

SUBSTITUTE FOR
SENATE BILL NO. 135

A bill to make appropriations for the department of corrections for the fiscal year ending September 30, 2020; and to provide for the expenditure of the appropriations.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 PART 1

2 LINE-ITEM APPROPRIATIONS

3 Sec. 101. There is appropriated for the department of
4 corrections for the fiscal year ending September 30, 2020, from the
5 following funds:

6 DEPARTMENT OF CORRECTIONS

7 APPROPRIATION SUMMARY

8	Average population	38,460
9	Full-time equated unclassified positions.....	16.0
10	Full-time equated classified positions.....	13,778.3

1	GROSS APPROPRIATION.....	\$ 2,021,964,800
2	Interdepartmental grant revenues:	
3	Total interdepartmental grants and intradepartmental	
4	transfers	0
5	ADJUSTED GROSS APPROPRIATION.....	\$ 2,021,964,800
6	Federal revenues:	
7	Total federal revenues.....	5,323,700
8	Special revenue funds:	
9	Total local revenues.....	11,687,200
10	Total private revenues.....	0
11	Total other state restricted revenues.....	41,112,500
12	State general fund/general purpose.....	\$ 1,963,841,400
13	Sec. 102. DEPARTMENTAL ADMINISTRATION AND SUPPORT	
14	Full-time equated unclassified positions..... 16.0	
15	Full-time equated classified positions..... 322.0	
16	Unclassified salaries--16.0 FTE positions.....	\$ 1,918,200
17	Administrative hearings officers.....	3,264,400
18	Budget and operations administration--241.0 FTE	
19	positions	31,936,400
20	Compensatory buyout and union leave bank.....	100
21	County jail reimbursement program.....	15,064,600
22	Equipment and special maintenance.....	1,525,900
23	Executive direction--20.0 FTE positions.....	3,766,100
24	Judicial data warehouse user fees.....	50,600
25	New custody staff training.....	9,491,100
26	Prison industries operations--61.0 FTE positions.....	9,989,100
27	Property management.....	2,359,800

1	Prosecutorial and detainer expenses	4,794,600
2	Sheriffs' coordinating and training office	100,000
3	Worker's compensation	<u>10,052,900</u>
4	GROSS APPROPRIATION	\$ 94,313,800
5	Appropriated from:	
6	Federal revenues:	
7	DOJ, prison rape elimination act grant	674,700
8	Special revenue funds:	
9	Correctional industries revolving fund	9,989,100
10	Correctional industries revolving fund 110	721,600
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	\$ 76,928,300
15	Sec. 103. OFFENDER SUCCESS ADMINISTRATION	
16	Full-time equated classified positions	344.4
17	Community corrections comprehensive plans and services \$	12,058,000
18	Education/skilled trades/career readiness	
19	programs--278.4 FTE positions	40,331,600
20	Felony drunk driver jail reduction and community	
21	treatment program	1,408,800
22	Goodwill Flip the Script	100
23	Offender success community partners	14,500,000
24	Offender success federal grants	751,000
25	Offender success programming	11,772,800
26	Offender success services--66.0 FTE positions	31,061,400
27	Public safety initiative	3,913,200

1	Residential probation diversions.....		<u>17,825,500</u>
2	GROSS APPROPRIATION.....	\$	133,622,400
3	Appropriated from:		
4	Federal revenues:		
5	DOJ, prisoner reintegration.....		751,000
6	Federal education funding.....		1,540,800
7	Special revenue funds:		
8	Program and special equipment fund.....		10,213,200
9	State general fund/general purpose.....	\$	121,117,400
10	Sec. 104. FIELD OPERATIONS ADMINISTRATION		
11	Full-time equated classified positions.....	2,181.5	
12	Criminal justice reinvestment.....	\$	5,379,100
13	Detroit Detention Center--69.1 FTE positions.....		11,412,200
14	Detroit Reentry Center--237.9 FTE positions.....		30,561,100
15	Field operations--1,843.5 FTE positions.....		213,380,200
16	Parole board operations--31.0 FTE positions.....		3,793,300
17	Parole/probation services.....		940,000
18	Substance abuse parole certain sanction program.....		<u>1,440,000</u>
19	GROSS APPROPRIATION.....	\$	266,905,900
20	Appropriated from:		
21	Special revenue funds:		
22	Local - community tether program reimbursement.....		275,000
23	Local funds.....		11,412,200
24	Parole and probation oversight fees.....		4,000,000
25	Parole and probation oversight fees set-aside.....		940,000
26	Reentry center offender reimbursements.....		10,000
27	Tether program, participant contributions.....		2,630,500

1	State general fund/general purpose	\$	247,638,200
2	Sec. 105. CORRECTIONAL FACILITIES ADMINISTRATION		
3	Full-time equated classified positions		663.0
4	Central records--35.0 FTE positions	\$	4,546,000
5	Correctional facilities administration--31.0 FTE		
6	positions		5,861,400
7	Housing inmates in federal institutions		611,000
8	Inmate housing fund		100
9	Inmate legal services		490,900
10	Leased beds and alternatives to leased beds		100
11	Prison food service--352.0 FTE positions		71,131,100
12	Prison store operations--34.0 FTE positions		3,331,400
13	Public works programs		1,000,000
14	Transportation--211.0 FTE positions		<u>29,055,200</u>
15	GROSS APPROPRIATION	\$	116,027,200
16	Appropriated from:		
17	Federal revenues:		
18	DOJ-BOP, federal prisoner reimbursement		411,000
19	SSA-SSI, incentive payment		272,000
20	Special revenue funds:		
21	Correctional industries revolving fund 110		583,900
22	Public works user fees		1,000,000
23	Resident stores		3,331,400
24	State general fund/general purpose	\$	110,428,900
25	Sec. 106. HEALTH CARE		
26	Full-time equated classified positions		1,473.3
27	Clinical complexes--1,035.3 FTE positions	\$	145,977,800

