



DEPARTMENT OF CORRECTIONS - BOILERPLATE

FY 2012-2013 CURRENT LAW	FY 2013-2014		
	EXECUTIVE	HOUSE	SENATE
<p><u>GENERAL SECTIONS</u></p> <p><i>Estimates total state spending and payments to local units of government.</i></p> <p>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 2012-2013 is \$1,990,875,100.00 and state spending from state resources to be paid to local units of government for fiscal year 2012-2013 is \$91,166,400.00. The itemized statement below identifies appropriations from which spending to local units of government will occur:</p> <p>DEPARTMENT OF CORRECTIONS</p> <p>Field operations – assumption of county probation staff\$55,192,700</p> <p>Community corrections comprehensive plans and services..... 13,958,000</p> <p>Community corrections residential services..... 16,075,500</p> <p>Felony drunk driver jail reduction and community treatment program..... 1,440,100</p> <p>Regional jail program 100</p> <p>Public safety initiative..... 4,500,000</p> <p>TOTAL..... \$ 91,166,400</p>	<p>Sec. 5-201. Retains current law; adjusts amounts to reflect Executive bill appropriations; updates fiscal years.</p>	<p>Sec. 201. Retains current law; adjusts amounts to reflect House bill appropriations; updates fiscal years.</p>	<p>Sec. 201. Retains current law; adjusts amounts to reflect Senate bill appropriations; updates fiscal years.</p>
<p><i>Subjects appropriations to the Management and Budget Act.</i></p> <p>Sec. 202. The appropriations authorized under this article are subject to the management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594.</p>	<p>Sec. 20-202. Retains current law.</p>	<p>Sec. 202. Retains current law.</p>	<p>Sec. 202. Retains current law.</p>



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<p>Describes acronym definitions contained in the appropriations act.</p> <p>Sec. 203. As used in this article:</p> <p>(a) "Administrative segregation" means confinement for maintenance of order or discipline to a cell or room apart from accommodations provided for inmates who are participating in programs of the facility.</p> <p>(b) "Cost per prisoner" means the sum total of the funds appropriated under part 1 for the following, divided by the projected prisoner population in fiscal year 2011-2012:</p> <p>(i) Northern and southern region correctional facilities.</p> <p>(ii) Northern and southern region administration and support.</p> <p>(iii) Northern and southern region clinical complexes.</p> <p>(iv) Prisoner health care services.</p> <p>(v) Health care administration.</p> <p>(vi) Vaccination program.</p> <p>(vii) Prison food service and federal school lunch program.</p> <p>(viii) Transportation.</p> <p>(ix) Inmate legal services.</p> <p>(x) Correctional facilities administration.</p> <p>(xi) Central records.</p> <p>(xii) DOJ psychiatric plan.</p> <p>(xiii) Worker's compensation.</p> <p>(xiv) New custody staff training.</p> <p>(xv) Prison store operations.</p> <p>(xvi) Education services and federal education grants.</p> <p>(xvii) Education program.</p> <p>(c) "DAG" means the United States department of agriculture.</p> <p>(d) "DAG-FNS" means the DAG food and nutrition service.</p> <p>(e) "DED" means the United States department of education.</p> <p>(f) "DED-OESE" means the DED office of elementary and secondary education.</p> <p>(g) "DED-OSERS" means the DED office of special education and rehabilitative services.</p> <p>(h) "DED-OVAE" means the DED office of vocational and adult education.</p>	EXECUTIVE	HOUSE	SENATE
	<p>Sec. 5-203. Retains current law; adjusts acronyms to reflect those that are included in the Executive bill.</p>	<p>Sec. 203. Retains current law; adjusts acronyms to reflect those that are included in the House bill.</p>	<p>Sec. 203. Retains current law; adjusts acronyms to reflect those that are included in the Senate bill.</p>



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<p>(i) "Department" or "MDOC" means the Michigan department of corrections.</p> <p>(j) "DOJ" means the United States department of justice.</p> <p>(k) "DOJ-BOP" means the DOJ bureau of prisons.</p> <p>(l) "DOJ-OJP" means the DOJ office of justice programs.</p> <p>(m) "Evidence-based practices" or "EBP" means a decision-making process that integrates the best available research, clinician expertise, and client characteristics.</p> <p>(n) "FTE" means full-time equated.</p> <p>(o) "GED" means general educational development certificate.</p> <p>(p) "Goal" means the intended or projected result of a comprehensive corrections plan or community corrections program to reduce repeat offending, criminogenic and high-risk behaviors, prison commitment rates, to reduce the length of stay in a jail, or to improve the utilization of a jail.</p> <p>(q) "GPS" means global positioning system.</p> <p>(r) "HIV" means human immunodeficiency virus.</p> <p>(s) "IDG" means interdepartmental grant.</p> <p>(t) "IDT" means intradepartmental transfer.</p> <p>(u) "Jail" means a facility operated by a local unit of government for the physical detention and correction of persons charged with or convicted of criminal offenses.</p> <p>(v) "MDCH" means the Michigan department of community health.</p> <p>(w) "Medicaid benefit" means a benefit paid or payable under a program for medical assistance under the social welfare act, 1939 PA 280, MCL 400.1 to 400.119b.</p> <p>(x) "MDSP" means the Michigan department of state police.</p> <p>(y) "MPRI" means the Michigan prisoner reentry initiative.</p> <p>(z) "Objective risk and needs assessment" means an evaluation of an offender's criminal history; the offender's noncriminal history; and any other factors relevant to the risk the offender would present to the public safety, including, but not limited to, having demonstrated a pattern of violent behavior, and a criminal record that indicates a pattern of violent offenses.</p>	EXECUTIVE	HOUSE	SENATE	



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<p>(aa) "Offender eligibility criteria" means particular criminal violations, state felony sentencing guidelines descriptors, and offender characteristics developed by advisory boards and approved by local units of government that identify the offenders suitable for community corrections programs funded through the office of community corrections.</p> <p>(bb) "Offender success" means that an offender has done all of the following:</p> <ul style="list-style-type: none"> (i) Regularly reported to his or her assigned field agent. (ii) Is participating in or has successfully completed all required substance abuse, mental health, sex offender, or other treatment as approved by the field agent. (iii) Not sent or returned to prison for the conviction of a new crime or the revocation of probation or parole. (iv) Not been sentenced to a jail term for a new criminal offense. (v) Obtained employment, has enrolled or participated in a program of education or job training, or has investigated all bona fide employment opportunities. (vi) Obtained housing. <p>(cc) "Offender target population" means felons or misdemeanants who would likely be sentenced to imprisonment in a state correctional facility or jail, who would not likely increase the risk to the public safety based on an objective risk and needs assessment that indicates that the offender can be safely treated and supervised in the community.</p> <p>(dd) "Offender who would likely be sentenced to imprisonment" means either of the following:</p> <ul style="list-style-type: none"> (i) A felon or misdemeanant who receives a sentencing disposition that appears to be in place of incarceration in a state correctional facility or jail, according to historical local sentencing patterns. (ii) A currently incarcerated felon or misdemeanant who is granted early release from incarceration to a community corrections program or who is granted early release from incarceration as a result of a community corrections program. 	EXECUTIVE	HOUSE	SENATE



