

**SUBSTITUTE FOR
SENATE BILL NO. 785**

A bill to make appropriations for the department of corrections for the fiscal year ending September 30, 2017; 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, 2017, from the following funds:

DEPARTMENT OF CORRECTIONS

APPROPRIATION SUMMARY

Average population	0
Full-time equated unclassified positions.....	16.0

1	Full-time equated classified positions.....	13,792.9	
2	GROSS APPROPRIATION.....		\$ 2,020,807,400
3	Interdepartmental grant revenues:		
4	Total interdepartmental grants and intradepartmental		
5	transfers		0
6	ADJUSTED GROSS APPROPRIATION.....		\$ 2,020,807,400
7	Federal revenues:		
8	Total federal revenues.....		5,523,700
9	DED-OESE, title I.....		917,800
10	DED-OSERS.....		117,600
11	DED-OVAE, adult education.....		360,600
12	DED-vocational education equipment.....		155,300
13	DED, youthful offender/Specter grant.....		206,000
14	DOJ-BOP, federal prisoner reimbursement.....		411,000
15	DOJ-second chance act reentry initiative.....		500,000
16	DOJ, office of justice programs, RSAT.....		250,200
17	DOJ, prison rape elimination act grant.....		674,700
18	DOJ, prisoner reintegration.....		250,000
19	DOJ, state criminal assistance program.....		1,034,800
20	SSA-SSI, incentive payment.....		272,000
21	Federal revenues and reimbursements.....		373,700
22	Special revenue funds:		
23	Total local revenues.....		8,692,800
24	Local revenues.....		8,487,400
25	Local - community tether program reimbursement.....		205,400
26	Total private revenues.....		0
27	Total other state restricted revenues.....		37,133,000

1	Correctional industries revolving fund.....	11,197,900
2	Jail reimbursement program fund.....	5,900,000
3	Local corrections officer training fund.....	100,000
4	Reentry center offender reimbursements.....	24,300
5	Parole and probation oversight fees.....	4,428,600
6	Parole and probation oversight fees set-aside.....	1,634,800
7	Prisoner health care copayments.....	257,200
8	Public works user fees.....	1,000,000
9	Resident stores.....	3,372,600
10	Program and special equipment fund.....	6,634,600
11	Tether program, participant contributions.....	2,480,900
12	State restricted fees, out-of-state prisoners.....	99,800
13	State restricted revenues and reimbursements.....	2,300
14	State general fund/general purpose.....	\$ 1,969,457,900
15	Sec. 102. EXECUTIVE	
16	Full-time equated unclassified positions..... 16.0	
17	Full-time equated classified positions..... 20.0	
18	Unclassified positions--16.0 FTE positions.....	\$ 1,793,800
19	Executive direction--20.0 FTE positions.....	<u>4,208,600</u>
20	GROSS APPROPRIATION.....	\$ 6,002,400
21	Appropriated from:	
22	State general fund/general purpose.....	\$ 6,002,400
23	Sec. 103. PRISONER REENTRY AND COMMUNITY SUPPORT	
24	Full-time equated classified positions..... 343.4	
25	Prisoner reentry local service providers.....	\$ 13,208,600
26	Prisoner reentry MDOC programs.....	9,124,100
27	Prisoner reentry federal grants.....	750,000

1	Public safety initiative.....	4,500,000
2	Reentry services--70.0 FTE positions.....	14,965,100
3	Education program--273.4 FTE positions.....	39,555,500
4	Community corrections comprehensive plans and services	12,158,000
5	Felony drunk driver jail reduction and community	
6	treatment program	1,440,100
7	Residential services.....	15,475,500
8	Goodwill flip the script.....	<u>2,500,000</u>
9	GROSS APPROPRIATION.....	\$ 113,676,900
10	Appropriated from:	
11	Federal revenues:	
12	DOJ-second chance act reentry initiative.....	500,000
13	DOJ, prisoner reintegration.....	250,000
14	DED-vocational education equipment.....	155,300
15	DED-OESE, title I.....	917,800
16	DED-OVAE, adult education.....	360,600
17	DED-OSERS.....	117,600
18	DED, youthful offender/Specter grant.....	206,000
19	Special revenue funds:	
20	Program and special equipment fund.....	5,213,200
21	State general fund/general purpose.....	\$ 105,956,400
22	Sec. 104. BUDGET AND OPERATIONS ADMINISTRATION	
23	Full-time equated classified positions..... 247.0	
24	Budget and operations administration--185.0 FTE	
25	positions	24,696,700
26	Prison industries operations--62.0 FTE positions.....	9,837,400
27	New custody staff training.....	\$ 9,216,500

1	Compensatory buyout and union leave bank.....		100
2	Worker's compensation.....		14,171,300
3	Rent.....		2,349,100
4	Equipment and special maintenance.....		1,559,700
5	Administrative hearings officers.....		3,407,100
6	Judicial data warehouse user fees.....		50,000
7	Sheriffs' coordinating and training office.....		100,000
8	Prosecutorial and detainer expenses.....		5,001,000
9	County jail reimbursement program.....		<u>13,597,100</u>
10	GROSS APPROPRIATION.....	\$	83,986,000
11	Appropriated from:		
12	Special revenue funds:		
13	Jail reimbursement program fund.....		5,900,000
14	Program and special equipment fund.....	\$	100
15	Local corrections officer training fund.....		100,000
16	Correctional industries revolving fund.....		10,451,800
17	DOJ-prison rape elimination act grant.....		674,700
18	State general fund/general purpose.....	\$	66,859,400
19	Sec. 105. FIELD OPERATIONS ADMINISTRATION		
20	Full-time equated classified positions.....		2,194.6
21	Field operations--1,881.9 FTE positions.....	\$	213,669,400
22	Parole board operations--33.0 FTE positions.....		3,812,000
23	Parole/probation services.....		940,000
24	Detroit Detention Center--63.1 FTE positions.....		8,487,400
25	Detroit Reentry Center--216.6 FTE positions.....		27,073,900
26	Supervising region incentive program.....		3,000,000
27	Criminal justice reinvestment.....		13,500,000