1	Health care administration--20.0 FTE positions	3,815,200
2	Healthy Michigan plan administration--12.0 FTE	
3	positions	1,108,100
4	Hepatitis C treatment.....	6,735,500
5	Interdepartmental grant to health and human	
6	services, eligibility specialists.....	121,500
7	Mental health services and support--406.0 FTE	
8	positions	50,924,800
9	Prisoner health care services.....	86,892,900
10	Vaccination program.....	<u>691,200</u>
11	GROSS APPROPRIATION.....	\$ 296,267,000
12	Appropriated from:	
13	Federal revenues:	
14	DOJ, Office of Justice programs, RSAT.....	250,200
15	Federal revenues and reimbursements.....	389,200
16	Special revenue funds:	
17	Prisoner health care copayments.....	257,200
18	State general fund/general purpose.....	\$ 295,370,400
19	Sec. 107. CORRECTIONAL FACILITIES	
20	Average population 38,460.0	
21	Full-time equated classified positions..... 8,794.1	
22	Alger Correctional Facility - Munising--259.0 FTE	
23	positions	\$ 31,510,900
24	Baraga Correctional Facility - Baraga--295.8 FTE	
25	positions	36,622,100
26	Bellamy Creek Correctional Facility - Ionia--391.2	
27	FTE positions	45,578,500

1	Carson City Correctional Facility - Carson	
2	City--423.4 FTE positions	50,103,600
3	Central Michigan Correctional Facility - St.	
4	Louis--388.6 FTE positions	47,665,900
5	Charles E. Egeler Correctional Facility -	
6	Jackson--386.6 FTE positions	47,136,400
7	Chippewa Correctional Facility - Kincheloe--443.6	
8	FTE positions	52,687,300
9	Cooper Street Correctional Facility - Jackson--262.1	
10	FTE positions	30,716,700
11	Earnest C. Brooks Correctional Facility -	
12	Muskegon--248.2 FTE positions.....	31,058,100
13	G. Robert Cotton Correctional Facility -	
14	Jackson--393.0 FTE positions	46,141,700
15	Gus Harrison Correctional Facility - Adrian--443.6	
16	FTE positions	51,430,500
17	Ionia Correctional Facility - Ionia--287.3 FTE	
18	positions	35,236,300
19	Kinross Correctional Facility - Kincheloe--258.6 FTE	
20	positions	33,574,700
21	Lakeland Correctional Facility - Coldwater--275.4	
22	FTE positions	33,883,000
23	Macomb Correctional Facility - New Haven--292.8 FTE	
24	positions	35,755,800
25	Marquette Branch Prison - Marquette--319.7 FTE	
26	positions	39,115,100
27	Michigan Reformatory - Ionia--317.8 FTE positions	36,388,100

1	Muskegon Correctional Facility - Muskegon--206.0 FTE	
2	positions	26,478,300
3	Newberry Correctional Facility - Newberry--198.1 FTE	
4	positions	24,989,900
5	Oaks Correctional Facility - Eastlake--289.4 FTE	
6	positions	35,358,300
7	Parnall Correctional Facility - Jackson--264.1 FTE	
8	positions	29,818,600
9	Richard A. Handlon Correctional Facility -	
10	Ionia--252.7 FTE positions	31,116,300
11	Saginaw Correctional Facility - Freeland--276.9 FTE	
12	positions	34,390,100
13	Special Alternative Incarceration Program - Cassidy	
14	Lake--120.0 FTE positions	14,325,300
15	St. Louis Correctional Facility - St. Louis--303.6	
16	FTE positions	38,496,500
17	Thumb Correctional Facility - Lapeer--283.6 FTE	
18	positions	34,269,200
19	Womens Huron Valley Correctional Complex -	
20	Ypsilanti--504.1 FTE positions.....	61,141,400
21	Woodland Correctional Facility - Whitmore	
22	Lake--277.9 FTE positions	33,516,900
23	Northern region administration and support--43.0 FTE	
24	positions	4,406,900
25	Southern region administration and support--88.0 FTE	
26	positions	<u>20,640,500</u>
27	GROSS APPROPRIATION.....	\$ 1,073,552,900

1	Appropriated from:	
2	Federal revenues:	
3	DOJ, state criminal assistance program.....	1,034,800
4	Special revenue funds:	
5	State restricted fees, revenues, and reimbursements ..	102,100
6	State general fund/general purpose.....	\$ 1,072,416,000
7	Sec. 108. INFORMATION TECHNOLOGY	
8	Information technology services and projects	\$ <u>30,808,700</u>
9	GROSS APPROPRIATION.....	\$ 30,808,700
10	Appropriated from:	
11	Special revenue funds:	
12	Correctional industries revolving fund 110.....	179,900
13	Parole and probation oversight fees set-aside.....	706,200
14	Program and special equipment fund.....	447,300
15	State general fund/general purpose.....	\$ 29,475,300
16	Sec. 109. ONE-TIME APPROPRIATIONS	
17	New custody staff training.....	\$ 10,466,800
18	Tether replacement.....	<u>100</u>
19	GROSS APPROPRIATION.....	\$ 10,466,900
20	Appropriated from:	
21	Special revenue funds:	
22	State general fund/general purpose.....	\$ 10,466,900

23 PART 2

24 PROVISIONS CONCERNING APPROPRIATIONS

25 FOR FISCAL YEAR 2019-2020

GENERAL SECTIONS

Sec. 201. Pursuant to section 30 of article IX of the state constitution of 1963, total state spending from state sources under part 1 for fiscal year 2019-2020 is \$2,004,953,900.00 and state spending from state sources to be paid to local units of government for fiscal year 2019-2020 is \$122,138,300.00. The itemized statement below identifies appropriations from which spending to local units of government will occur:

DEPARTMENT OF CORRECTIONS

County jail reimbursement program.....	\$	15,064,600
Community corrections comprehensive plans and services		12,058,000
Felony drunk driver jail reduction and community treatment program		1,408,800
Field operations.....		65,380,300
Leased beds and alternatives to leased beds		100
Prosecutorial and detainer expenses		4,901,000
Public safety initiative.....		4,000,000
Residential alternative to prison program.....		1,500,000
Residential probation diversions.....		<u>17,825,500</u>
TOTAL.....	\$	122,138,300

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

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

(a) "Administrative segregation" means confinement for maintenance of order or discipline to a cell or room apart from

1 accommodations provided for inmates who are participating in
2 programs of the facility.