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<p>(ee) "Programmatic success" means that the department program or initiative has ensured that the offender has accomplished all of the following:</p> <p>(i) Obtained employment, has enrolled or participated in a program of education or job training, or has investigated all bona fide employment opportunities.</p> <p>(ii) Obtained housing.</p> <p>(iii) Obtained a state identification card.</p> <p>(ff) "Recidivism" means any of the following:</p> <p>(i) The arrest and conviction of a supervised individual for a new offense while under community supervision.</p> <p>(ii) The adjudication of a supervised individual for a violation of the conditions of supervision while under community supervision.</p> <p>(iii) A sanction resulting from a violation of terms of supervision that results in a return to prison without being adjudicated.</p> <p>(gg) "RSAT" means residential substance abuse treatment.</p> <p>(hh) "Serious emotional disturbance" means that term as defined in section 100d(2) of the mental health code, 1974 PA 328, MCL 330.1100d.</p> <p>(ii) "Serious mental illness" means that term as defined in section 100d(3) of the mental health code, 1974 PA 328, MCL 330.1100d.</p> <p>(jj) "SSA" means the United States social security administration.</p> <p>(kk) "SSA-SSI" means SSA supplemental security income.</p>			
<p><i>Requires the Civil Service Commission to bill for the 1% charge authorized by the State Constitution.</i></p> <p>Sec. 204. The civil service commission shall bill departments and agencies at the end of the first fiscal quarter for the charges authorized by section 5 of article XI of the state constitution of 1963. Payments shall be made for the total amount of the billing by the end of the second fiscal quarter.</p>	<p>Strikes current law.</p>	<p>Strikes current law.</p>	<p>Strikes current law.</p>



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<p><i>Requires a comparison of compensation rates for health care professionals providing service within corrections system and comparable professionals in the private sector with recommendations regarding any changes needed to the compensation plan.</i></p> <p>Sec. 204a. (1) The department shall collaborate with the civil service commission and the department of civil service to review the compensation rates for health care professionals who provide direct health care services to prisoners within the corrections system, including, but not limited to, doctors, all nursing professionals, pharmacists, pharmacy technicians, and psychologists. The review shall include health care professionals employed by the state as well as those employed through state contractors. These rates shall be compared to available data on compensation rates for comparable medical professionals in the private sectors who provide services to the general public to estimate any disparity in compensation.</p> <p>(2) Following the review, the department shall make recommendations on changes needed to the state compensation plan for health care professional positions and to department contracts with health care providers so that compensation levels are sufficient to ensure that needed health care professional positions with vacancies are filled, that the department experiences adequate retention levels for these positions, and that necessary health care services are delivered in a timely manner to the prisoner population. A report outlining these recommendations shall be submitted to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, and the state budget office by May 1, 2012.</p>	Strikes current law.	Strikes current law.	Strikes current law.
<p><i>Prohibits MDOC from taking disciplinary action against employees for communicating with legislators or their staff.</i></p> <p>Sec. 206. The department shall not take disciplinary action against an employee for communicating with a member of the legislature or his or her staff.</p>	Strikes current law.	Sec. 206. Retains current law.	Sec. 206. Retains current law.



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<p><i>Requires that state employees be allowed to bid on contracts that privatize services that had been provided by state employees; state employment would cease if bid was successful.</i></p> <p>Sec. 207. State employees shall be given the opportunity to bid on contracts that privatize services that are or were provided by state employees. If the contract is awarded to any state employee, he or she ceases being an employee of the state.</p>	Strikes current law.	Sec. 207. Retains current law.	Strikes current law.
<p><i>Requires MDOC to use the Internet to fulfill reporting requirements; authorizes transmission of reports via e-mail or on an Internet site.</i></p> <p>Sec. 208. Unless otherwise specified, the department shall use the Internet to fulfill the reporting requirements of this article. This requirement may include transmission of reports via electronic mail to the recipients identified for each reporting requirement or it may include placement of reports on an Internet or Intranet site.</p>	Sec. 20-203. Retains current law.	Sec. 208. Retains current law.	Sec. 208. Retains current law.
<p><i>Prohibits the purchase of foreign goods or services if competitively priced and of comparable quality American goods or services are available; requires preference to be given to goods and/or services manufactured by Michigan businesses and Michigan businesses owned and operated by veterans.</i></p> <p>Sec. 209. Funds appropriated in part 1 shall not be used for the purchase of foreign goods or services, or both, if competitively priced and of comparable quality American goods or services, or both, are available. Preference shall be given to goods or services, or both, manufactured or provided by Michigan businesses, if they are competitively priced and of comparable quality. In addition, preference should be given to goods or services, or both, that are manufactured or provided by Michigan businesses owned and operated by veterans, if they are competitively priced and of comparable quality.</p>	Strikes current law.	Sec. 209. Retains current law.	Sec. 209. Retains current law.



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<p>Authorizes MDOC to collect various reimbursements to cover expenses; requires restitution payments to be a condition of community supervision; requires a report on the fees collected.</p> <p>Sec. 211. (1) The department may charge fees and collect revenues in excess of appropriations in part 1 not to exceed the cost of offender services and programming, employee meals, parolee loans, academic/vocational services, custody escorts, compassionate visits, union steward activities, and public works programs and services provided to local units of government. The revenues and fees collected are appropriated for all expenses associated with these services and activities.</p> <p>(2) If a parolee or probationer has been ordered to pay restitution, the department shall ensure that payment is a condition of his or her community supervision. Restitution payments shall be made as provided in section 22 of chapter XV of the code of criminal procedure, 1927 PA 175, MCL 775.22. The department shall collect not more than 50% of all money collected from parolees and probationers for payments other than victim payments, as that term is defined in section 22 of chapter XV of the code of criminal procedure, 1927 PA 175, MCL 775.22.</p> <p>(3) By April 1, the department shall provide the members of the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, and the state budget director with a report detailing the collection of fees under this section. At minimum, this report shall include a categorical accounting of all fees collected under this section.</p>	EXECUTIVE	HOUSE	SENATE
	<p>Sec. 5-211. Retains current law (1); strikes (2) and (3).</p>	<p>Sec. 211. Retains current law.</p>	<p>Sec. 211. Retains current law (1); strikes (2) and (3).</p>



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<p>Requires a quarterly report on the number of full-time equated positions in pay status, including long-term vacancies.</p> <p>Sec. 212. On a quarterly basis, each executive branch department and agency receiving appropriations in part 1 shall report on the number of full-time equated positions in pay status by civil service classification to the senate and house appropriations subcommittees on corrections and the senate and house fiscal agencies. This report shall include a detailed accounting of the long-term vacancies that exist within each department. As used in this subsection, "long-term vacancy" means any full-time equated position that has not been filled at any time during the past 24 calendar months.</p>	Strikes current law.	Sec. 212. Retains current law.	Sec. 212. Retains current law; adds Legislative Corrections Ombudsman to list of recipients of report.
<p>Requires MDOC to pay user fees to DTMB for technology-related services and projects.</p> <p>Sec. 214. From the funds appropriated in part 1 for information technology, the department shall pay user fees to the department of technology, management, and budget for technology-related services and projects. These user fees shall be subject to provisions of an interagency agreement between the department and the department of technology, management, and budget.</p>	Strikes current law.	Strikes current law.	Strikes current law.
<p>Designates appropriation for information technology as a work project account.</p> <p>Sec. 215. Amounts appropriated in part 1 for information technology may be designated as work projects and carried forward to support technology projects under the direction of the department of technology, management, and budget. Funds designated in this manner are not available for expenditure until approved as work projects under section 451a of the management and budget act, 1984 PA 431, MCL 18.1451a.</p>	Strikes current law.	Strikes current law.	Strikes current law.