1	Parole sanction certainty pilot program.....	<u>1,440,000</u>
2	GROSS APPROPRIATION.....	\$ 271,922,700
3	Appropriated from:	
4	Local revenues.....	8,487,400
5	Special revenue funds:	
6	Local - community tether program reimbursement.....	205,400
7	Reentry center offender reimbursements.....	24,300
8	Parole and probation oversight fees.....	4,428,600
9	Parole and probation oversight fees set-aside.....	940,000
10	Tether program, participant contributions.....	2,480,900
11	State general fund/general purpose.....	\$ 255,356,100
12	Sec. 106. CORRECTIONAL FACILITIES ADMINISTRATION	
13	Full-time equated classified positions..... 319.0	
14	Correctional facilities administration--21.0 FTE	
15	positions	\$ 5,046,600
16	Prison food service.....	53,868,900
17	Transportation--211.0 FTE positions.....	22,738,200
18	Central records--52.0 FTE positions.....	6,015,600
19	Inmate legal services.....	790,900
20	Housing inmates in federal institutions.....	611,000
21	Prison store operations--35.0 FTE positions.....	3,372,600
22	Leased beds and alternatives to leased beds.....	5,250,000
23	Public works programs.....	1,000,000
24	Cost-effective housing initiative.....	100
25	Inmate housing fund.....	<u>100</u>
26	GROSS APPROPRIATION.....	\$ 98,694,000
27	Appropriated from:	

1	Federal revenues:		
2	DOJ-BOP, federal prisoner reimbursement		411,000
3	SSA-SSI, incentive payment		272,000
4	Special revenue funds:		
5	Correctional industries revolving fund		569,000
6	Public works user fees		1,000,000
7	Resident stores		3,372,600
8	State general fund/general purpose	\$	93,069,400
9	Sec. 107. HEALTH CARE		
10	Full-time equated classified positions.....	1,483.9	
11	Health care administration--21.0 FTE positions		\$ 3,690,800
12	Prisoner health care services		68,380,400
13	Vaccination program		691,200
14	Interdepartmental grant to health and human		
15	services, eligibility specialists		100,000
16	Mental health services and support--372.0 FTE		
17	positions		60,465,700
18	Clinical complexes--1,070.9 FTE positions		140,871,700
19	Healthy Michigan plan administration--12.0 FTE		
20	positions		1,100,700
21	Substance abuse testing and treatment services--8.0		
22	FTE positions		21,590,600
23	Hepatitis C treatment		<u>4,400,000</u>
24	GROSS APPROPRIATION	\$	301,291,100
25	Appropriated from:		
26	Federal revenues:		
27	DOJ, office of justice programs, RSAT		250,200

1	Federal revenues and reimbursements	373,700
2	Special revenue funds:	
3	Prisoner health care copayments	257,200
4	State general fund/general purpose	\$ 300,410,000
5	Sec. 108. CORRECTIONAL FACILITIES	
6	Average population	0
7	Full-time equated classified positions.....	9,185.0
8	Correctional facilities (28 facilities)--	9,013.0
9	FTE positions	\$ 1,065,325,700
10	Capital outlay.....	14,000,000
11	Northern region administration and support--	48.0 FTE
12	positions	4,509,900
13	Southern region administration and support--	124.0
14	FTE positions	<u>24,098,000</u>
15	GROSS APPROPRIATION.....	\$ 1,107,933,600
16	Appropriated from:	
17	Federal revenues:	
18	DOJ, state criminal assistance program.....	1,034,800
19	Special revenue funds:	
20	State restricted fees, out-of-state prisoners	99,800
21	State restricted revenues and reimbursements	2,300
22	State general fund/general purpose	\$ 1,106,796,700
23	Sec. 109. INFORMATION TECHNOLOGY	
24	Information technology services and projects	\$ <u>28,813,300</u>
25	GROSS APPROPRIATION.....	\$ 28,813,300
26	Appropriated from:	
27	Special revenue funds:	

1	Correctional industries revolving fund.....		177,100
2	Parole and probation oversight fees set-aside.....		694,800
3	Program and special equipment fund.....		440,000
4	State general fund/general purpose.....	\$	27,501,400
5	Sec. 110. ONE-TIME APPROPRIATIONS		
6	New custody training staff--one time.....	\$	7,506,100
7	Ballistic vests--one time.....		<u>981,300</u>
8	GROSS APPROPRIATION.....	\$	8,487,400
9	Appropriated from:		
10	Special revenue funds:		
11	Program and special equipment fund.....		981,300
12	State general fund/general purpose.....	\$	7,506,100

PART 2

PROVISIONS CONCERNING APPROPRIATIONS
FOR FISCAL YEAR 2016-2017

GENERAL SECTIONS

Sec. 201. Pursuant to section 30 of article IX of the state constitution of 1963, total state spending from state resources under part 1 for fiscal year 2016-2017 is \$2,006,590,900.00 and state spending from state resources to be paid to local units of government for fiscal year 2016-2017 is \$115,670,600.00. The itemized statement below identifies appropriations from which spending to local units of government will occur:

DEPARTMENT OF CORRECTIONS

Field operations - assumption of county

1	probation staff	\$	61,749,900
2	Community corrections comprehensive plans		
3	and services		12,158,000
4	Reentry services - intensive detention reentry program		1,500,000
5	Residential services.....		15,475,500
6	County jail reimbursement program.....		13,597,100
7	Felony drunk driver jail reduction and		
8	community treatment program		1,440,100
9	Leased beds and alternatives to leased beds.....		5,250,000
10	Public safety initiative.....		<u>4,500,000</u>
11	TOTAL.....	\$	115,670,600

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

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

16 (a) "Administrative segregation" means confinement for
17 maintenance of order or discipline to a cell or room apart from
18 accommodations provided for inmates who are participating in
19 programs of the facility.