3 (b) "Cost per prisoner" means the sum total of the funds
4 appropriated under part 1 for the following, divided by the
5 projected prisoner population in fiscal year 2019-2020:

6 (i) New custody staff training.

7 (ii) Education/skilled trades/career readiness programs.

8 (iii) Offender success programming.

9 (iv) Central records.

10 (v) Correctional facilities administration.

11 (vi) Inmate legal services.

12 (vii) Prison food service.

13 (viii) Prison store operations.

14 (ix) Transportation.

15 (x) Clinical complexes.

16 (xi) Hepatitis C treatment.

17 (xii) Mental health services and support.

18 (xiii) Prisoner health care services.

19 (xiv) Vaccination program.

20 (xv) Correctional facilities.

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

22 (xvii) Higher custody level programming.

23 (c) "Department" or "MDOC" means the Michigan department of
24 corrections.

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

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

27 (f) "EPIC program" means the department's effective process

1 improvement and communications program.

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

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

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

9 (j) "Goal" means the intended or projected result of a
10 comprehensive corrections plan or community corrections program to
11 reduce repeat offending, criminogenic and high-risk behaviors,
12 prison commitment rates, the length of stay in a jail, or to
13 improve the utilization of a jail.

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

17 (l) "MDHHS" means the Michigan department of health and human
18 services.

19 (m) "Medicaid benefit" means a benefit paid or payable under a
20 program for medical assistance under the social welfare act, 1939
21 PA 280, MCL 400.1 to 400.119b.

22 (n) "Objective risk and needs assessment" means an evaluation
23 of an offender's criminal history; the offender's noncriminal
24 history; and any other factors relevant to the risk the offender
25 would present to the public safety, including, but not limited to,
26 having demonstrated a pattern of violent behavior, and a criminal
27 record that indicates a pattern of violent offenses.

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

2 (p) "Offender eligibility criteria" means particular criminal
3 violations, state felony sentencing guidelines descriptors, and
4 offender characteristics developed by advisory boards and approved
5 by local units of government that identify the offenders suitable
6 for community corrections programs funded through the office of
7 community corrections.

8 (q) "Offender success" means that an offender has, with the
9 support of the community, intervention of the field agent, and
10 benefit of any participation in programs and treatment, made an
11 adjustment while at liberty in the community such that he or she
12 has not been sentenced to or returned to prison for the conviction
13 of a new crime or the revocation of probation or parole.

14 (r) "Offender target populations" means felons or
15 misdemeanants who would likely be sentenced to imprisonment in a
16 state correctional facility or jail, who would not likely increase
17 the risk to the public safety based on an objective risk and needs
18 assessment that indicates that the offender can be safely treated
19 and supervised in the community.

20 (s) "Offender who would likely be sentenced to imprisonment"
21 means either of the following:

22 (i) A felon or misdemeanor who receives a sentencing
23 disposition that appears to be in place of incarceration in a state
24 correctional facility or jail, according to historical local
25 sentencing patterns.

26 (ii) A currently incarcerated felon or misdemeanor who is
27 granted early release from incarceration to a community corrections

1 program or who is granted early release from incarceration as a
2 result of a community corrections program.

3 (t) "Programmatic success" means that the department program
4 or initiative has ensured that the offender has accomplished all of
5 the following:

6 (i) Obtained employment, has enrolled or participated in a
7 program of education or job training, or has investigated all bona
8 fide employment opportunities.

9 (ii) Obtained housing.

10 (iii) Obtained a state identification card.

11 (u) "Recidivism" means that term as defined in section 1 of
12 2017 PA 5, MCL 798.31.

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

14 (w) "Serious emotional disturbance" means that term as defined
15 in section 100d(2) of the mental health code, 1974 PA 258, MCL
16 330.1100d.

17 (x) "Serious mental illness" means that term as defined in
18 section 100d(3) of the mental health code, 1974 PA 258, MCL
19 330.1100d.

20 (y) "SSA" means the United States Social Security
21 Administration.

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

23 Sec. 204. The departments and agencies receiving
24 appropriations in part 1 shall use the internet to fulfill the
25 reporting requirements of this part. This requirement may include
26 transmission of reports via electronic mail to the recipients
27 identified for each reporting requirement or it may include

1 placement of reports on an internet or intranet site.

2 Sec. 205. Funds appropriated in part 1 shall not be used for
3 the purchase of foreign goods or services, or both, if
4 competitively priced and of comparable quality American goods or
5 services, or both, are available. Preference shall be given to
6 goods or services, or both, manufactured or provided by Michigan
7 businesses, if they are competitively priced and of comparable
8 quality. In addition, preference shall be given to goods or
9 services, or both, that are manufactured or provided by Michigan
10 businesses owned and operated by veterans, if they are
11 competitively priced and of comparable quality.

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

15 Sec. 207. The departments and agencies receiving
16 appropriations in part 1 shall prepare a report on out-of-state
17 travel expenses not later than January 1 of each year. The travel
18 report shall be a listing of all travel by classified and
19 unclassified employees outside this state in the immediately
20 preceding fiscal year that was funded in whole or in part with
21 funds appropriated in the department's budget. The report shall be
22 submitted to the senate and house appropriations committees, the
23 senate and house fiscal agencies, and the state budget office. The
24 report shall include the following information:

25 (a) The dates of each travel occurrence.