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<p>Requires a report on all out-of-state travel by MDOC employees.</p> <p>Sec. 216. The departments and agencies receiving appropriations in part 1 shall prepare a report on out-of-state travel expenses not later than January 1 of each year. The travel report shall be a listing of all travel by classified and unclassified employees outside this state in the immediately preceding fiscal year that was funded in whole or in part with funds appropriated in the department's budget. The report shall be submitted to the house and senate standing committees on appropriations, the house and senate fiscal agencies, and the state budget director. The report shall include the following information: (a) The dates of each travel occurrence. (b) The total transportation and related costs of each travel occurrence, including the proportion funded with state general fund/general purpose revenues, the proportion funded with state restricted revenues, the proportion funded with federal revenues, and the proportion funded with other revenues.</p>	<p>Sec. 5-216. Retains current law.</p>	<p>Sec. 216. Retains current law.</p>	<p>Sec. 216. Retains current law; adds Legislative Corrections Ombudsman to list of recipients of report.</p>
<p>Establishes legislative intent that departments and agencies cooperate with DTMB on the state office space consolidation plan.</p> <p>Sec. 217. It is the intent of the legislature that all principal executive departments and agencies cooperate with the development and implementation of the department of technology, management, and budget statewide office space consolidation plan.</p>	<p>Strikes current law.</p>	<p>Strikes current law.</p>	<p>Strikes current law.</p>



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<p><i>Requires a report on estimated GF/GP appropriation lapses at the close of the fiscal year.</i></p> <p>Sec. 220. Not later than November 15, the department shall prepare and transmit a report that provides for estimates of the total general fund/general purpose appropriation lapses at the close of the fiscal year. This report shall summarize the projected year-end general fund/general purpose appropriation lapses by major departmental program or program areas. The report shall be transmitted to the office of the state budget, the chairpersons of the senate and house of representatives standing committees on appropriations, and the senate and house fiscal agencies.</p>	<p>Sec. 5-220. Retains current law, but changes date to November 30 and requires the State Budget Office to prepare and transmit the report instead of the department.</p>	<p>Sec. 220. Retains November 15 date; concurs with Executive on requiring the SBO to prepare and transmit the report.</p>	<p>Sec. 220. Retains current law, but changes date to November 30; concurs with Executive on requiring the SBO to prepare and transmit the report; adds Legislative Corrections Ombudsman to list of recipients of report.</p>
<p><i>Requires MDOC to maintain a searchable public website with information on spending, vendor payments, number of active employees, and job specifications/wage rates.</i></p> <p>Sec. 221. The department of technology, management, and budget shall maintain a searchable website accessible by the public at no cost that includes, but is not limited to, all of the following for each department or agency:</p> <ul style="list-style-type: none"> (a) Fiscal year-to-date expenditures by category. (b) Fiscal year-to-date expenditures by appropriation unit. (c) Fiscal year-to-date payments to a selected vendor, including the vendor name, payment date, payment amount, and payment description. (d) The number of active department employees by job classification. (e) Job specifications and wage rates. 	<p>Sec. 5-221. Retains current law, but requires the department to cooperate with DTMB in maintaining the website.</p>	<p>Sec. 221. Retains current law, but requires the department to cooperate with DTMB in maintaining the website.</p>	<p>Sec. 221. Retains current law, but requires the department to cooperate with DTMB in maintaining the website.</p>



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<p>Requires a report on litigation awards of \$250,000 or more against MDOC and MDOC employees.</p> <p>Sec. 224. By March 1, the department shall provide a litigation report to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, and the state budget director. The report shall identify all lawsuits adjudicated through the trial court phase in which the department or an employee acting on behalf of the department was a defendant and in which trial court proceedings resulted in a decision of \$250,000.00 or more against the department.</p>	<p>Strikes current law.</p>	<p>Sec. 224. Retains current law with the following revisions:</p> <p>\$250,000 changed to \$100,000</p> <p>Strikes "trial court phase"</p> <p>After "adjudicated" adds "or settled"</p> <p>Adds Legislative Corrections Ombudsman to list of recipients of report.</p>	<p>Sec. 224. Revises current law: Adds Legislative Corrections Ombudsman to list of recipients of report; requires report to individually identify all lawsuits filed; requires report to identify all lawsuits in the process of being filed; requires report to indicate the nature of the complaint; requires report to indicate the disposition of any lawsuit settled or adjudicated in which the settlement or ordered payment was \$100,000 or more.</p>
<p>Requires a report on state restricted fund balances, revenues collected, and expenditures.</p> <p>Sec. 229. Within 14 days after the release of the executive budget recommendation, the department shall provide the state budget director, the senate and house appropriations chairs, the senate and house appropriations subcommittees on corrections, respectively, and the senate and house fiscal agencies with an annual report on estimated state restricted fund balances, state restricted fund projected revenues, and state restricted fund expenditures for the fiscal years ending September 30, 2012 and September 30, 2013.</p>	<p>Sec. 5-229. Retains current law, but requires the department to cooperate with the State Budget Office in providing the report and updates fiscal years.</p>	<p>Sec. 229. Retains current law, but requires the department to cooperate with the State Budget Office in providing the report and updates fiscal years.</p>	<p>Sec. 229. Retains current law; adds Legislative Corrections Ombudsman to list of recipients of report.</p>
<p>Establishes legislative intent that revenue resulting from the sale of the Scott Correctional Facility be used to reimburse Michigan State Industries for costs related to the construction of the Industries Building.</p> <p>Sec. 236. It is the intent of the legislature that from the revenue resulting from the sale of the former Scott correctional facility sufficient funds shall be appropriated to the department to reimburse Michigan state industries for costs related to the construction of the Industries Building, which was operated by Michigan state industries on the site of the Scott correctional facility.</p>	<p>Strikes current law.</p>	<p>Strikes current law.</p>	<p>Strikes current law.</p>



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<p>Requires MDOC to follow state statutes and administrative rules related to procurement requests; requires a report on the improper use of purchasing authority that results in delays in a procurement request.</p> <p>Sec. 237. The department shall follow all requirements set forth in statute and administrative rules related to procurement requests and shall ensure that proper communication is maintained with the department of technology, management, and budget regarding the use of delegated purchasing authority granted by the department of technology, management, and budget. The department shall not pursue the procurement of any good or service on its own that falls outside its delegated authority from the department of technology, management, and budget. If any requests for proposal or requests for qualifications are delayed due to the department's improper use of purchasing authority under statute and administrative rules, the department shall report on the improper use to the house and senate appropriations subcommittees on corrections within 15 days after determining that the improper use occurred. The report shall review the purpose of the relevant procurement effort, explain why the improper use of delegated authority occurred, and outline steps being taken to ensure that improper use of delegated authority does not occur again in the future.</p>	Strikes current law.	Sec. 237. Retains current law.	Strikes current law.
<p>Expresses legislative intent that MDOC make additional efforts to sell, rent, or otherwise repurpose closed correctional facilities.</p> <p>Sec. 238. It is the intent of the legislature that the department make additional efforts to sell, rent, or otherwise repurpose closed correctional facilities.</p>	Strikes current law.	Strikes current law.	Sec. 238. Retains current law.



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<p><i>Expresses legislative intent that MDOC maintain a management-to-staff ratio of 1-to-5 at the central office and at regional administration offices.</i></p> <p>Sec. 239. It is the intent of the legislature that the department establish and maintain a management-to-staff ratio of not more than 1 supervisor for each 5 employees at the department's central office in Lansing and at both the northern and southern region administration offices.</p>	Strikes current law.	Strikes current law.	Sec. 239. Retains current law.
	<p><u>NEW LANGUAGE</u></p> <p>Sec. 5-230. Funds appropriated in part 1 shall not be used by a principal executive department, state agency, or authority to hire a person to provide legal services that are the responsibility of the attorney general. This prohibition does not apply to legal services for bonding activities and for those outside services that the attorney general authorizes.</p>	Sec. 230. Includes new Executive language.	Sec. 230. Includes new Executive language.
	Sec. 5-231. The department shall maintain, on a publicly accessible website, a department scorecard that identifies, tracks, and regularly updates key metrics that are used to monitor and improve the agency's performance.	Sec. 231. Includes new Executive language.	Sec. 231. Includes new Executive language.



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		<p><u>NEW LANGUAGE</u></p> <p>Sec. 242. The department shall implement the internal food service, offender transport, laundry, staff training, offender programming, and warehouse and distribution strategies as reported in the May 2012 milestone reports utilizing the process and disciplines of the supply chain transformation (SCT) continuous quality improvement (CQI) approach. The department shall implement the officer uniform, prisoner medical care, video conferencing cost reductions, and department and Michigan state industries (MSI) organizational reviews subsequently recommended by department personnel positively influenced by the SCT/CQI activities.</p>	Not included.