20 (b) "Cost per prisoner" means the sum total of the funds
21 appropriated under part 1 for the following, divided by the
22 projected prisoner population in fiscal year 2016-2017:

- 23 (i) Correctional facilities.
- 24 (ii) Northern and southern region administration and support.
- 25 (iii) Clinical and mental health services and support.
- 26 (iv) Prisoner health care services.
- 27 (v) Vaccination program.

- 1 (vi) Prison food service and federal school lunch program.
2 (vii) Transportation.
3 (viii) Inmate legal services.
4 (ix) Correctional facilities administration.
5 (x) Central records.
6 (xi) Worker's compensation.
7 (xii) New custody staff training.
8 (xiii) Prison store operations.
9 (xiv) Education program.
- 10 (c) "DAG" means the United States Department of Agriculture.
11 (d) "DAG-FNS" means the DAG Food and Nutrition Service.
12 (e) "DED" means the United States Department of Education.
13 (f) "DED-OESE" means the DED Office of Elementary and
14 Secondary Education.
15 (g) "DED-OSERS" means the DED Office of Special Education and
16 Rehabilitative Services.
17 (h) "DED-OVAE" means the DED Office of Vocational and Adult
18 Education.
19 (i) "Department" or "MDOC" means the Michigan department of
20 corrections.
21 (j) "DOJ" means the United States Department of Justice.
22 (k) "DOJ-BOP" means the DOJ Bureau of Prisons.
23 (l) "DOJ-OJP" means the DOJ Office of Justice Programs.
24 (m) "EPIC program" means the department's effective process
25 improvement and communication program.
26 (n) "Evidence-based practices" or "EBP" means a decision-
27 making process that integrates the best available research,

1 clinician expertise, and client characteristics.

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

3 (p) "Goal" means the intended or projected result of a
4 comprehensive corrections plan or community corrections program to
5 reduce repeat offending, criminogenic and high-risk behaviors,
6 prison commitment rates, to reduce the length of stay in a jail, or
7 to improve the utilization of a jail.

8 (q) "IDG" means interdepartmental grant.

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

12 (s) "MDHHS" means the Michigan department of health and human
13 services.

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

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

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

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

25 (x) "Offender eligibility criteria" means particular criminal
26 violations, state felony sentencing guidelines descriptors, and
27 offender characteristics developed by advisory boards and approved

1 by local units of government that identify the offenders suitable
2 for community corrections programs funded through the office of
3 community corrections.

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

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

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

18 (i) A felon or misdemeanant who receives a sentencing
19 disposition that appears to be in place of incarceration in a state
20 correctional facility or jail, according to historical local
21 sentencing patterns.

22 (ii) A currently incarcerated felon or misdemeanant who is
23 granted early release from incarceration to a community corrections
24 program or who is granted early release from incarceration as a
25 result of a community corrections program.

26 (bb) "Programmatic success" means that the department program
27 or initiative has ensured that the offender has accomplished all of

1 the following:

2 (i) Obtained employment, has enrolled or participated in a
3 program of education or job training, or has investigated all bona
4 fide employment opportunities.

5 (ii) Obtained housing.

6 (iii) Obtained a state identification card.

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

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

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

14 (ff) "Serious mental illness" means that term as defined in
15 section 100d(3) of the mental health code, 1974 PA 328, MCL
16 330.1100d.

17 (gg) "SSA" means the United States Social Security
18 Administration.

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

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. 208. 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. 209. 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 should 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. 211. The department may charge fees and collect revenues
13 in excess of appropriations in part 1 not to exceed the cost of
14 offender services and programming, employee meals, parolee loans,
15 academic/vocational services, custody escorts, compassionate
16 visits, union steward activities, and public works programs and
17 services provided to local units of government or private nonprofit
18 organizations. The revenues and fees collected are appropriated for
19 all expenses associated with these services and activities.

20 Sec. 212. On a quarterly basis, the department shall report on
21 the number of full-time equated positions in pay status by civil
22 service classification to the senate and house appropriations
23 subcommittees on corrections, the legislative corrections
24 ombudsman, and the senate and house fiscal agencies. This report
25 shall include a detailed accounting of the long-term vacancies that
26 exist within each department. As used in this subsection, "long-
27 term vacancy" means any full-time equated position that has not

1 been filled at any time during the past 12 and 24 calendar months.

2 Sec. 214. The department shall receive and retain copies of
3 all reports funded from appropriations in part 1. Federal and state
4 guidelines for short-term and long-term retention of records shall
5 be followed. The department may electronically retain copies of
6 reports unless otherwise required by federal and state guidelines.

7 Sec. 216. The department shall prepare a report on out-of-
8 state travel expenses not later than January 1 of each year. The
9 travel report shall be a listing of all travel by classified and
10 unclassified employees outside this state in the immediately
11 preceding fiscal year that was funded in whole or in part with
12 funds appropriated in the department's budget. The report shall be
13 submitted to the senate and house standing committees on
14 appropriations, the senate and house fiscal agencies, and the state
15 budget director. The report shall include the following
16 information:

17 (a) The dates of each travel occurrence.

18 (b) The total transportation and related costs of each travel
19 occurrence, including the proportion funded with state general
20 fund/general purpose revenues, the proportion funded with state
21 restricted revenues, the proportion funded with federal revenues,
22 and the proportion funded with other revenues.

23 Sec. 219. (1) Any contract for prisoner telephone services
24 entered into after the effective date of this section shall include
25 a condition that fee schedules for prisoner telephone calls,
26 including rates and any surcharges other than those necessary to
27 meet program and special equipment costs, be the same as fee

1 schedules for calls placed from outside of correctional facilities.

2 (2) Revenues appropriated and collected for program and
3 special equipment funds shall be considered state restricted
4 revenue. Funding shall be used for prisoner programming, special
5 equipment, and security projects. Unexpended funds remaining at the
6 close of the fiscal year shall not lapse to the general fund but
7 shall be carried forward and be available for appropriation in
8 subsequent fiscal years.

