants successfully complete the program.

14       (b) Of the participants that complete the program, 75% will  
15 earn a nationally recognized credential for career and vocational  
16 programs.

17       (c) Of the participants that complete the program, 100% will  
18 earn a certificate of completion for cognitive programming.

19       (d) The prison commitment rate for probation violators will be  
20 reduced by 5% within the impacted geographical area after the first  
21 year of program operation.

## 22 **HEALTH CARE**

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

1 the state budget office with quarterly reports on physical and  
2 mental health care detailing quarterly and fiscal year-to-date  
3 expenditures itemized by vendor, allocations, status of payments  
4 from contractors to vendors, and projected year-end expenditures  
5 from accounts for prisoner health care, mental health care,  
6 pharmaceutical services, and durable medical equipment. These  
7 reports shall include a breakdown of all payments to the integrated  
8 care provider itemized by physical health care, mental health care,  
9 and pharmacy expenditures.

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

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

20       (3) The form shall be placed online, on a public website  
21 managed by the department.

22       Sec. 804. The department shall report quarterly to the senate  
23 and house appropriations subcommittees on corrections, the senate  
24 and house fiscal agencies, the legislative corrections ombudsman,  
25 and the state budget office on prisoner health care utilization.  
26 The report shall include the number of inpatient hospital days,  
27 outpatient visits, emergency room visits, and prisoners receiving

1 off-site inpatient medical care in the previous quarter, by  
2 facility.

3       Sec. 807. The funds appropriated in part 1 for Hepatitis C  
4 treatment shall be used only to purchase specialty medication for  
5 Hepatitis C treatment in the prison population. In addition to the  
6 above appropriation, any rebates received from the medications used  
7 shall be used only to purchase specialty medication for Hepatitis C  
8 treatment. On a quarterly basis, the department shall issue a  
9 report to the senate and house appropriations subcommittees on  
10 corrections, the senate and house fiscal agencies, the legislative  
11 corrections ombudsman, and the state budget office, showing for the  
12 previous 4 quarters the total amount spent on specialty medication  
13 for the treatment of Hepatitis C, the number of prisoners that were  
14 treated, the amount of any rebates that were received from the  
15 purchase of specialty medication, and what outstanding rebates are  
16 expected to be received.

17       Sec. 812. (1) The department shall provide the department of  
18 health and human services with a monthly list of prisoners newly  
19 committed to the department of corrections. The department and the  
20 department of health and human services shall enter into an  
21 interagency agreement under which the department of health and  
22 human services provides the department of corrections with monthly  
23 lists of newly committed prisoners who are eligible for Medicaid  
24 benefits in order to maintain the process by which Medicaid  
25 benefits are suspended rather than terminated. The department shall  
26 assist prisoners who may be eligible for Medicaid benefits after  
27 release from prison with the Medicaid enrollment process prior to

1 release from prison.

2 (2) The department shall provide the senate and house  
3 appropriations subcommittees on corrections, the senate and house  
4 fiscal agencies, the legislative corrections ombudsman, and the  
5 state budget office with quarterly updates on the utilization of  
6 Medicaid benefits for prisoners.

7 Sec. 816. By April 1, the department shall provide the senate  
8 and house appropriations subcommittees on corrections, the senate  
9 and house fiscal agencies, the legislative corrections ombudsman,  
10 and the state budget office with a report on pharmaceutical  
11 expenditures and prescribing practices. In particular, the report  
12 shall provide the following information:

13 (a) A detailed accounting of expenditures on antipsychotic  
14 medications.

15 (b) Any changes that have been made to the prescription drug  
16 formularies.

#### 17 **CORRECTIONAL FACILITIES ADMINISTRATION**

18 Sec. 901. From the funds appropriated in part 1 for the  
19 enhanced food technology program, the department shall expand the  
20 existing food technology education program to at least 700 inmates  
21 annually. A participant in the food technology program shall  
22 complete 408 hours of on-the-job training in a prison kitchen as a  
23 part of the program.

24 Sec. 902. All inmates working in prison kitchens shall  
25 complete the minimum requirements for a ServSafe Food Handler  
26 certificate before being allowed to work in the kitchens.

1 Requirements shall be met by using online materials unless the  
2 department determines the program would be best served by using  
3 other materials. Current prison kitchen workers shall complete the  
4 requirements for a ServSafe Food Handler certificate on or before  
5 April 1, to maintain eligibility to work in a prison kitchen.