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		<p>Sec. 243. Joint evaluation committees formed to evaluate requests for proposals which solicit bids for department services (i.e., pharmaceutical service; electronic monitoring; food distribution; food service; health; mental health; special alternative incarceration; bed space) shall provide an initial report to the chairs of the senate and house appropriations subcommittees on corrections identifying the members of the joint evaluation committee and the department service to be solicited out for bids to vendors. The joint evaluation committee shall provide status reports to the chairs of the senate and house appropriations subcommittees on corrections within 7 days after any joint evaluation committee meeting detailing any findings or final decisions made by the joint evaluation committee.</p>	Not included.
		<p>Sec. 244. The department shall adhere to the systematic, collaborative, double-digit value creation supply chain transformation (SCT) approach introduced and facilitated by the external supply chain and business transformation expert contracted by the department in 2009 and recommended on December 10, 2009. The current corrections operations and services transformation (COST) shall continue using the SCT process and disciplines.</p>	Not included.



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		<p>Sec. 245. The department shall issue a report to the senate and house appropriations subcommittees on corrections by November 15 which details the steps taken by the department to implement the internal strategies and cost reductions recommended by the supply chain transformation (SCT) continuous quality improvement (CQI) teams and department personnel influenced by the SCT/CQI activities.</p>	Not included.
<p><u>EXECUTIVE</u></p> <p><i>Requires felony offender files to be maintained and publicly accessible for three years after the offender is released from MDOC jurisdiction.</i></p> <p>Sec. 301. For 3 years after a felony offender is released from the department's jurisdiction, the department shall maintain the offender's file on the offender tracking information system and make it publicly accessible in the same manner as the file of the current offender. However, the department shall immediately remove the offender's file from the offender tracking information system upon determination that the offender was wrongfully convicted and the offender's file is not otherwise required to be maintained on the offender tracking information system.</p>	<p>Sec. 5-301. Retains current law.</p>	<p>Sec. 301. Retains current law.</p>	<p>Sec. 301. Retains current law.</p>
<p>Language from PA 305 of 2012 (supplemental) <i>Requires special equipment fund revenue to be used for priority facility security systems; requires quarterly reports on expenditures.</i></p> <p>Sec. 301. (1) The appropriations in part 1 from the special equipment fund shall be used to address priority facility security systems and may include, but are not limited to, camera and recording systems, personal protection systems, electronic detection systems, and perimeter security devices.</p>	Not included.	Not included.	Not included.



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(2) The department of corrections shall submit quarterly reports to the senate and house appropriations committee chairs, the senate and house appropriations subcommittees on the department of corrections, and the senate and house fiscal agencies on all expenditures from the special equipment fund.			
<p>Requires MDOC to invite staff to suggest cost savings initiatives; requires a report on MDOC responses.</p> <p>Sec. 304. The director of the department shall maintain a staff savings initiative program to invite employees to submit suggestions for saving costs for the department. The department shall report semiannually to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, and the state budget director on the suggestions submitted under this section, the implementation plan for those suggestions with which the department agrees, and an explanation of any disagreements with suggestions.</p>	Strikes current law.	Sec. 304. Retains current law.	Sec. 304. Retains first sentence of current law; strikes reporting requirement.



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	EXECUTIVE	HOUSE	SENATE
<p>Requires a report on prisoner suicides, including information on circumstances of each suicide and the department's response.</p> <p>Sec. 305. By March 1, the department shall report to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, and the state budget director on the number of prisoners who committed suicide during the previous calendar year. To the extent permitted by law, the report shall include all of the following information:</p> <p>(a) The prisoner's age, offense, sentence, and admission date.</p> <p>(b) Each prisoner's facility and unit.</p> <p>(c) A description of the circumstances of the suicide.</p> <p>(d) The date of the suicide.</p> <p>(e) Whether the suicide occurred in a housing unit, a segregation unit, a mental health unit, or elsewhere on the grounds of the facility.</p> <p>(f) Whether the prisoner had been denied parole and the date of any denial.</p> <p>(g) Whether the prisoner had received a mental health evaluation or assessment.</p> <p>(h) Details on the department's responses to each suicide, including immediate on-site responses and subsequent internal investigations.</p> <p>(i) A description of any monitoring and psychiatric interventions that had been undertaken prior to the prisoner's suicide, including any changes in placement or mental health care.</p> <p>(j) Whether the prisoner had previously attempted suicide.</p>	<p>Strikes current law.</p>	<p>Sec. 305. Retains current law; adds Legislative Corrections Ombudsman to list of recipients of report.</p>	<p>Sec. 305. Retains current law; adds Legislative Corrections Ombudsman to list of recipients of report.</p>



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FY 2012-2013 CURRENT LAW	FY 2013-2014		
	EXECUTIVE	HOUSE	SENATE
<p><u>PLANNING AND COMMUNITY SUPPORT</u></p> <p><i>Requires MDOC to issue three- and five-year prison population projections, including a report on methodology.</i></p> <p>Sec. 401. The department shall submit 3-year and 5-year prison population projection updates concurrent with submission of the executive budget to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, and the state budget director. The report shall include explanations of the methodology and assumptions used in developing the projection updates.</p>	<p>Sec. 5-401. Retains current law.</p>	<p>Sec. 401. Retains current law.</p>	<p>Sec. 401. Retains current law; adds Legislative Corrections Ombudsman to list of recipients of report.</p>
<p><i>Expresses legislative intent that re-entry appropriations be expended for reducing victimization by reducing offender recidivism through specified programs and services; requires reports on actual prior-year and planned current-year MPRI expenditures and allocations; requires MDOC to continue efforts to establish indicators for offender success and failure with technical assistance from Justice Center of Council of State Governments.</i></p> <p>Sec. 402. (1) It is the intent of the legislature that the funds appropriated in part 1 for prisoner re-entry programs be expended for the purpose of reducing victimization by reducing repeat offending through the following prisoner re-entry programming:</p> <ul style="list-style-type: none"> (a) The provision of employment or employment services and job training. (b) The provision of housing assistance. (c) Referral to mental health services. (d) Referral to substance abuse services. (e) Referral to public health services. (f) Referral to education. (g) Referral to any other services necessary for successful reintegration. 	<p>Strikes current law.</p>	<p>Sec. 402. Retains current law; adds Legislative Corrections Ombudsman to list of recipients of report.</p>	<p>Sec. 402. Retains current law (1) and (2); strikes (3); adds Legislative Corrections Ombudsman to list of recipients of report.</p>



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FY 2012-2013 CURRENT LAW	FY 2013-2014		
	EXECUTIVE	HOUSE	SENATE
<p>(2) By March 1, the department shall provide a report on prisoner re-entry expenditures and allocations to the members of the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, and the state budget director. At a minimum, the report shall include information on both of the following:</p> <p>(a) Details on prior-year expenditures, including amounts spent on each project funded, itemized by service provided and service provider.</p> <p>(b) Allocations and planned expenditures for each project funded and for each project to be funded, itemized by service to be provided and service provider. The department shall provide an amended report quarterly, if any revisions to allocations or planned expenditures occurred during that quarter.</p> <p>(3) The department shall continue its efforts, with technical assistance provided by the justice center of the council of state governments, on establishing criteria and key indicators of the success and failure of offenders. Indicators shall reflect the status of and trends in key program elements, behavior improvements on the part of offenders, and whether targeted goals are being met.</p>			
<p><i>Requires MDOC to screen and assess each prisoner for substance abuse treatment needs, and to provide treatment with priority given to those most in need and who can best benefit from treatment.</i></p> <p>Sec. 404. (1) The department shall screen and assess each prisoner for alcohol and other drug involvement to determine the need for further treatment. The assessment process shall be designed to identify the severity of alcohol and other drug addiction and determine the treatment plan, if appropriate.</p> <p>(2) The department shall provide substance abuse treatment to prisoners with priority given to those prisoners who are most in need of treatment and who can best benefit from program intervention based on the screening and assessment provided under subsection (1).</p>	<p>Strikes current law.</p>	<p>Sec. 404. Retains current law.</p>	<p>Strikes current law.</p>