9 (3) The department shall submit a report to the senate and
10 house appropriations subcommittees on corrections, the senate and
11 house fiscal agencies, the legislative corrections ombudsman, and
12 the state budget director by February 1 outlining revenues and
13 expenditures from program and special equipment funds. The report
14 shall include all of the following:

15 (a) A list of all individual projects and purchases financed
16 with program and special equipment funds in the immediately
17 preceding fiscal year, the amounts expended on each project or
18 purchase, and the name of each vendor the products or services were
19 purchased from.

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

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

27 Sec. 220. Not later than November 30, the state budget office

1 shall prepare and transmit a report that provides for estimates of
2 the total general fund/general purpose appropriation lapses at the
3 close of the fiscal year. This report shall summarize the projected
4 year-end general fund/general purpose appropriation lapses by major
5 departmental program or program areas. The report shall be
6 transmitted to the chairpersons of the senate and house of
7 representatives standing committees on appropriations and the
8 senate and house fiscal agencies.

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

- 13 (a) Fiscal year-to-date expenditures by category.
- 14 (b) Fiscal year-to-date expenditures by appropriation unit.
- 15 (c) Fiscal year-to-date payments to a selected vendor,
16 including the vendor name, payment date, payment amount, and
17 payment description.
- 18 (d) The number of active department employees by job
19 classification.
- 20 (e) Job specifications and wage rates.

21 Sec. 223. (1) In addition to the funds appropriated in part 1,
22 there is appropriated an amount not to exceed \$10,000,000.00 for
23 federal contingency funds. These funds are not available for
24 expenditure until they have been transferred to another line item
25 in part 1 under section 393(2) of the management and budget act,
26 1984 PA 431, MCL 18.1393.

27 (2) In addition to the funds appropriated in part 1, there is

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

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

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

18 Sec. 229. Within 14 days after the release of the executive
19 budget recommendation, the department shall cooperate with the
20 state budget office to provide the chairpersons of the senate and
21 house appropriations committees, the chairpersons of the senate and
22 house appropriations subcommittees on corrections, and the senate
23 and house fiscal agencies with an annual report on estimated state
24 restricted fund balances, state restricted fund projected revenues,
25 and state restricted fund expenditures for the fiscal years ending
26 September 30, 2016 and September 30, 2017.

27 Sec. 230. Funds appropriated in part 1 shall not be used by

1 the department to hire a person to provide legal services that are
2 the responsibility of the attorney general. This prohibition does
3 not apply to legal services for bonding activities and for those
4 outside services that the attorney general authorizes.

5 Sec. 231. The department shall maintain, on a publicly
6 accessible website, a department scorecard that identifies, tracks,
7 and regularly updates key metrics that are used to monitor and
8 improve the department's performance.

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

14 Sec. 246. Total authorized appropriations from all sources
15 under part 1 for legacy costs for the fiscal year ending September
16 30, 2017 are \$337,858,200.00. From this amount, total department
17 appropriations for pension-related legacy costs are estimated at
18 \$187,327,100.00. Total department appropriations for retiree health
19 care legacy costs are estimated at \$150,531,100.00.

20 Sec. 247. In addition to the metrics required under section
21 447 of the management and budget act, 1984 PA 431, MCL 18.1447, for
22 each new program or program enhancement for which funds in excess
23 of \$500,000.00 are appropriated in part 1, the department shall
24 provide not later than November 1 a list of program-specific
25 metrics intended to measure its performance based on a return on
26 taxpayer investment. The department shall deliver the program-
27 specific metrics to members of the senate and house subcommittees

1 that have subject matter jurisdiction for this budget, the senate
2 and house fiscal agencies, and the state budget director. The
3 department shall provide an update on its progress in tracking
4 program-specific metrics and the status of program success at an
5 appropriations subcommittee meeting called for by the subcommittee
6 chair.

7 **EXECUTIVE**

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

17 Sec. 304. The department shall maintain a staff savings
18 initiative program in conjunction with the EPIC program for
19 employees to submit suggestions for saving costs for the
20 department. The department shall consider each suggestion in a
21 timely manner. By March 1, the department shall report to the
22 senate and house appropriations subcommittees on corrections, the
23 legislative corrections ombudsman, the senate and house fiscal
24 agencies, and the state budget director on any savings proposals,
25 the date implemented, the amount of the expected savings, and any
26 process improvements that can be implemented in other areas of the

1 department. The report shall also include any rejected savings
2 proposal and the reason that the proposal was refused.

3 **PRISONER REENTRY AND COMMUNITY SUPPORT**

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 legislative
8 corrections ombudsman, the senate and house fiscal agencies, and
9 the state budget director. The report shall include explanations of
10 the methodology and assumptions used in developing the projection
11 updates.

12 Sec. 402. By March 1, the department shall provide a report on
13 prisoner reentry expenditures and allocations to the members of the
14 senate and house appropriations subcommittees on corrections, the
15 legislative corrections ombudsman, the senate and house fiscal
16 agencies, and the state budget director. At a minimum, the report
17 shall include 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. By February 1, the department shall report to the

1 senate and house appropriations subcommittees on corrections, the
2 legislative corrections ombudsman, the senate and house fiscal
3 agencies, and the state budget director on the department's EPIC
4 program. The report shall include the following: the exact scope
5 and purpose of the EPIC program, the areas of the department that
6 have received any EPIC resources, the line items in part 1 that are
7 expected to recognize savings due to the EPIC program, the
8 identified areas of the department where the EPIC program has
9 changed the department's policy, and the number of the full-time
10 equivalent positions in the department that are assigned to the
11 EPIC program during the prior fiscal year.

12 Sec. 404. The department shall not increase spending in part 1
13 for reentry services above \$14,965,100.00 until it has issued a
14 request for information for reentry services, substance abuse, and
15 sex offender contracts and assessed the value of each program.

16 Sec. 405. By March 1, the department shall report to the
17 senate and house appropriations subcommittees on corrections, the
18 legislative corrections ombudsman, the senate and house fiscal
19 agencies, and the state budget director on substance abuse testing
20 and treatment program objectives, outcome measures, and results,
21 including program impact on offender success and programmatic
22 success.