6       Sec. 903. (1) All department-operated prisoner food service  
7 operations shall be annually inspected to ensure they meet food  
8 safety standards established for food service establishments under  
9 the food law, 2000 PA 92, MCL 289.1101 to 289.8111, or for food  
10 service establishments under the 2001 food code published by the  
11 Food and Drug Administration of the Public Health Service of the  
12 Department of Health and Human Services. Funds appropriated in part  
13 1 for prison kitchen inspections shall be used for costs to  
14 implement this section and for inspecting prison food service  
15 operations.

16       (2) Nothing in this section shall be construed to remove the  
17 exemption under section 1107(p) of the food law, 2000 PA 92, MCL  
18 289.1107.

19       Sec. 903a. From the funds appropriated in part 1 for prison  
20 food service, the department shall report biannually to the senate  
21 and house appropriations subcommittees on corrections, the senate  
22 and house fiscal agencies, the legislative corrections ombudsman,  
23 and the state budget office on the following:

24       (a) Average per-meal cost for prisoner food service. Per-meal  
25 cost shall include all costs directly related to the provision of  
26 food for the prisoner population, and shall include, but not be  
27 limited to, actual food costs, total compensation for all food

1 service workers, including benefits and legacy costs, and  
2 inspection and compliance costs for food service.

3 (b) Food service-related contracts, including goods or  
4 services to be provided and the vendor.

5 (c) Major sanitation violations.

6 Sec. 904. The department shall calculate the per prisoner/per  
7 day cost for each prisoner security custody level. This calculation  
8 shall include all actual direct and indirect costs for the previous  
9 fiscal year, including, but not limited to, the value of services  
10 provided to the department by other state agencies and the  
11 allocation of statewide legacy costs. To calculate the per  
12 prisoner/per day costs, the department shall divide these direct  
13 and indirect costs by the average daily population for each custody  
14 level. For multilevel facilities, the indirect costs that cannot be  
15 accurately allocated to each custody level can be included in the  
16 calculation on a per-prisoner basis for each facility. A report  
17 summarizing these calculations and the direct and indirect costs  
18 included in them shall be submitted to the senate and house  
19 appropriations subcommittees on corrections, the senate and house  
20 fiscal agencies, the legislative corrections ombudsman, and the  
21 state budget office not later than December 15.

22 Sec. 905. (1) From the funds appropriated in part 1 for leased  
23 beds and alternatives to leased beds, the department may implement  
24 a county jail bed program to house eligible prisoners sentenced to  
25 the custody of the department in county jails rather than in state  
26 correctional facilities.

27 (2) A county may volunteer to participate in the county jail

1 bed program and house eligible prisoners sentenced to the custody  
2 of the department in its county jails.

3 (3) If a county participating in the county jail bed program  
4 has available bed space in its county jail and the department has  
5 prisoners in its custody meeting the eligibility requirements under  
6 this section, the department may place the eligible prisoners in  
7 the county jail.

8 (4) A prisoner shall meet all of the following eligibility  
9 requirements to be placed in a county jail under this section:

10 (a) The prisoner has been given a level I classification by a  
11 department classification committee on a scale of 6 levels in which  
12 level I is the least restrictive level.

13 (b) The prisoner is not serving a sentence for conviction of a  
14 violation or attempted violation of section 520b, 520c, 520d, 520e,  
15 or 520g of the Michigan penal code, 1931 PA 328, MCL 750.520b,  
16 750.520c, 750.520d, 750.520e, and 750.520g.

17 (c) The prisoner is serving a fixed sentence with a determined  
18 discharge date.

19 Sec. 906. Any local unit of government or private nonprofit  
20 organization that contracts with the department for public works  
21 services shall be responsible for financing the entire cost of such  
22 an agreement.

23 Sec. 907. The department shall report by March 1 to the senate  
24 and house appropriations subcommittees on corrections, the senate  
25 and house fiscal agencies, the legislative corrections ombudsman,  
26 and the state budget office on academic and vocational programs.  
27 The report shall provide information relevant to an assessment of

1 the department's academic and vocational programs, including, but  
2 not limited to, all of the following:

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

5 (b) The number of prisoners enrolled in each program, the  
6 number of prisoners completing each program, the number of  
7 prisoners who do not complete each program and are not subsequently  
8 reenrolled, and the reason for not completing the program, the  
9 number of prisoners transferred to another facility while enrolled  
10 in a program and not subsequently reenrolled, the number of  
11 prisoners enrolled who are repeating the program, and the number of  
12 prisoners on waiting lists for each program, all itemized by  
13 facility.

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

17 (d) The number of prisoners paroled without a high school  
18 diploma and the number of prisoners paroled without a high school  
19 equivalency.

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

23 (f) An identification of program outcomes for each academic  
24 and vocational program.

25 (g) The number of prisoners not paroled at their earliest  
26 release date due to lack of a high school equivalency, and the  
27 reason those prisoners have not obtained a high school equivalency.