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FY 2012-2013 CURRENT LAW	FY 2013-2014		
	EXECUTIVE	HOUSE	SENATE
<p><i>Requires a report on expenditures related to substance abuse testing and treatment; encourages statewide availability of residential substance abuse treatment services; requires a report on program details and results.</i></p> <p>Sec. 405. (1) In expending residential substance abuse treatment services funds appropriated under this article, the department shall ensure to the maximum extent possible that residential substance abuse treatment services are available statewide.</p> <p>(2) By March 1, the department shall report to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, and the state budget director on the allocation, distribution, and expenditure of all funds appropriated by the substance abuse testing and treatment line item during fiscal year 2011-2012 and projected for fiscal year 2012-2013. The report shall include, but not be limited to, an explanation of an anticipated year-end balance, the number of participants in substance abuse programs, and the number of offenders on waiting lists for residential substance abuse programs. Information required under this subsection shall, where possible, be separated by MDOC administrative region and by offender type, including, but not limited to, a distinction between prisoners, parolees, and probationers.</p> <p>(3) By March 1, the department shall report to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, and the state budget director on substance abuse testing and treatment program objectives, outcome measures, and results, including program impact on offender success and programmatic success as those terms are defined in section 203.</p>	<p>Strikes current law.</p>	<p>Sec. 405. Retains current law; updates fiscal years.</p>	<p>Sec. 405. Retains current law; adds Legislative Corrections Ombudsman to list of recipients of report; updates fiscal years.</p>



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FY 2012-2013 CURRENT LAW	FY 2013-2014		
	EXECUTIVE	HOUSE	SENATE
<p><i>Requires MDOC to work cooperatively with DCH and substance abuse coordinating agencies in referring offenders to intensive substance abuse services.</i></p> <p>Sec. 405a. The department shall work cooperatively with MDCH and substance abuse coordinating agencies in referring offenders as appropriate to intensive substance abuse services, including residential services.</p>	Strikes current law.	Sec. 405a. Retains current law.	Strikes current law.
<p><i>Allocates \$2.0 million for a pilot program utilizing faith-based non-profit agencies in prisoner reintegration efforts; requires a report on results of the pilot program.</i></p> <p>Sec. 406. As a condition for expending any money appropriated in part 1 for reinvestment in prisoner re-entry programs, the department shall establish a pilot program with an allocation of at least \$2,000,000.00 from the funding appropriated to prisoner reintegration programs to contract with faith-based nonprofit agencies with established programs that assist prisoners exiting the prison system to reintegrate into the community. The department shall report to the house and senate appropriations subcommittees on corrections, the house and senate fiscal agencies, and the state budget director by December 1 on the contracts awarded under the pilot program, including the faith-based, nonprofit agencies selected and the contract amounts awarded to each agency. The department shall analyze and compare the success and failure rates of prisoners served under the pilot program and those served through other department reintegration programs and shall report this information to the legislature during budget hearings on the fiscal year 2013-2014 budget.</p>	Strikes current law.	Sec. 406. Retains current law.	Strikes current law.
<p><i>Requires annual statistical reports with specified corrections-related data; requires the information to be placed online.</i></p> <p>Sec. 407. (1) By June 30, the department shall place the 2012 statistical report on an Internet site. The statistical report shall include, but not be limited to, the information as provided in the 2004 statistical report.</p>	Strikes current law.	Sec. 407. Retains current law.	Sec. 407. Retains current law.



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FY 2012-2013 CURRENT LAW	FY 2013-2014		
	EXECUTIVE	HOUSE	SENATE
(2) It is the intent of the legislature that starting with calendar year 2010, the statistical report be placed on an Internet site within 6 months after the end of each calendar year.			
<p>Requires recidivism to be measured using a follow-up period of at least three years and that time spent in a county jail or otherwise incarcerated be included in the recidivism rate.</p> <p>Sec. 408. The department shall measure the recidivism rates of offenders using at least a 3-year period following their release from prison. Any time spent in a county jail or otherwise incarcerated shall be included in the recidivism rates.</p>	Sec. 5-408. Retains current law.	Sec. 408. Retains current law.	Sec. 408. Retains current law.



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FY 2012-2013 CURRENT LAW	FY 2013-2014		
<p><i>Specifies purpose and requirements for local comprehensive corrections plans; lists award criteria for community corrections planning and residential services funds; limits residential services per diems to \$47.50 for non-accredited and \$48.50 for accredited providers.</i></p> <p>Sec. 410. (1) The funds included in part 1 for community corrections comprehensive plans and services are to encourage the development through technical assistance grants, implementation, and operation of community corrections programs that enhance offender success and that also may serve as an alternative to incarceration in a state facility or jail. The comprehensive corrections plans shall include an explanation of how the public safety will be maintained, the goals for the local jurisdiction, offender target populations intended to be affected, offender eligibility criteria for purposes outlined in the plan, and how the plans will meet the following objectives, consistent with section 8(4) of the community corrections act, 1988 PA 511, MCL 791.408:</p> <p>(a) Reduce admissions to prison of offenders who would likely be sentenced to imprisonment, including probation violators.</p> <p>(b) Improve the appropriate utilization of jail facilities, the first priority of which is to open jail beds intended to house otherwise prison-bound felons, and the second priority being to appropriately utilize jail beds so that jail crowding does not occur.</p> <p>(c) Open jail beds through the increase of pretrial release options.</p> <p>(d) Reduce the readmission to prison of parole violators.</p> <p>(e) Reduce the admission or readmission to prison of offenders, including probation violators and parole violators, for substance abuse violations.</p> <p>(f) Contribute to offender success, as that term is defined in section 203.</p>	EXECUTIVE	HOUSE	SENATE
	<p>Sec. 5-410. Strikes current law (1) and (2); retains (3).</p>	<p>Sec. 410. Retains current law.</p>	<p>Sec. 410. Retains current law.</p>



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FY 2012-2013 CURRENT LAW	FY 2013-2014		
	EXECUTIVE	HOUSE	SENATE
<p>(2) The award of community corrections comprehensive plans and residential services funds shall be based on criteria that include, but are not limited to, the prison commitment rate by category of offenders, trends in prison commitment rates and jail utilization, historical trends in community corrections program capacity and program utilization, and the projected impact and outcome of annual policies and procedures of programs on offender success, prison commitment rates, and jail utilization.</p> <p>(3) Funds awarded for residential services in part 1 shall provide for a per diem reimbursement of not more than \$47.50 for nonaccredited facilities, or of not more than \$48.50 for facilities that have been accredited by the American corrections association or a similar organization as approved by the department.</p>			



DEPARTMENT OF CORRECTIONS - BOILERPLATE

FY 2012-2013 CURRENT LAW	FY 2013-2014		
	EXECUTIVE	HOUSE	SENATE
<p><i>Establishes further requirements for local comprehensive corrections plans.</i></p> <p>Sec. 411. The comprehensive corrections plans shall also include, where appropriate, descriptive information on the full range of sanctions and services that are available and utilized within the local jurisdiction and an explanation of how jail beds, residential services, the special alternative incarceration program, probation detention centers, the electronic monitoring program for probationers, and treatment and rehabilitative services will be utilized to support the objectives and priorities of the comprehensive corrections plans and the purposes and priorities of section 8(4) of the community corrections act, 1988 PA 511, MCL 791.408, that contribute to the success of offenders. The plans shall also include, where appropriate, provisions that detail how the local communities plan to respond to sentencing guidelines found in chapter XVII of the code of criminal procedure, 1927 PA 175, MCL 777.1 to 777.69, and use the county jail reimbursement program under section 414. The state community corrections board shall encourage local community corrections advisory boards to include in their comprehensive corrections plans strategies to collaborate with local alcohol and drug treatment agencies of the MDCH for the provision of alcohol and drug screening, assessment, case management planning, and delivery of treatment to alcohol- and drug-involved offenders.</p>	Strikes current law.	Sec. 411. Retains current law.	Sec. 411. Retains current law.