23 Sec. 407. By April 1, the department shall place the
24 statistical report from the immediately preceding calendar year on
25 an Internet site. The statistical report shall include, but not be
26 limited to, the information as provided in the 2004 statistical
27 report.

1 Sec. 408. The department shall measure the recidivism rates of
2 offenders.

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

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

18 (3) By March 1, the department shall provide a report to the
19 senate and house appropriations subcommittees on corrections, the
20 legislative corrections ombudsman, and the senate and house fiscal
21 agencies detailing the results of the workforce development
22 program.

23 Sec. 410. (1) The funds included in part 1 for community
24 corrections comprehensive plans and services are to encourage the
25 development through technical assistance grants, implementation,
26 and operation of community corrections programs that enhance
27 offender success and that also may serve as an alternative to

1 incarceration in a state facility or jail. The comprehensive
2 corrections plans shall include an explanation of how the public
3 safety will be maintained, the goals for the local jurisdiction,
4 offender target populations intended to be affected, offender
5 eligibility criteria for purposes outlined in the plan, and how the
6 plans will meet the following objectives, consistent with section
7 8(4) of the community corrections act, 1988 PA 511, MCL 791.408:

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

10 (b) Improve the appropriate utilization of jail facilities,
11 the first priority of which is to open jail beds intended to house
12 otherwise prison-bound felons, and the second priority being to
13 appropriately utilize jail beds so that jail crowding does not
14 occur.

15 (c) Open jail beds through the increase of pretrial release
16 options.

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

18 (e) Reduce the admission or readmission to prison of
19 offenders, including probation violators and parole violators, for
20 substance abuse violations.

21 (f) Contribute to offender success.

22 (2) The award of community corrections comprehensive plans and
23 residential services funds shall be based on criteria that include,
24 but are not limited to, the prison commitment rate by category of
25 offenders, trends in prison commitment rates and jail utilization,
26 historical trends in community corrections program capacity and
27 program utilization, and the projected impact and outcome of annual

1 policies and procedures of programs on offender success, prison
2 commitment rates, and jail utilization.

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

8 Sec. 411. The comprehensive corrections plans shall also
9 include, where appropriate, descriptive information on the full
10 range of sanctions and services that are available and utilized
11 within the local jurisdiction and an explanation of how jail beds,
12 residential services, the special alternative incarceration
13 program, probation detention centers, the electronic monitoring
14 program for probationers, and treatment and rehabilitative services
15 will be utilized to support the objectives and priorities of the
16 comprehensive corrections plans and the purposes and priorities of
17 section 8(4) of the community corrections act, 1988 PA 511, MCL
18 791.408, that contribute to the success of offenders. The plans
19 shall also include, where appropriate, provisions that detail how
20 the local communities plan to respond to sentencing guidelines
21 found in chapter XVII of the code of criminal procedure, 1927 PA
22 175, MCL 777.1 to 777.69, and use the county jail reimbursement
23 program under section 414. The state community corrections board
24 shall encourage local community corrections advisory boards to
25 include in their comprehensive corrections plans strategies to
26 collaborate with local alcohol and drug treatment agencies of the
27 MDHHS for the provision of alcohol and drug screening, assessment,

1 case management planning, and delivery of treatment to alcohol- and
2 drug-involved offenders.

3 Sec. 412. (1) As part of the March biannual report specified
4 in section 12(2) of the community corrections act, 1988 PA 511, MCL
5 791.412, that requires an analysis of the impact of that act on
6 prison admissions and jail utilization, the department shall submit
7 to the senate and house appropriations subcommittees on
8 corrections, the legislative corrections ombudsman, the senate and
9 house fiscal agencies, and the state budget director the following
10 information for each county and counties consolidated for
11 comprehensive corrections plans:

12 (a) Approved technical assistance grants and comprehensive
13 corrections plans including each program and level of funding, the
14 utilization level of each program, and profile information of
15 enrolled offenders.

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

19 (c) Status of the community corrections information system and
20 the jail population information system.

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

24 (e) Offender disposition data by sentencing guideline range,
25 by disposition type, by prior record variable score, by number and
26 percent statewide and by county, current year, and comparisons to
27 the previous 3 years.

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

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

6 Sec. 413. (1) The department shall identify and coordinate
7 information regarding the availability of and the demand for
8 community corrections programs, jail-based community corrections
9 programs, jail-based probation violation sanctions, and all state-
10 required jail data.

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

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

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

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

24 (a) The felon's sentencing guidelines recommended range upper
25 limit is more than 18 months, the felon's sentencing guidelines
26 recommended range lower limit is 12 months or less, the felon's
27 prior record variable score is 35 or more points, and the felon's

1 sentence is not for commission of a crime in crime class G or crime
2 class H or a nonperson crime in crime class F under chapter XVII of
3 the code of criminal procedure, 1927 PA 175, MCL 777.1 to 777.69.

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

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

12 (3) State reimbursement under this subsection shall be \$60.00
13 per diem per diverted offender for offenders with a presumptive
14 prison guideline score, \$50.00 per diem per diverted offender for
15 offenders with a straddle cell guideline for a group 1 crime, and
16 \$35.00 per diem per diverted offender for offenders with a straddle
17 cell guideline for a group 2 crime. Reimbursements shall be paid
18 for sentences up to a 1-year total.

19 (4) As used in this subsection:

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

1 2008 Group One Crimes Reimbursed", dated March 31, 2009.

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

6 (c) "In the custody of the sheriff" means that the convicted
7 felon has been sentenced to the county jail and is either housed in
8 the county jail or has been released from jail and is being
9 monitored through the use of the sheriff's electronic monitoring
10 system.

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

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

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 members of the senate and house appropriations subcommittees on
7 corrections, the legislative corrections ombudsman, the senate and
8 house fiscal agencies, and the state budget director on each of the
9 following programs from the previous fiscal year:

10 (a) The county jail reimbursement program.