26 (b) The total transportation and related costs of each travel
27 occurrence, including the proportion funded with state general

1 fund/general purpose revenues, the proportion funded with state
2 restricted revenues, the proportion funded with federal revenues,
3 and the proportion funded with other revenues.

4 Sec. 208. Funds appropriated in part 1 shall not be used by
5 the department to hire a person to provide legal services that are
6 the responsibility of the attorney general. This prohibition does
7 not apply to legal services for bonding activities and for those
8 outside services that the attorney general authorizes.

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

17 Sec. 211. The department shall cooperate with the department
18 of technology, management, and budget to maintain a searchable
19 website accessible by the public at no cost that includes, but is
20 not limited to, all of the following for the department:

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

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

23 (c) Fiscal year-to-date payments to a selected vendor,
24 including the vendor name, payment date, payment amount, and
25 payment description.

26 (d) The number of active department employees by job
27 classification.

1 (e) Job specifications and wage rates.

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

11 Sec. 213. The department shall maintain, on a publicly
12 accessible website, a department scorecard that identifies, tracks,
13 and regularly updates key metrics that are used to monitor and
14 improve the department's performance.

15 Sec. 214. Total authorized appropriations from all sources
16 under part 1 for legacy costs for the fiscal year ending September
17 30, 2020 are estimated at \$295,107,000.00. From this amount, total
18 department appropriations for pension-related legacy costs are
19 estimated at \$143,458,300.00. Total department appropriations for
20 retiree health care legacy costs are estimated at \$151,648,700.00.

21 Sec. 216. On a quarterly basis, the department shall report on
22 the number of full-time equated positions in pay status by civil
23 service classification to the senate and house appropriations
24 subcommittees on corrections, the senate and house fiscal agencies,
25 the legislative corrections ombudsman, and the state budget office.
26 This report shall include a detailed accounting of the long-term
27 vacancies that exist within the department. As used in this

1 section, "long-term vacancy" means any full-time equated position
2 that has not been filled at any time during the past 24 calendar
3 months.

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

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

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

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

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

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

8 Sec. 220. The department may charge fees and collect revenues
9 in excess of appropriations in part 1 not to exceed the cost of
10 offender services and programming, employee meals, parolee loans,
11 academic/vocational services, custody escorts, compassionate
12 visits, union steward activities, and public works programs and
13 services provided to local units of government or private nonprofit
14 organizations. The revenues and fees collected are appropriated for
15 all expenses associated with these services and activities.

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

21 Sec. 247. In cooperation with the state court administrative
22 office, the department shall assist with the data compilation for
23 the swift and sure sanctions program.

24 Sec. 248. At the May 2020 consensus revenue estimating
25 conference, the senate and house fiscal agencies and the state
26 budget director, or state treasurer, shall establish a projected
27 prisoner population for fiscal year 2020-2021, and a projected

1 number of available beds based on the population projection.

2 **DEPARTMENTAL ADMINISTRATION AND SUPPORT**

3 Sec. 301. For 3 years after a felony offender is released from
4 the department's jurisdiction, the department shall maintain the
5 offender's file on the offender tracking information system and
6 make it publicly accessible in the same manner as the file of the
7 current offender. However, the department shall immediately remove
8 the offender's file from the offender tracking information system
9 upon determination that the offender was wrongfully convicted and
10 the offender's file is not otherwise required to be maintained on
11 the offender tracking information system.

12 Sec. 304. The department shall maintain a staff savings
13 initiative program in conjunction with the EPIC program for
14 employees to submit suggestions for efficiencies for the
15 department. The department shall consider each suggestion in a
16 timely manner. By March 1, the department shall report to the
17 senate and house appropriations subcommittees on corrections, the
18 senate and house fiscal agencies, the legislative corrections
19 ombudsman, and the state budget office on process improvements that
20 were implemented based on suggestions that were recommended for
21 implementation from the staff savings initiative and EPIC programs.

22 Sec. 305. From the funds appropriated in part 1 for
23 prosecutorial and detainer expenses, the department shall reimburse
24 counties for housing and custody of parole violators and offenders
25 being returned by the department from community placement who are
26 available for return to institutional status and for prisoners who

1 volunteer for placement in a county jail.

2 Sec. 306. Funds included in part 1 for the sheriffs'
3 coordinating and training office are appropriated for and may be
4 expended to defray costs of continuing education, certification,
5 recertification, decertification, and training of local corrections
6 officers, the personnel and administrative costs of the sheriffs'
7 coordinating and training office, the local corrections officers
8 advisory board, and the sheriffs' coordinating and training council
9 under the local corrections officers training act, 2003 PA 125, MCL
10 791.531 to 791.546.

11 Sec. 307. The department shall issue a biannual report for all
12 vendor contracts 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 The report shall cover service contracts with a value of
16 \$500,000.00 or more and include all of the following:

17 (a) The original start date and the current expiration date of
18 each contract.

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

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

24 Sec. 308. The department shall provide for the training of all
25 custody staff in effective and safe ways of handling prisoners with
26 mental illness and referring prisoners to mental health treatment
27 programs. Mental health awareness training shall be incorporated

1 into the training of new custody staff.

2 Sec. 309. The department shall issue a report for all
3 correctional facilities to the senate and house appropriations
4 subcommittees on corrections, the senate and house fiscal agencies,
5 the legislative corrections ombudsman, and the state budget office
6 by January 1 setting forth the following information for each
7 facility: its name, street address, and date of construction; its
8 current maintenance costs; any maintenance planned; its current
9 utility costs; its expected future capital improvement costs; the
10 current unspent balance of any authorized capital outlay projects,
11 including the original authorized amount; and its expected future
12 useful life.