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FY 2012-2013 CURRENT LAW	FY 2013-2014		
	EXECUTIVE	HOUSE	SENATE
<p><i>Specifies details to be included in the report required by the Community Corrections Act (1988 PA 511).</i></p> <p>Sec. 412. (1) As part of the March biannual report specified in section 12(2) of the community corrections act, 1988 PA 511, MCL 791.412, that requires an analysis of the impact of that act on prison admissions and jail utilization, the department shall submit to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, and the state budget director the following information for each county and counties consolidated for comprehensive corrections plans:</p> <p>(a) Approved technical assistance grants and comprehensive corrections plans including each program and level of funding, the utilization level of each program, and profile information of enrolled offenders.</p> <p>(b) If federal funds are made available, the number of participants funded, the number served, the number successfully completing the program, and a summary of the program activity.</p> <p>(c) Status of the community corrections information system and the jail population information system.</p> <p>(d) Data on residential services, including participant data, participant sentencing guideline scores, program expenditures, average length of stay, and bed utilization data.</p> <p>(e) Offender disposition data by sentencing guideline range, by disposition type, by prior record variable score, by number and percent statewide and by county, current year, and comparisons to the previous 3 years.</p> <p>(f) Data on the use of funding made available under the felony drunk driver jail reduction and community treatment program.</p> <p>(2) The report required under subsection (1) shall include the total funding allocated, program expenditures, required program data, and year-to-date totals.</p>	<p>Strikes current law.</p>	<p>Sec. 412. Retains current law.</p>	<p>Sec. 412. Retains current law; adds Legislative Corrections Ombudsman to list of recipients of report.</p>



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FY 2012-2013 CURRENT LAW	FY 2013-2014		
	EXECUTIVE	HOUSE	SENATE
<p><i>Requires development of certain databases on local correctional trends and jail utilization; requires county cooperation in providing necessary jail data.</i></p> <p>Sec. 413. (1) The department shall identify and coordinate information regarding the availability of and the demand for community corrections programs, jail-based community corrections programs, jail-based probation violation sanctions, and all state-required jail data. (2) The department is responsible for the collection, analysis, and reporting of all state-required jail data. (3) As a prerequisite to participation in the programs and services offered through the department, counties shall provide necessary jail data to the department.</p>	Strikes current law.	Sec. 413. Retains current law.	Sec. 413. Retains current law.
<p><i>Authorizes reimbursements under the County Jail Reimbursement Program; establishes reimbursement criteria and rates; allocates \$500,000 for pilot reimbursement program aimed at probation violators.</i></p> <p>Sec. 414. (1) The department shall administer a county jail reimbursement program from the funds appropriated in part 1 for the purpose of reimbursing counties for housing in jails certain felons who otherwise would have been sentenced to prison.</p>	Sec. 5-414. Retains current law (1), (2), (3), (4), and (5); updates fiscal year in (5); strikes (6).	Sec. 414. Retains current law; updates fiscal year in (5).	Sec. 414. Retains current law (1), (2), (3), (4), and (5); updates fiscal year in (5); strikes (6).



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	EXECUTIVE	HOUSE	SENATE
<p>(2) The county jail reimbursement program shall reimburse counties for convicted felons in the custody of the sheriff if the conviction was for a crime committed on or after January 1, 1999 and 1 of the following applies:</p> <p>(a) The felon's sentencing guidelines recommended range upper limit is more than 18 months, the felon's sentencing guidelines recommended range lower limit is 12 months or less, the felon's prior record variable score is 35 or more points, and the felon's sentence is not for commission of a crime in crime class G or crime class H or a nonperson crime in crime class F under chapter XVII of the code of criminal procedure, 1927 PA 175, MCL 777.1 to 777.69.</p> <p>(b) The felon's minimum sentencing guidelines range minimum is more than 12 months under the sentencing guidelines described in subdivision (a).</p> <p>(c) The felon was sentenced to jail for a felony committed while he or she was on parole and under the jurisdiction of the parole board and for which the sentencing guidelines recommended range for the minimum sentence has an upper limit of more than 18 months.</p> <p>(3) State reimbursement under this subsection shall be \$60.00 per diem per diverted offender for offenders with a presumptive prison guideline score, \$50.00 per diem per diverted offender for offenders with a straddle cell guideline for a group 1 crime, and \$35.00 per diem per diverted offender for offenders with a straddle cell guideline for a group 2 crime. Reimbursements shall be paid for sentences up to a 1-year total.</p>			



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	EXECUTIVE	HOUSE	SENATE
<p>(4) As used in this subsection:</p> <p>(a) "Group 1 crime" means a crime in 1 or more of the following offense categories: arson, assault, assaultive other, burglary, criminal sexual conduct, homicide or resulting in death, other sex offenses, robbery, and weapon possession as determined by the department of corrections based on specific crimes for which counties received reimbursement under the county jail reimbursement program in fiscal year 2007 and fiscal year 2008, and listed in the county jail reimbursement program document titled "FY 2007 and FY 2008 Group One Crimes Reimbursed", dated March 31, 2009.</p> <p>(b) "Group 2 crime" means a crime that is not a group 1 crime, including larceny, fraud, forgery, embezzlement, motor vehicle, malicious destruction of property, controlled substance offense, felony drunk driving, and other nonassaultive offenses.</p> <p>(c) "In the custody of the sheriff" means that the convicted felon has been sentenced to the county jail and is either housed in the county jail or has been released from jail and is being monitored through the use of the sheriff's electronic monitoring system.</p> <p>(5) County jail reimbursement program expenditures shall not exceed the amount appropriated in part 1 for the county jail reimbursement program. Payments to counties under the county jail reimbursement program shall be made in the order in which properly documented requests for reimbursements are received. A request shall be considered to be properly documented if it meets MDOC requirements for documentation. By October 15, 2012, the department shall distribute the documentation requirements to all counties.</p> <p>(6) Of the funds appropriated in part 1 for the county jail reimbursement program, \$500,000.00 shall be utilized to reimburse county jails for housing individuals who violate terms of probation under the swift-and-sure sanctions pilot program.</p>			



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<p><i>Requires MDOC to create a real-time database for use by both MDOC and MPRI service providers and to issue guidance on the database to service providers.</i></p> <p>Sec. 415. (1) The department shall create a database for use by the department and MPRI service providers. The database shall be available to both the department and the service provider in real time. The department, in consultation with the service providers, shall issue a policy defining each field in the database so that there will be common usage of all terms and fields.</p> <p>(2) The department, in consultation with the service providers, shall publish financial guidelines for administration of this program.</p>	Strikes current law.	Strikes current law.	Strikes current law.
<p><i>Lists allowable expenditures under the felony drunk driver jail reduction and community treatment program; provides for reimbursement at a rate of \$43.50 per day per offender for up to 5 days.</i></p> <p>Sec. 416. Allowable uses of the felony drunk driver jail reduction and community treatment program shall include reimbursing counties for transportation, treatment costs, and housing felony drunk drivers during a period of assessment for treatment and case planning. Reimbursements for housing during the assessment process shall be at the rate of \$43.50 per day per offender, up to a maximum of 5 days per offender.</p>	Sec. 5-416. Retains current law.	Sec. 416. Retains current law.	Sec. 416. Retains current law.
<p><i>Requires reports on program details and results for felony drunk driver program, county jail reimbursement program, and new initiatives aimed at controlling prison population growth.</i></p> <p>Sec. 417. (1) By March 1, the department shall report to the members of the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, and the state budget director on each of the following programs from the previous fiscal year:</p> <p>(a) The county jail reimbursement program.</p> <p>(b) The felony drunk driver jail reduction and community treatment program.</p> <p>(c) Any new initiatives to control prison population growth funded or proposed to be funded under part 1.</p>	Strikes current law.	Sec. 417. Retains current law.	Sec. 417. Retains current law; adds Legislative Corrections Ombudsman to list of recipients of report.