1           Sec. 908. From the funds appropriated in part 1, the  
2 department shall establish a pilot online career high school  
3 education program to serve up to 400 inmates through a regionally  
4 accredited public or private school district that offers career-  
5 based online high school diplomas designed to prepare adult inmates  
6 for transition into the workplace. The department may use federal  
7 funds provided to educate inmates to expand this pilot beyond 400  
8 inmates. Funds for the pilot may also be used for certification  
9 programs related to the enhanced food technology program. The  
10 department shall provide an initial report no later than June 1  
11 regarding the progress of the inmates in the online high school  
12 diploma and career certificate programs to the senate and house  
13 appropriations subcommittees on corrections, the senate and house  
14 fiscal agencies, the legislative corrections ombudsman, and the  
15 state budget office.

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

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

1 of assaults, escape attempts, suicides, and attempted suicides  
2 occurring each month at each facility during the immediately  
3 preceding calendar year.

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

11       Sec. 913. (1) From the funds appropriated in part 1, the  
12 department shall focus on providing required programming to  
13 prisoners who are past their earliest release date because of not  
14 having received the required programming. Programming includes, but  
15 is not limited to, violence prevention programming, assaultive  
16 offender programming, sexual offender programming, substance abuse  
17 treatment programming, thinking for a change programming, and any  
18 other programming that is required as a condition of parole.

19       (2) It is the intent of the legislature that any prisoner  
20 required to complete a violence prevention program, sexual offender  
21 program, or other program as a condition of parole shall be placed  
22 on a waiting list for the appropriate programming upon entrance to  
23 prison and transferred to a facility where that program is  
24 available in order to accomplish timely completion of that program  
25 prior to the expiration of his or her minimum sentence and  
26 eligibility for parole. Nothing in this section should be deemed to  
27 make parole denial appealable in court.

1           (3) The department shall submit a quarterly report to the  
2 senate and house appropriations subcommittees on corrections, the  
3 senate and house fiscal agencies, the legislative corrections  
4 ombudsman, and the state budget office detailing enrollment in sex  
5 offender programming, assaultive offender programming, violent  
6 offender programming, and thinking for a change programming. At a  
7 minimum, the report shall include the following:

8           (a) A full accounting, from the date of entrance to prison, of  
9 the number of individuals who are required to complete the  
10 programming, but have not yet done so.

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

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

15           Sec. 924. The department shall evaluate all prisoners at  
16 intake for substance abuse disorders, serious developmental  
17 disorders, serious mental illness, and other mental health  
18 disorders. Prisoners with serious mental illness or serious  
19 developmental disorders shall not be removed from the general  
20 population as a punitive response to behavior caused by their  
21 serious mental illness or serious developmental disorder. Due to  
22 persistent high violence risk or severe disruptive behavior that is  
23 unresponsive to treatment, prisoners with serious mental illness or  
24 serious developmental disorders may be placed in secure residential  
25 housing programs that will facilitate access to institutional  
26 programming and ongoing mental health services. A prisoner with  
27 serious mental illness or serious developmental disorder who is

1 confined in these specialized housing programs shall be evaluated  
2 or monitored by a medical professional at a frequency of not less  
3 than every 12 hours.

4       Sec. 925. By March 1, the department shall report to the  
5 senate and house appropriations subcommittees on corrections, the  
6 senate and house fiscal agencies, the legislative corrections  
7 ombudsman, and the state budget office on the annual number of  
8 prisoners in administrative segregation between October 1, 2017 and  
9 September 30, 2018, and the annual number of prisoners in  
10 administrative segregation between October 1, 2017 and September  
11 30, 2018 who at any time during the current or prior prison term  
12 were diagnosed with serious mental illness or have a developmental  
13 disorder and the number of days each of the prisoners with serious  
14 mental illness or a developmental disorder have been confined to  
15 administrative segregation.

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

18       (a) Ensure that any inmate care and control staff in contact  
19 with prisoners less than 18 years of age are adequately trained  
20 with regard to the developmental and mental health needs of  
21 prisoners less than 18 years of age. By April 1, the department  
22 shall report to the senate and house appropriations subcommittees  
23 on corrections, the senate and house fiscal agencies, the  
24 legislative corrections ombudsman, and the state budget office on  
25 the training curriculum used and the number and types of staff  
26 receiving annual training under that curriculum.