13 Sec. 310. (1) By February 1, the department shall provide a
14 report to the senate and house appropriations subcommittees on
15 corrections, the senate and house fiscal agencies, the legislative
16 corrections ombudsman, and the state budget office which details
17 the strategic plan of the department. The report shall contain
18 strategies to decrease the overall recidivism rate, measurable
19 plans to increase the rehabilitative function of correctional
20 facilities, metrics to track and ensure prisoner readiness to
21 reenter society, and constructive actions for providing prisoners
22 with life skills development.

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

1 Sec. 311. By December 1, the department shall provide a report
2 on the Michigan state industries program to 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. The report shall include, but not be limited
6 to, the locations of the programs, the total number of participants
7 at each location, a description of job duties and typical inmate
8 schedules, the products that are produced, and how the program
9 provides marketable skills that lead to employable outcomes after
10 release from a department facility.

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

17 (2) By July 15, the department shall submit a report on the
18 results of the study to the senate and house appropriations
19 subcommittees on corrections, the senate and house fiscal agencies,
20 the legislative corrections ombudsman, and the state budget office.

21 **OFFENDER SUCCESS ADMINISTRATION**

22 Sec. 401. The department shall submit 3-year and 5-year prison
23 population projection updates concurrent with submission of the
24 executive budget recommendation to the senate and house
25 appropriations subcommittees on corrections, the senate and house
26 fiscal agencies, the legislative corrections ombudsman, and the

1 state budget office. The report shall include explanations of the
2 methodology and assumptions used in developing the projection
3 updates.

4 Sec. 402. By March 1, the department shall provide a report on
5 offender success expenditures and allocations to the senate and
6 house appropriations subcommittees on corrections, the senate and
7 house fiscal agencies, the legislative corrections ombudsman, and
8 the state budget office. At a minimum, the report shall include
9 information on both of the following:

10 (a) Details on prior-year expenditures, including amounts
11 spent on each project funded, itemized by service provided and
12 service provider.

13 (b) Allocations and planned expenditures for each project
14 funded and for each project to be funded, itemized by service to be
15 provided and service provider. The department shall provide an
16 amended report quarterly, if any revisions to allocations or
17 planned expenditures occurred during that quarter.

18 Sec. 403. The department shall partner with nonprofit faith-
19 based, business and professional, civic, and community
20 organizations for the purpose of providing inmate offender success
21 services. Offender success services include, but are not limited
22 to, counseling, providing information on housing and job placement,
23 and money management assistance.

24 Sec. 404. From the funds appropriated in part 1 for offender
25 success services, the department, when reasonably possible, shall
26 ensure that inmates have potential employer matches in the
27 communities to which they will return prior to each inmate's

1 initial parole hearing.

2 Sec. 405. By March 1, the department shall report to the
3 senate and house appropriations subcommittees on corrections, the
4 senate and house fiscal agencies, the legislative corrections
5 ombudsman, and the state budget office on substance abuse testing
6 and treatment program objectives, outcome measures, and results,
7 including program impact on offender success and programmatic
8 success.

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

14 Sec. 408. The department shall measure the reincarceration
15 recidivism rates of offenders based on available state data.

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

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

4 (3) By March 1, the department shall provide a 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 detailing the results of the
8 workforce development program.

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

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

23 (b) Improve the appropriate utilization of jail facilities,
24 the first priority of which is to open jail beds intended to house
25 otherwise prison-bound felons, and the second priority being to
26 appropriately utilize jail beds so that jail crowding does not
27 occur.

1 (c) Open jail beds through the increase of pretrial release
2 options.

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

4 (e) Reduce the admission or readmission to prison of
5 offenders, including probation violators and parole violators, for
6 substance abuse violations.

7 (f) Contribute to offender success.

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

16 (3) Funds awarded for residential probation diversions in part
17 1 shall provide for a per diem reimbursement of not more than
18 \$52.50.

19 Sec. 411. The comprehensive corrections plans shall also
20 include, where appropriate, descriptive information on the full
21 range of sanctions and services that are available and utilized
22 within the local jurisdiction and an explanation of how jail beds,
23 residential services, the special alternative incarceration
24 program, probation detention centers, the electronic monitoring
25 program for probationers, and treatment and rehabilitative services
26 will be utilized to support the objectives and priorities of the
27 comprehensive corrections plans and the purposes and priorities of

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

14 Sec. 412. (1) The department shall submit to the senate and
15 house appropriations subcommittees on corrections, the senate and
16 house fiscal agencies, the legislative corrections ombudsman, and
17 the state budget office the following information for each county
18 and counties consolidated for comprehensive corrections plans:

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

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

26 (c) Status of the community corrections information system and
27 the jail population information system.

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

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

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

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

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

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

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

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

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

9 (3) State reimbursement under this section shall be \$65.00 per
10 diem per diverted offender for offenders with a presumptive prison
11 guideline score, \$55.00 per diem per diverted offender for
12 offenders with a straddle cell guideline for a group 1 crime, and
13 \$40.00 per diem per diverted offender for offenders with a straddle
14 cell guideline for a group 2 crime. Reimbursements shall be paid
15 for sentences up to a 1-year total.

16 (4) As used in this section:

17 (a) "Group 1 crime" means a crime in 1 or more of the
18 following offense categories: arson, assault, assaultive other,
19 burglary, criminal sexual conduct, homicide or resulting in death,
20 other sex offenses, robbery, and weapon possession as determined by
21 the department based on specific crimes for which counties received
22 reimbursement under the county jail reimbursement program in fiscal
23 year 2007 and fiscal year 2008, and listed in the county jail
24 reimbursement program document titled "FY 2007 and FY 2008 Group
25 One Crimes Reimbursed", dated March 31, 2009.