11 (b) The felony drunk driver jail reduction and community
12 treatment program.

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

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

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

22 (b) Expenditures by location.

23 (c) The impact on jail utilization.

24 (d) The impact on prison admissions.

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

27 Sec. 418. (1) The department shall collaborate with the state

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

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

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

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

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

1 county jails, the net operating capacity according to the most
2 recent certification report, identified by date, 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 parole
27 sanction certainty pilot 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 pilot
5 program. The pilot program may be utilized as a condition of parole
6 for 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
12 director. The report shall include program performance
13 measurements, the number of individuals who participate in the
14 pilot program, the number of individuals who return to prison after
15 participating, and outcomes of participants who complete the
16 program.

17 Sec. 422. (1) On a quarterly basis, the department shall issue
18 a report to the senate and house appropriations subcommittees on
19 corrections, the senate and house fiscal agencies, and the
20 legislative corrections ombudsman, for the previous 4 quarters
21 detailing the outcomes of prisoners who have been reviewed for
22 parole. The report shall include all of the 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) For each parole decision, all of the following:

1 (i) How many times each prisoner had been reviewed for parole
2 before he or she was granted or denied parole during the reporting
3 quarter.

4 (ii) How far each prisoner was past his or her earliest
5 release date at the time of his or her most recent review.

6 (iii) Whether the prisoner was determined to have a high,
7 medium, or low likelihood of parole.

8 (2) For each prisoner whose parole was denied or deferred, the
9 report under subsection (1) shall give the reason for the denial or
10 deferral. If the reason for denial or deferral is that the prisoner
11 has not completed required programming, the report shall include
12 all of the following:

13 (a) Whether the prisoner was offered the relevant programming.

14 (b) How many months before his or her earliest release date
15 the prisoner was enrolled in the relevant program.

16 (c) If the prisoner failed to complete the program, whether it
17 was because of the prisoner's behavior or circumstances outside of
18 the prisoner's control.

19 Sec. 437. (1) Funds appropriated in part 1 for Goodwill Flip
20 the Script shall be distributed to a Michigan-chartered 501(c)(3)
21 nonprofit corporation operating in a county with greater than
22 1,500,000 people for administration and expansion of a program
23 which serves a population of persons aged 16 to 29. The program
24 shall target those who are entering the criminal justice system for
25 the first or second time and shall assist those individuals through
26 the following program types:

27 (a) Alternative sentencing programs in partnership with a

1 local district or circuit court.

2 (b) Educational recovery for special adult populations with
3 high rates of illiteracy.

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

5 (2) The program selected shall report by March 30 to the
6 department, the senate and house appropriations subcommittees on
7 corrections, the senate and house fiscal agencies, the legislative
8 corrections ombudsman, and the state budget director. The report
9 shall include program performance measurements, the number of
10 individuals diverted from incarceration, the number of individuals
11 served, and outcomes of participants who complete the program.

12 BUDGET AND OPERATIONS ADMINISTRATION

13 Sec. 501. From the funds appropriated in part 1 for
14 prosecutorial and detainer expenses, the department shall reimburse
15 counties for housing and custody of parole violators and offenders
16 being returned by the department from community placement who are
17 available for return to institutional status and for prisoners who
18 volunteer for placement in a county jail.

19 Sec. 502. Funds included in part 1 for the sheriffs'
20 coordinating and training office are appropriated for and may be
21 expended to defray costs of continuing education, certification,
22 recertification, decertification, and training of local corrections
23 officers, the personnel and administrative costs of the sheriffs'
24 coordinating and training office, the local corrections officers
25 advisory board, and the sheriffs' coordinating and training council
26 under the local corrections officers training act, 2003 PA 125, MCL

1 791.531 to 791.546.

2 Sec. 503. The department shall issue a quarterly report for
3 all vendor contracts to the senate and house appropriations
4 subcommittees on corrections, the senate and house fiscal agencies,
5 and the legislative corrections ombudsman. The report shall cover
6 the previous 4 quarters and include all of the following:

7 (a) The original start date and the current expiration date of
8 each contract.

9 (b) The number, if any, of site visits completed by the
10 department for each vendor.

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

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

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

1 authorized amount; and its expected future useful life.

2 Sec. 509. (1) The department shall conduct a study on the
3 Michigan state industries program. The study shall focus on
4 determining which industries within the 10 identified prosperity
5 regions in this state have the maximum benefit to the prisoner
6 population in providing marketable skills and leading to employable
7 outcomes after release of the prisoner from a department facility.
8 The report shall also include data on the current labor force
9 trends in the prosperity regions of this state and how the
10 operations of Michigan state industries can work in coordination
11 with local communities to determine the industries that would
12 produce the greatest number of employable prisoners upon release.

13 (2) By December 1, the department shall provide a report to
14 the senate and house appropriations subcommittees on corrections,
15 the senate and house fiscal agencies, and the legislative
16 corrections ombudsman detailing the results and recommendations
17 from the study on Michigan state industries described in subsection
18 (1).

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

1 with life skills development.

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

7 **FIELD OPERATIONS ADMINISTRATION**

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

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

19 Sec. 602. (1) The funds appropriated in part 1 for the
20 supervising region incentive program shall be used only for 1 or
21 more of the following purposes:

22 (a) As an incentive to field operations administration regions
23 that implement supervision practices, procedures, and sanctions
24 directed at parole and probation revocation reduction within the
25 region.

26 (b) To assist field operations administration regions to

1 implement supervision practices, procedures, and sanctions directed
2 at parole and probation revocation reduction within the region.

3 (2) To be eligible to receive incentive funding under
4 subsection (1), a field operations administration region shall
5 enter into an agreement with the department to seek a 10% reduction
6 in parole and probation revocations in the field operations
7 administration region by implementing the practices, procedures,
8 and sanctions, as applicable, under the parole sanction certainty
9 act in chapter IIIB of the corrections code of 1953, 1953 PA 232,
10 MCL 791.258 to 791.258g, or by other efforts to reduce parole and
11 probation revocations. A field operations administration region
12 shall develop its plan with the voluntary input of the sheriffs,
13 courts, prosecutors, and community corrections.