27       (b) Provide appropriate placement for prisoners less than 18

1 years of age who have serious mental illness, serious emotional  
2 disturbance, or a serious developmental disorder and need to be  
3 housed separately from the general population. Prisoners less than  
4 18 years of age who have serious mental illness, serious emotional  
5 disturbance, or a serious developmental disorder shall not be  
6 removed from an existing placement as a punitive response to  
7 behavior caused by their serious mental illness, serious emotional  
8 disturbance, or a serious developmental disorder. Due to persistent  
9 high violence risk or severe disruptive behavior that is  
10 unresponsive to treatment, prisoners less than 18 years of age with  
11 serious emotional disturbance, serious mental illness, or serious  
12 developmental disorders may be placed in secure residential housing  
13 programs that will facilitate access to institutional programming  
14 and ongoing mental health services. A prisoner less than 18 years  
15 of age with serious mental illness, serious emotional disturbance,  
16 or a serious developmental disorder who is confined in these  
17 specialized housing programs shall be evaluated or monitored by a  
18 medical professional at a frequency of not less than every 12  
19 hours.

20 (c) Implement a specialized offender success program that  
21 recognizes the needs of prisoners less than 18 years old for  
22 supervised offender success.

23 Sec. 930. The department shall submit a quarterly report to  
24 the senate and house appropriations subcommittees on corrections,  
25 the senate and house fiscal agencies, the legislative corrections  
26 ombudsman, and the state budget office on the number of youth in  
27 prison. The report shall include, but not be limited to, the

1 following information:

2 (a) The total number of inmates under age 18 who are not on  
3 Holmes youthful trainee act status.

4 (b) The total number of inmates under age 18 who are on Holmes  
5 youthful trainee act status.

6 (c) The total number of inmates aged 18 to 23 who are on  
7 Holmes youthful trainee act status.

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

13 (2) The lease, rental, contract, or other legal agreement  
14 shall also require the party using the property to make a payment  
15 in lieu of taxes to the local jurisdictions that would otherwise  
16 receive property tax revenue, as if the property were not owned by  
17 the state.

18 Sec. 942. The department shall ensure that any contract with a  
19 public or private party to operate a facility to house state  
20 prisoners includes a provision to allow access by both the office  
21 of the legislative auditor general and the office of the  
22 legislative corrections ombudsman to the facility and to  
23 appropriate records and documents related to the operation of the  
24 facility. These access rights for both offices shall be the same  
25 for the contracted facility as for a general state-operated  
26 correctional facility.

27 Sec. 943. The department shall submit a report by May 1 to the

1 senate and house appropriations subcommittees on corrections, the  
2 senate and house fiscal agencies, the legislative corrections  
3 ombudsman, and the state budget office on the actual and projected  
4 savings achieved by closing correctional facilities. Savings  
5 amounts shall be itemized by facility. Information required by this  
6 section shall start with the closure of the Pugsley Correctional  
7 Facility, which closed in September of 2016.

8       Sec. 944. When the department is planning to close a  
9 correctional facility, the department shall fully consider the  
10 potential economic impact of the prison closure on the community  
11 where the facility is located. The department, when weighing all  
12 factors related to the closure of a facility, shall also consider  
13 the impact on the local community where the facility to be closed  
14 is located.

15 **MISCELLANEOUS**

16       Sec. 1009. The department shall make an information packet for  
17 the families of incoming prisoners available on the department's  
18 website. The information packet shall be updated by February 1. The  
19 packet shall provide information on topics including, but not  
20 limited to: how to put money into prisoner accounts, how to make  
21 phone calls or create Jpay electronic mail accounts, how to visit  
22 in person, proper procedures for filing complaints or grievances,  
23 the rights of prisoners to physical and mental health care, how to  
24 utilize the offender tracking information system (OTIS), truth-in-  
25 sentencing and how it applies to minimum sentences, the parole  
26 process, and guidance on the importance of the role of families in

1 the reentry process. The department is encouraged to partner with  
2 external advocacy groups and actual families of prisoners in the  
3 packet-writing process to ensure that the information is useful and  
4 complete.

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

14       Sec. 1013. From the funds appropriated in part 1, priority may  
15 be given to funding reentry or rehabilitation programs that have  
16 been demonstrated to reduce prison violence and recidivism,  
17 including faith-based initiatives.

#### 18 **ONE-TIME APPROPRIATIONS**

19       Sec. 1100. From the funds appropriated in part 1 for new  
20 custody staff training, the department shall increase the training  
21 capacity for new custody staff. The purpose of additional academies  
22 is to address higher than normal attrition of correction officers  
23 and to decrease overtime costs.

24

PART 2A

1 PROVISIONS CONCERNING ANTICIPATED APPROPRIATIONS  
2 FOR FISCAL YEAR 2019-2020

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, 2020 for  
6 the line items listed in part 1. Fiscal year 2019-2020  
7 appropriations are anticipated to be the same as those for fiscal  
8 year 2018-2019, 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 2019 consensus revenue estimating  
12 conference.