26 (b) "Group 2 crime" means a crime that is not a group 1 crime,
27 including larceny, fraud, forgery, embezzlement, motor vehicle,

1 malicious destruction of property, controlled substance offense,
2 felony drunk driving, and other nonassaultive offenses.

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

9 (5) County jail reimbursement program expenditures shall not
10 exceed the amount appropriated in part 1 for the county jail
11 reimbursement program. Payments to counties under the county jail
12 reimbursement program shall be made in the order in which properly
13 documented requests for reimbursements are received. A request
14 shall be considered to be properly documented if it meets MDOC
15 requirements for documentation. By October 15, the department shall
16 distribute the documentation requirements to all counties.

17 (6) Any county that receives funding under this section for
18 the purpose of housing in jails certain felons who otherwise would
19 have been sentenced to prison shall, as a condition of receiving
20 the funding, report by September 30 an annual average jail capacity
21 and annual average jail occupancy for the immediately preceding
22 fiscal year.

23 (7) Any county that enacts or enforces any law, ordinance,
24 policy, or rule that limits or prohibits a peace officer or local
25 official, officer, or employee from communicating or cooperating
26 with appropriate federal officials concerning the immigration
27 status of an individual in this state is not eligible to receive

1 reimbursement from funds appropriated in part 1 to house in jails
2 certain felons who otherwise would have been sentenced to prison.

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

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

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

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

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

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

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

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

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

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

4 Sec. 417. (1) 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 both of the following
8 programs from the previous fiscal year:

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

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

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

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

20 (b) Expenditures by location.

21 (c) The impact on jail utilization.

22 (d) The impact on prison admissions.

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

25 Sec. 418. (1) The department shall collaborate with the state
26 court administrative office on facilitating changes to Michigan
27 court rules that would require the court to collect at the time of

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

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

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

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

21 (2) The department shall provide monthly electronic mail
22 reports 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 reports
25 shall include information on end-of-month prisoner populations in
26 county jails, the net operating capacity according to the most
27 recent certification report, identified by date, the number of beds

1 in currently closed housing units by facility, and end-of-month
2 data, year-to-date data, and comparisons to the prior year for the
3 following:

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

6 (b) Parole populations.

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

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

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

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

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

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

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

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

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

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

22 (a) How many prisoners in each quarter were reviewed.

23 (b) How many prisoners were granted parole.

24 (c) How many prisoners were denied parole.

25 (d) How many parole decisions were deferred.

26 (e) The distribution of the total number of prisoners reviewed
27 during that quarter grouped by whether the prisoner had been

1 interviewed for the first, second, third, fourth, fifth, sixth, or
2 more than sixth time.

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

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

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

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

24 (2) The manufacturer of a long-acting nonaddictive medication
25 approved by the Food and Drug Administration for opioid and alcohol
26 dependence shall provide the department with samples of the
27 medication, at no cost to the department, during the duration of

1 the medication-assisted treatment offender success pilot programs.
2 Offenders shall receive 1 injection prior to being released from
3 custody and shall be connected with an aftercare plan and
4 assistance with obtaining insurance to cover subsequent injections.

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

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

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

1 currently prescribed to the inmate.

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

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

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

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

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

22 **FIELD OPERATIONS ADMINISTRATION**

23 Sec. 603. (1) All prisoners, probationers, and parolees
24 involved with the curfew monitoring program shall reimburse the
25 department for costs associated with their participation in the
26 program. The department may require community service work

1 reimbursement as a means of payment for those able-bodied
2 individuals unable to pay for the costs of the equipment.

3 (2) Program participant contributions and local program
4 reimbursement for the curfew monitoring program appropriated in
5 part 1 are related to program expenditures and may be used to
6 offset expenditures for this purpose.

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

18 (4) For a fee determined by the department, the department
19 shall provide counties with the curfew monitor equipment,
20 replacement parts, administrative oversight of the equipment's
21 operation, notification of violators, and periodic reports
22 regarding county program participants. Counties are responsible for
23 curfew monitor equipment installation and service. For an
24 additional fee as determined by the department, the department
25 shall provide staff to install and service the equipment. Counties
26 are responsible for the coordination and apprehension of program
27 violators.

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

4 Sec. 604. The funds appropriated in part 1 for criminal
5 justice reinvestment shall be used only to fund data collection and
6 evidence-based programs designed to reduce recidivism among
7 probationers and parolees.

8 Sec. 611. The department shall prepare by March 1 individual
9 reports for the residential reentry program, the electronic
10 monitoring program, and the special alternative to incarceration
11 program. The reports shall be submitted 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. Each program's report shall include
15 information on all of the following:

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

22 (b) Monthly participant unsuccessful terminations, including
23 cause.

24 (c) Number of successful terminations.

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

26 (e) Average length of placement.

27 (f) Return to prison statistics.

1 (g) Description of each program location or locations,
2 capacity, and staffing.

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

5 (i) Comparison with prior year statistics.

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

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

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

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

5 (b) The numbers of parole and probation violators returned to
6 or sent to prison for a technical violation and the type of
7 violation, including, but not limited to, zero gun tolerance and
8 substance abuse violations. For parole technical rule violators,
9 the report shall list violations by type, by length of time since
10 release from prison, by the most recent violation, and by the
11 number of violations occurring since release from prison.

12 (c) The educational history of those offenders, including how
13 many had a high school equivalency or high school diploma prior to
14 incarceration in prison, how many received a high school
15 equivalency while in prison, and how many received a vocational
16 certificate while in prison.

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

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

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

1 by April 30.

2 (2) The report shall include the following information on
3 parolable lifers who have served more than 25 years: prisoner name,
4 MDOC identification number, prefix, offense for which life term is
5 being served, county of conviction, age at time offense was
6 committed, current age, race, gender, true security classification,
7 dates of parole board file reviews, dates of parole board
8 interviews, parole guideline scores, and reason for decision not to
9 release.