14 (3) A field operations administration region shall only
15 receive the incentive funds under subsection (1) if the field
16 operations administration region achieves a 10% reduction in parole
17 and probation revocations.

18 (4) Incentive funds received by a field operations
19 administration region may only be used for the following purposes:

20 (a) The purchase and maintenance of monitoring technology.

21 (b) Job training.

22 (c) Substance abuse treatment.

23 (d) Mental health counseling and treatment.

24 (e) Approved parolee and probationer incentive programs.

25 (f) The hiring of additional supervising agents to reduce
26 supervising agent caseloads.

27 (g) Reimbursement for jail services.

1 (5) By November 1, the department shall submit a report for
2 the previous fiscal year to the senate and house appropriations
3 subcommittees on corrections, the senate and house fiscal agencies,
4 and the legislative corrections ombudsman detailing all of the
5 following:

6 (a) Which and how many of the 10 field operations
7 administration regions are participating in the incentive funding
8 program described in subsection (1).

9 (b) The total, if any, of the avoided costs of incarceration
10 realized through the implementation of the supervision practices,
11 procedures, and sanctions for probationers and parolees described
12 in subsection (2).

13 (c) The total, if any, of the avoided costs to victims
14 realized through the implementation of the supervision practices,
15 procedures, and sanctions for probationers and parolees described
16 in subsection (2).

17 (d) The total, if any, of the avoided costs of the probation
18 or parole revocation process realized through the implementation of
19 the supervision practices, procedures, and sanctions for
20 probationers and parolees described in subsection (2).

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

27 (2) Program participant contributions and local program

1 reimbursement for the curfew monitoring program appropriated in
2 part 1 are related to program expenditures and may be used to
3 offset expenditures for this purpose.

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

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

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

1 Sec. 604. The funds appropriated in part 1 for criminal
2 justice reinvestment shall be used only to fund evidence-based
3 programs designed to reduce recidivism among probationers and
4 parolees. Any program to be funded from this section must first be
5 reviewed by the criminal justice policy commission to determine the
6 effectiveness of the program. Any contract funded from this section
7 must issue a request for proposal and have bidders evaluated by a
8 joint evaluation committee before a bid may be accepted.

9 Sec. 611. The department shall prepare by March 1 individual
10 reports for the community reentry program, the electronic
11 monitoring program, and the special alternative to incarceration
12 program. The reports shall be submitted to the senate and house
13 appropriations subcommittees on corrections, the legislative
14 corrections ombudsman, the senate and house fiscal agencies, and
15 the state budget director. Each program's report shall include
16 information on all of the following:

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

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

25 (c) Number of successful terminations.

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

27 (e) Average length of placement.

1 (f) Return to prison statistics.

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

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

6 (i) Comparison with prior year statistics.

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

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

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

1 parole, and for parolees who have been paroled more than once:

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

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

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

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

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

23 Sec. 615. The department shall submit a report containing a
24 list detailing the number of prisoners who have received life
25 imprisonment sentences with the possibility of parole and who are
26 currently eligible for parole to the senate and house
27 appropriations subcommittees on corrections, the senate and house

1 fiscal agencies, the legislative corrections ombudsman, and the
2 state budget director by January 1.

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

7 **HEALTH CARE**

8 Sec. 802. As a condition of expenditure of the funds
9 appropriated in part 1, the department shall provide the senate and
10 house of representatives appropriations subcommittees on
11 corrections, the legislative corrections ombudsman, the senate and
12 house fiscal agencies, and the state budget director with quarterly
13 reports on physical and mental health care detailing quarterly and
14 fiscal year-to-date expenditures itemized by vendor, allocations,
15 status of payments from contractors to vendors, and projected year-
16 end expenditures from accounts for prisoner health care, mental
17 health care, pharmaceutical services, and durable medical
18 equipment.

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

26 (2) The department shall assure that any such signed release

1 forms follow a prisoner upon transfer to another department
2 facility or to the supervision of a parole officer.

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

5 Sec. 804. The department shall report quarterly to the senate
6 and house appropriations subcommittees on corrections, the
7 legislative corrections ombudsman, the senate and house fiscal
8 agencies, and the state budget director on prisoner health care
9 utilization. The report shall include the number of inpatient
10 hospital days, outpatient visits, emergency room visits, and
11 prisoners receiving off-site inpatient medical care in the previous
12 quarter, by facility.

13 Sec. 805. If a prisoner aged 26 years or under is determined
14 not to be eligible for Medicaid, the department shall determine
15 whether the prisoner is eligible for dependent health insurance
16 coverage.

17 Sec. 806. From the funds appropriated in part 1 for mental
18 health services and support, the department shall expand its mental
19 health treatment and sex offender treatment programs. The purpose
20 of this enhancement is to address increased caseloads, reduce the
21 number of prisoners on the waiting list who are past their earliest
22 release date, and reduce the percentage of prisoners readmitted to
23 mental health programs at their previous level of care.

24 Sec. 807. The funds appropriated in part 1 for Hepatitis C
25 treatment shall be used only to purchase specialty medication for
26 Hepatitis C treatment in the prison population. In addition to the
27 above appropriation, any rebates received from the medications used

1 shall be used only to purchase specialty medication for Hepatitis C
2 treatment. On a quarterly basis, the department shall issue a
3 report to the senate and house appropriations subcommittees on
4 corrections, the senate and house fiscal agencies, and the
5 legislative corrections ombudsman, showing for the previous 4
6 quarters the total amount spent on specialty medication for the
7 treatment of Hepatitis C, the number of prisoners that were
8 treated, the amount of any rebates that were received from the
9 purchase of specialty medication, and what outstanding rebates are
10 expected to be received.

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

23 (2) The department shall provide the senate and house
24 appropriations subcommittees on corrections, the legislative
25 corrections ombudsman, the senate and house fiscal agencies, and
26 the state budget director with quarterly updates on the utilization
27 of Medicaid benefits for prisoners.