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FY 2012-2013 CURRENT LAW	FY 2013-2014		
	EXECUTIVE	HOUSE	SENATE
<p>(2) For each program listed under subsection (1), the report shall include information on each of the following:</p> <p>(a) Program objectives and outcome measures, including, but not limited to, the number of offenders who successfully completed the program, and the number of offenders who successfully remained in the community during the 3 years following termination from the program.</p> <p>(b) Expenditures by location.</p> <p>(c) The impact on jail utilization.</p> <p>(d) The impact on prison admissions.</p> <p>(e) Other information relevant to an evaluation of the program.</p>			
<p>Requires MDOC to collaborate with other state entities to develop processes to assist prisoners in obtaining state identification and their birth certificates.</p> <p>Sec. 418. (1) The department shall collaborate with the state court administrative office on facilitating changes to Michigan court rules that would require the court to collect at the time of sentencing the state operator's license, state identification card, or other documentation used to establish the identity of the individual to be admitted to the department. The department shall maintain those documents in the prisoner's personal file.</p> <p>(2) The department shall cooperate with MDCH to create and maintain a process by which prisoners can obtain their Michigan birth certificates if necessary. The department shall describe a process for obtaining birth certificates from other states, and in situations where the prisoner's effort fails, the department shall assist in obtaining the birth certificate.</p>	Strikes current law.	<p>Sec. 418. Retains current law; adds new (3):</p> <p>(3) The department shall collaborate with the department of military and veterans affairs to create and maintain a process by which prisoners can obtain a copy of their DD Form 214 or other military discharge documentation if necessary.</p>	Strikes current law.
<p>Requires regular electronic mail reports on offender populations by location, facility capacities, prison intake and returns, and parole board activity.</p> <p>Sec. 419. (1) The department shall provide weekly electronic mail reports to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, and the state budget director on prisoner, parolee, and probationer populations by facility, and prison capacities.</p>	Strikes current law.	<p>Sec. 419. Retains current law; adds Legislative Corrections Ombudsman to list of recipients of reports.</p>	<p>Sec. 419. Retains current law; adds Legislative Corrections Ombudsman to list of recipients of report.</p>



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FY 2012-2013 CURRENT LAW	FY 2013-2014		
	EXECUTIVE	HOUSE	SENATE
<p>(2) The department shall provide monthly electronic mail reports to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, and the state budget director. The reports shall include information on end-of-month prisoner populations in county jails, the net operating capacity according to the most recent certification report, identified by date, and end-of-month data, year-to-date data, and comparisons to the prior year for the following:</p> <p>(a) Community residential program populations, separated by centers and electronic monitoring.</p> <p>(b) Parole populations.</p> <p>(c) Probation populations, with identification of the number in special alternative incarceration.</p> <p>(d) Prison and camp populations, with separate identification of the number in special alternative incarceration and the number of lifers.</p> <p>(e) Parole board activity, including the numbers and percentages of parole grants and parole denials.</p> <p>(f) Prisoner exits, identifying transfers to community placement, paroles from prisons and camps, paroles from community placement, total movements to parole, prison intake, prisoner deaths, prisoners discharging on the maximum sentence, and other prisoner exits.</p> <p>(g) Prison intake and returns, including probation violators, new court commitments, violators with new sentences, escaper new sentences, total prison intake, returns from court with additional sentences, community placement returns, technical parole violator returns, and total returns to prison and camp.</p>			



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FY 2012-2013 CURRENT LAW	FY 2013-2014		
	EXECUTIVE	HOUSE	SENATE
<p><i>Requires a report on performance data and efforts to improve efficiencies relative to departmental staffing, health care services, food service, prisoner transportation, mental health care services, and pharmaceutical costs.</i></p> <p>Sec. 420. By March 1, the department shall report to the senate and house appropriations subcommittees on corrections, the senate and house judiciary committees, the senate and house fiscal agencies, and the state budget director on performance data and efforts to improve efficiencies relative to departmental staffing, health care services, food service, prisoner transportation, mental health care services, and pharmaceutical costs.</p>	Strikes current law.	Sec. 420. Retains current law; adds Legislative Corrections Ombudsman to list of recipients of report.	Sec. 420. Retains current law; adds Legislative Corrections Ombudsman to list of recipients of report.
<p><i>Expresses legislative intent that MPRI programs be maintained as standard operating procedure; requires the program to focus on certain categories of prisoners and to include basic computer training.</i></p> <p>Sec. 422. It is the intent of the legislature that MPRI programs from prisoner entry into the corrections system to reentry into the community and as measured by offender success and programmatic success as those terms are defined in section 203 shall be maintained as standard operating procedure in the department. In particular, services should be focused on moderate- to high-risk individuals. Special in-prison programming shall be directed to those prisoners who were paroled and have returned to prison and who will subsequently be eligible for parole again in the future. In addition, MPRI services provided to prisoners shall include basic computer skills training.</p>	Strikes current law.	Strikes current law.	Strikes current law.



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FY 2012-2013 CURRENT LAW	FY 2013-2014		
<p><i>Requires implementation of a high-risk probationer demonstration project, utilizing evidence-based practices for reducing criminal behavior; requires collaboration with the Judiciary and with the local community corrections advisory board.</i></p> <p>Sec. 424. (1) From the funds appropriated in part 1 for residential services, the department shall develop and implement, in collaboration with the judiciary and as approved by the state court administrative office, a demonstration project based on evidence-based practices related to judicial and case management interventions that have been proven to increase public safety for high-risk, high-need probationers as determined by a validated risk and need assessment instrument. As used in this section, "probationer" means a circuit court probationer serving a probation sentence for a crime.</p> <p>(2) The demonstration project shall be implemented in 4 areas of the state identified jointly by the department and the state court administrative office. Preference shall be given to locations that are representative of areas with high rates of violent crimes as described in the council of state governments' justice center report on analyses of crime, community corrections, and sentencing policies in this state.</p> <p>(3) The primary goal of the demonstration project is to reduce crime and revictimization by high-risk, high-need probationers. The secondary goal of the demonstration project is to reduce expenditures for long-term incarceration.</p> <p>(4) The demonstration project may provide up to 6 months of residential services, and treatment methods, and interventions that are evidence-based, including, but not limited to, the following:</p> <p>(a) Risk/needs assessment.</p> <p>(b) Motivational techniques.</p> <p>(c) Type, intensity, and duration of treatment based on each probationer's risk and needs and delivered consistent with evidence-based practices.</p>	EXECUTIVE	HOUSE	SENATE
	Strikes current law.	Sec. 424. Retains current law.	Strikes current law.