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

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

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

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

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

1 **HEALTH CARE**

2 Sec. 802. As a condition of expenditure of the funds
3 appropriated in part 1, the department shall provide the senate and
4 house appropriations subcommittees on corrections, the senate and
5 house fiscal agencies, the legislative corrections ombudsman, and
6 the state budget office with quarterly reports on physical and
7 mental health care detailing quarterly and fiscal year-to-date
8 expenditures itemized by vendor, allocations, status of payments
9 from contractors to vendors, and projected year-end expenditures
10 from accounts for prisoner health care, mental health care,
11 pharmaceutical services, and durable medical equipment. These
12 reports shall include a breakdown of all payments to the integrated
13 care provider itemized by physical health care, mental health care,
14 and pharmacy expenditures.

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

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

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

27 Sec. 804. The department shall report quarterly to the senate

1 and house appropriations subcommittees on corrections, the senate
2 and house fiscal agencies, the legislative corrections ombudsman,
3 and the state budget office on prisoner health care utilization.
4 The report shall include the number of inpatient hospital days,
5 outpatient visits, emergency room visits, and prisoners receiving
6 off-site inpatient medical care in the previous quarter, by
7 facility.

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

22 Sec. 812. (1) The department shall provide the department of
23 health and human services with a monthly list of prisoners newly
24 committed to the department of corrections. The department and the
25 department of health and human services shall enter into an
26 interagency agreement under which the department of health and
27 human services provides the department of corrections with monthly

1 lists of newly committed prisoners who are eligible for Medicaid
2 benefits in order to maintain the process by which Medicaid
3 benefits are suspended rather than terminated. The department shall
4 assist prisoners who may be eligible for Medicaid benefits after
5 release from prison with the Medicaid enrollment process prior to
6 release from prison.

7 (2) The department shall provide the senate and house
8 appropriations subcommittees on corrections, the senate and house
9 fiscal agencies, the legislative corrections ombudsman, and the
10 state budget office with quarterly updates on the utilization of
11 Medicaid benefits for prisoners.

12 Sec. 816. By April 1, the department shall provide the senate
13 and house appropriations subcommittees on corrections, the senate
14 and house fiscal agencies, the legislative corrections ombudsman,
15 and the state budget office with a report on pharmaceutical
16 expenditures and prescribing practices. In particular, the report
17 shall provide the following information:

18 (a) A detailed accounting of expenditures on antipsychotic
19 medications.

20 (b) Any changes that have been made to the prescription drug
21 formularies.

22 **CORRECTIONAL FACILITIES ADMINISTRATION**

23 Sec. 901. From the funds appropriated in part 1 for the
24 enhanced food technology program, the department shall expand the
25 existing food technology education program to at least 700 inmates
26 annually. A participant in the food technology program shall

1 complete 408 hours of on-the-job training in a prison kitchen as a
2 part of the program.

3 Sec. 902. All inmates working in prison kitchens shall
4 complete the minimum requirements for a ServSafe Food Handler
5 certificate before being allowed to work in the kitchens.
6 Requirements shall be met by using online materials unless the
7 department determines the program would be best served by using
8 other materials.

9 Sec. 903. (1) All department-operated prisoner food service
10 operations shall be annually inspected to ensure they meet food
11 safety standards established for food service establishments under
12 the food law, 2000 PA 92, MCL 289.1101 to 289.8111, or for food
13 service establishments under the 2001 food code published by the
14 Food and Drug Administration of the Public Health Service of the
15 Department of Health and Human Services. Funds appropriated in part
16 1 for prison kitchen inspections shall be used for costs to
17 implement this section and for inspecting prison food service
18 operations.

19 (2) Nothing in this section shall be construed to remove the
20 exemption under section 1107(p) of the food law, 2000 PA 92, MCL
21 289.1107.

22 Sec. 903a. From the funds appropriated in part 1 for prison
23 food service, the department shall report biannually 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 the following:

27 (a) Average per-meal cost for prisoner food service. Per-meal

1 cost shall include all costs directly related to the provision of
2 food for the prisoner population, and shall include, but not be
3 limited to, actual food costs, total compensation for all food
4 service workers, including benefits and legacy costs, and
5 inspection and compliance costs for food service.

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

8 (c) Major sanitation violations.

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

25 Sec. 905. (1) From the funds appropriated in part 1 for leased
26 beds and alternatives to leased beds, the department may implement
27 a county jail bed program to house eligible prisoners sentenced to

1 the custody of the department in county jails rather than in state
2 correctional facilities.

3 (2) A county may volunteer to participate in the county jail
4 bed program and house eligible prisoners sentenced to the custody
5 of the department in its county jails.

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

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

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

16 (b) The prisoner is not serving a sentence for conviction of a
17 violation or attempted violation of section 520b, 520c, 520d, 520e,
18 or 520g of the Michigan penal code, 1931 PA 328, MCL 750.520b,
19 750.520c, 750.520d, 750.520e, and 750.520g.

20 (c) The prisoner is serving a fixed sentence with a determined
21 discharge date.

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

26 Sec. 907. The department shall report by March 1 to the senate
27 and house appropriations subcommittees on corrections, the senate

1 and house fiscal agencies, the legislative corrections ombudsman,
2 and the state budget office on academic and vocational programs.
3 The report shall provide information relevant to an assessment of
4 the department's academic and vocational programs, including, but
5 not limited to, all of the following:

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

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

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

20 (d) The number of prisoners paroled without a high school
21 diploma and the number of prisoners paroled without a high school
22 equivalency.

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

26 (f) An identification of program outcomes for each academic
27 and vocational program.