1 Sec. 814. The department shall assure that psychotropic
2 medications are available, when deemed medically necessary by a
3 licensed medical service provider, to prisoners who have mental
4 illness diagnoses but are not enrolled in corrections mental health
5 services.

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

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

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

16 **CORRECTIONAL FACILITIES ADMINISTRATION**

17 Sec. 901. The department shall enter into an agreement to
18 lease the North Lake Correctional Facility in Baldwin, Michigan.
19 Under the agreement, the department shall operate the facility and,
20 in exchange for a payment that shall be negotiated by the parties
21 to the agreement, house any prisoners for whom the current owner is
22 currently contracted to provide custody if such an agreement is
23 determined to be valuable to the department. The department shall
24 utilize the excess facility capacity, if any, to effectively manage
25 the population of prisoners under the jurisdiction of the
26 department that are currently housed in other facilities operated

1 by this state.

2 Sec. 902. From the funds appropriated in part 1 for the
3 Education Program, the department shall use \$3,000,000.00 to expand
4 the vocational village program.

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

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

27 Sec. 907. The department shall report by March 1 to the senate

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

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

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

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

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

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

27 (f) An identification of program outcomes for each academic

1 and vocational program.

2 (g) An explanation of the department's plans for academic and
3 vocational programs, including plans to contract with intermediate
4 school districts for high school equivalency and high school
5 diploma programs.

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

9 Sec. 908. From the funds appropriated in part 1, the
10 department shall explore the feasibility of establishing an online
11 career high school education pilot program, or other alternatives
12 to providing prisoners with a high school diploma in lieu of a high
13 school equivalency. The department shall explore establishing
14 outside partnerships to assist the department with providing high
15 school diplomas. The department shall submit a report by April 1 to
16 the senate and house appropriations subcommittees on corrections,
17 the senate and house fiscal agencies, the legislative corrections
18 ombudsman, and the state budget director that describes the
19 necessary steps the department would have to take, the resources
20 the department would need, and departmental organizational changes
21 that would be required, and the feasibility of the department's
22 forming outside partnerships to assist with providing prisoners
23 with a high school diploma in lieu of a high school equivalency.

24 Sec. 910. The department shall allow the Michigan Braille
25 transcribing fund program to operate at its current location. The
26 donation of the building by the Michigan Braille transcribing fund
27 at the G. Robert Cotton Correctional Facility in Jackson is

1 acknowledged and appreciated. The department shall continue to
2 encourage the Michigan Braille transcribing fund program to produce
3 high-quality materials for use by the visually impaired.

4 Sec. 911. 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 director the number of critical
8 incidents occurring each month by type and the number and severity
9 of assaults, escape attempts, suicides, and attempted suicides
10 occurring each month at each facility during the immediately
11 preceding calendar year.

12 Sec. 912. The department shall report to the senate and house
13 appropriations subcommittees on corrections, the legislative
14 corrections ombudsman, the senate and house fiscal agencies, and
15 the state budget director by March 1 on the ratio of correctional
16 officers to prisoners for each correctional institution, the ratio
17 of shift command staff to line custody staff, and the ratio of
18 noncustody institutional staff to prisoners for each correctional
19 institution.

20 Sec. 913. (1) It is the intent of the legislature that any
21 prisoner required to complete a violence prevention program, sexual
22 offender program, or other program as a condition of parole shall
23 be placed on the wait list for the appropriate programming upon
24 entrance to prison and transferred to a facility where that program
25 is available in order to accomplish timely completion of that
26 program prior to the expiration of his or her minimum sentence and
27 eligibility for parole. Nothing in this section should be deemed to

1 make parole denial appealable in court.

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

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

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

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

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

1 serious mental illness or serious developmental disorder who is
2 confined in these specialized housing programs shall be evaluated
3 or monitored by a medical professional at a frequency of not less
4 than every 12 hours.

5 Sec. 925. 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 director on the annual number of
9 prisoners in administrative segregation between October 1, 2015 and
10 September 30, 2016, and the annual number of prisoners in
11 administrative segregation between October 1, 2015 and September
12 30, 2016 who at any time during the current or prior prison term
13 were diagnosed with serious mental illness or have a developmental
14 disorder and the number of days each of the prisoners with serious
15 mental illness or a developmental disorder have been confined to
16 administrative segregation.

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

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

23 Sec. 937. The department shall not issue a request for
24 proposal (RFP) for a contract in excess of \$5,000,000.00, unless
25 the department has first considered issuing a request for
26 information (RFI) or a request for qualification (RFQ) relative to
27 that contract to better enable the department to learn more about

1 the market for the products or services that are the subject of the
2 future RFP. The department shall notify the department of
3 technology, management, and budget of the evaluation process used
4 to determine if an RFI or RFQ was not necessary prior to issuing
5 the RFP.

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

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

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

25 Sec. 945. The department shall investigate options for
26 increasing the visiting capacity at Central Michigan Correctional
27 Facility - St. Louis in order to ease visiting room overcrowding.

1 The department shall submit a report by April 1 to the senate and
2 house of representatives appropriations subcommittees on
3 corrections, the senate and house fiscal agencies, the legislative
4 corrections ombudsman, and the state budget director on progress
5 being made to address visiting room overcrowding.

6 **INFORMATION TECHNOLOGY**

7 Sec. 1000. From the funds appropriated in part 1 for
8 information technology services and projects, the department shall
9 expand bandwidth in 25 correctional facilities and 113 field
10 operations offices. The purpose of this bandwidth expansion is to
11 support critical information technology systems that provide
12 platforms for several mandated programs and department cost savings
13 efforts.

14 **MISCELLANEOUS**

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

1 year 2016-2017, except that the line items will be adjusted for
2 changes in caseload and related costs, federal fund match rates,
3 economic factors, and available revenue. These adjustments will be
4 determined after the January 2017 consensus revenue estimating
5 conference.