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

4 Sec. 910. The department shall allow the Michigan Braille
5 transcribing fund program to operate at its current location. The
6 donation of the building by the Michigan Braille transcribing fund
7 at the G. Robert Cotton Correctional Facility in Jackson is
8 acknowledged and appreciated. The department shall continue to
9 encourage the Michigan Braille transcribing fund program to produce
10 high-quality materials for use by the visually impaired.

11 Sec. 911. 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 the number of critical
15 incidents occurring each month by type and the number and severity
16 of assaults, escape attempts, suicides, and attempted suicides
17 occurring each month at each facility during the immediately
18 preceding calendar year.

19 Sec. 912. The department shall report monthly to the senate
20 and house appropriations subcommittees on corrections, the senate
21 and house fiscal agencies, the legislative corrections ombudsman,
22 and the state budget office on the ratio of correctional officers
23 to prisoners for each correctional institution, the ratio of shift
24 command staff to line custody staff, and the ratio of noncustody
25 institutional staff to prisoners for each correctional institution.

26 Sec. 913. (1) From the funds appropriated in part 1, the
27 department shall focus on providing required programming to

1 prisoners who are past their earliest release date because of not
2 having received the required programming. Programming includes, but
3 is not limited to, violence prevention programming, assaultive
4 offender programming, sexual offender programming, substance abuse
5 treatment programming, thinking for a change programming, and any
6 other programming that is required as a condition of parole.

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

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

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

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

21 Sec. 924. The department shall evaluate all prisoners at
22 intake for substance abuse disorders, serious developmental
23 disorders, serious mental illness, and other mental health
24 disorders. Prisoners with serious mental illness or serious
25 developmental disorders shall not be removed from the general
26 population as a punitive response to behavior caused by their
27 serious mental illness or serious developmental disorder. Due to

1 persistent high violence risk or severe disruptive behavior that is
2 unresponsive to treatment, prisoners with serious mental illness or
3 serious developmental disorders may be placed in secure residential
4 housing programs that will facilitate access to institutional
5 programming and ongoing mental health services. A prisoner with
6 serious mental illness or serious developmental disorder who is
7 confined in these specialized housing programs shall be evaluated
8 or monitored by a medical professional at a frequency of not less
9 than every 12 hours.

10 Sec. 925. By March 1, the department shall report to the
11 senate and house appropriations subcommittees on corrections, the
12 senate and house fiscal agencies, the legislative corrections
13 ombudsman, and the state budget office on the annual number of
14 prisoners in administrative segregation between October 1, 2018 and
15 September 30, 2019, and the annual number of prisoners in
16 administrative segregation between October 1, 2018 and September
17 30, 2019 who at any time during the current or prior prison term
18 were diagnosed with serious mental illness or have a developmental
19 disorder and the number of days each of the prisoners with serious
20 mental illness or a developmental disorder have been confined to
21 administrative segregation.

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

24 (a) Ensure that any inmate care and control staff in contact
25 with prisoners less than 18 years of age are adequately trained
26 with regard to the developmental and mental health needs of
27 prisoners less than 18 years of age. By April 1, the department

1 shall report to the senate and house appropriations subcommittees
2 on corrections, the senate and house fiscal agencies, the
3 legislative corrections ombudsman, and the state budget office on
4 the training curriculum used and the number and types of staff
5 receiving annual training under that curriculum.

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

26 (c) Implement a specialized offender success program that
27 recognizes the needs of prisoners less than 18 years old for

1 supervised offender success.

2 Sec. 930. The department shall submit an annual report to the
3 senate and house appropriations subcommittees on corrections, the
4 senate and house fiscal agencies, the legislative corrections
5 ombudsman, and the state budget office on the number of youth in
6 prison. The report shall include, but not be limited to, the
7 following information:

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

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

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

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

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

24 Sec. 942. The department shall ensure that any contract with a
25 public or private party to operate a facility to house state
26 prisoners includes a provision to allow access by both the office
27 of the legislative auditor general and the office of the

1 legislative corrections ombudsman to the facility and to
2 appropriate records and documents related to the operation of the
3 facility. These access rights for both offices shall be the same
4 for the contracted facility as for a general state-operated
5 correctional facility.

6 Sec. 943. The department shall submit a report by May 1 to the
7 senate and house appropriations subcommittees on corrections, the
8 senate and house fiscal agencies, the legislative corrections
9 ombudsman, and the state budget office on the actual and projected
10 savings achieved by closing correctional facilities. Savings
11 amounts shall be itemized by facility. Information required by this
12 section shall start with the closure of the Pugsley Correctional
13 Facility, which closed in September of 2016.

14 Sec. 944. When the department is planning to close a
15 correctional facility, the department shall fully consider the
16 potential economic impact of the prison closure on the community
17 where the facility is located. The department, when weighing all
18 factors related to the closure of a facility, shall also consider
19 the impact on the local community where the facility to be closed
20 is located.

21 **MISCELLANEOUS**

22 Sec. 1009. The department shall make an information packet for
23 the families of incoming prisoners available on the department's
24 website. The information packet shall be updated by February 1. The
25 packet shall provide information on topics including, but not
26 limited to: how to put money into prisoner accounts, how to make

1 phone calls or create Jpay electronic mail accounts, how to visit
2 in person, proper procedures for filing complaints or grievances,
3 the rights of prisoners to physical and mental health care, how to
4 utilize the offender tracking information system (OTIS), truth-in-
5 sentencing and how it applies to minimum sentences, the parole
6 process, and guidance on the importance of the role of families in
7 the reentry process. The department is encouraged to partner with
8 external advocacy groups and actual families of prisoners in the
9 packet-writing process to ensure that the information is useful and
10 complete.

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

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

24 **ONE-TIME APPROPRIATIONS**

25 Sec. 1100. From the funds appropriated in part 1 for new
26 custody staff training, the department shall increase the training

1 capacity for new custody staff. The purpose of additional academies
2 is to address higher than normal attrition of correction officers
3 and to decrease overtime costs.