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FY 2012-2013 CURRENT LAW	FY 2013-2014		
<p>(5) The department shall implement the evidence-based practice of collaborative case management and utilize the services of the department and of local community corrections consistent with the local comprehensive corrections plan developed under the community corrections act, 1988 PA 511, MCL 791.401 to 791.414.</p> <p>(6) The department shall assign a probation officer to the demonstration project to supervise a specialized caseload for high-risk, high-need probationers. All probation officers supervising a specialized caseload under this section shall receive substantial education and training on issues of substance abuse, mental health, and drug and alcohol testing.</p> <p>(7) The probation officer shall work in cooperation with the local judiciary and the community corrections advisory board in a collaborative effort toward the goals of promoting probationer success and reducing crime and revictimization.</p> <p>(8) The probation officer assigned to the demonstration project shall comply with supervision requirements established for the demonstration project by the field operations administration deputy director.</p> <p>(9) The department shall identify and coordinate information for each local jurisdiction selected for the demonstration project regarding the rate of incarceration of high-risk, high-need probationers to ensure that appropriate probationers are targeted for the demonstration project.</p> <p>(10) From the funds appropriated in part 1 for public education and training, the department shall collaborate with the local judiciary, community corrections advisory board, and service providers to develop and provide appropriate training for all local stakeholders involved in the demonstration project described in this section.</p>	EXECUTIVE	HOUSE	SENATE



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FY 2012-2013 CURRENT LAW	FY 2013-2014		
	EXECUTIVE	HOUSE	SENATE
<p>(11) From the funds provided to the local jurisdiction for the demonstration project, the department shall collaborate with the local judiciary and the community corrections advisory board to develop and implement an evaluation of the demonstration project that will show the impact of the project on the arrests, convictions, technical violations, and commitments to prison of the demonstration project participants. This evaluation shall be performed in accordance with department of corrections policy and procedure on evaluation design in cooperation with the office of research and planning.</p> <p>(12) By May 1, the department shall report to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, and the state budget director on the status of the demonstration project prescribed under this section, including information on all of the following:</p> <p>(a) Demonstration project locations and participating courts.</p> <p>(b) The number of probationers participating in the pilot categorized by location and offense.</p> <p>(c) Evaluation status and methodology.</p> <p>(d) Preliminary results, if any.</p>			
<p><i>Expresses legislative intent that MDOC work with other state departments and agencies to implement the policy options identified by the Council of State Governments in January 2009 and March 2011.</i></p> <p>Sec. 429. It is the intent of the legislature that the department work with other state departments and agencies to implement the policy options provided to the state by the council of state governments in January 2009 and March 2011.</p>	Strikes current law.	Strikes current law.	Strikes current law.
<p><i>Requires MDOC to ensure each prisoner has the opportunity to meet with his or her transition team prior to release from prison.</i></p> <p>Sec. 430. The department shall ensure that each prisoner has the opportunity to meet with his or her transition team prior to release from prison. If applicable, community providers shall enter the prison to meet with the prisoner prior to release.</p>	Strikes current law.	Sec. 430. Retains current law.	Strikes current law.



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FY 2012-2013 CURRENT LAW	FY 2013-2014		
	EXECUTIVE	HOUSE	SENATE
<p>Requires MDOC to ensure each exiting prisoner has documents necessary to obtain a state identification card or driver's license, and has clothing suitable for job interviews.</p> <p>Sec. 431. The department shall ensure that prior to release from prison, each offender has possession of all of the following: (a) All documents necessary to obtain a state operator's license or state identification card. (b) A set of clothing that would be appropriate and suitable for wearing to an interview for employment.</p>	Strikes current law.	Sec. 431. Retains current law.	Strikes current law.
<p>Requires a quarterly report on the status of contracts for re-entry initiative project for offenders with special needs.</p> <p>Sec. 433. The department shall report quarterly on January 1, 2013, April 1, 2013, July 1, 2013, and September 30, 2013 to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, and the state budget director on the status of any contracts entered into under the June 2009 request for proposals for the re-entry initiative project for offenders with special needs. The report shall include information on all of the following: (a) The number of prisoners and participating parolees in each of the target population subgroups, including medically fragile, mentally ill, developmentally disabled, and youthful offenders. (b) Descriptions of the key services being provided to each subgroup under the contract or contracts. (c) Estimates of the average per-offender costs of services for each target population subgroup under each contract, compared to the average cost of prison incarceration for those populations.</p>	Strikes current law.	Strikes current law.	Sec. 433. Retains current law, but requires annual report on March 1; adds Legislative Corrections Ombudsman to list of recipients of report.



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FY 2012-2013 CURRENT LAW	FY 2013-2014		
	EXECUTIVE	HOUSE	SENATE
		<u>NEW LANGUAGE</u> Sec. 429. The department shall provide case-level data to the council of state governments' justice center for purposes of analyzing the flow of offenders through the criminal justice systems managed by the department, including entry, termination, and snapshot populations on community supervision, in prison, and on parole supervision.	Not included.
		Sec. 434. The department shall explore opportunities to collaborate with Michigan colleges and universities on establishing programs that will employ parolees in agricultural settings.	Not included.
<u>OPERATIONS AND SUPPORT ADMINISTRATION</u> <i>Requires MDOC to reimburse counties for housing and custody of parole violators.</i> Sec. 501. From the funds appropriated in part 1 for prosecutorial and detainer expenses, the department shall reimburse counties for housing and custody of parole violators and offenders being returned by the department from community placement who are available for return to institutional status and for prisoners who volunteer for placement in a county jail.	Sec. 5-302. Retains current law.	Sec. 501. Retains current law.	Sec. 501. Retains current law.



DEPARTMENT OF CORRECTIONS - BOILERPLATE

FY 2012-2013 CURRENT LAW	FY 2013-2014		
	EXECUTIVE	HOUSE	SENATE
<p><i>Lists authorized expenditures of the appropriation for the sheriffs' coordinating and training office.</i></p> <p>Sec. 502. Funds included in part 1 for the sheriffs' coordinating and training office are appropriated for and may be expended to defray costs of continuing education, certification, recertification, decertification, and training of local corrections officers, the personnel and administrative costs of the sheriffs' coordinating and training office, the local corrections officers advisory board, and the sheriffs' coordinating and training council under the local corrections officers training act, 2003 PA 125, MCL 791.531 to 791.546.</p>	<p>Sec. 5-303. Retains current law.</p>	<p>Sec. 502. Retains current law.</p>	<p>Sec. 502. Retains current law.</p>
<p><i>Requires appropriation for administrative hearings officers to be used to fund interdepartmental grant to Department of Licensing and Regulatory Affairs.</i></p> <p>Sec. 503. Funds appropriated in part 1 for administrative hearings officers are appropriated as an interdepartmental grant to the department of licensing and regulatory affairs for the purpose of funding administrative hearings officers for adjudication of grievances pertaining to the department of corrections. The department shall not expend appropriations from part 1 to satisfy charges from the department of licensing and regulatory affairs for administrative hearings officers in excess of the amount expressly appropriated by this article for the administrative hearings officers unless funding is transferred into this line under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.</p>	<p>Strikes current law.</p>	<p>Strikes current law.</p>	<p>Strikes current law.</p>
<p><i>Allocates \$50,000 for payment to the Judiciary for the use of the judicial data warehouse by MDOC employees.</i></p> <p>Sec. 504. Of the funds appropriated in part 1, \$50,000.00 is appropriated to provide an interdepartmental grant to the judiciary for use of the judicial data warehouse by department employees.</p>	<p>Strikes current law.</p>	<p>Sec. 504. Retains current law.</p>	<p>Strikes current law.</p>



DEPARTMENT OF CORRECTIONS - BOILERPLATE

FY 2012-2013 CURRENT LAW	FY 2013-2014		
	EXECUTIVE	HOUSE	SENATE
<p><i>Requires mental health awareness training for new custody staff and training for all custody staff in dealing with prisoners with mental illness.</i></p> <p>Sec. 505. The department shall provide for the training of all custody staff in effective and safe ways of handling prisoners with mental illness and referring prisoners to mental health treatment programs. Mental health awareness training shall be incorporated into the training of new custody staff.</p>	<p>Strikes current law.</p>	<p>Sec. 505. Retains current law.</p>	<p>Sec. 505. Retains current law.</p>
			<p><u>NEW LANGUAGE</u></p> <p>Sec. 506. It is the intent of the legislature that the department work cooperatively and share curriculum and outcome goals with community colleges and colleges that are interested in offering new employee training academies. The department shall assist community colleges and colleges in gaining approval of the corrections officer's training council, as required under 2012 PA 526. The community colleges and colleges the department works with shall be geographically dispersed across the state and whenever possible should be near department of corrections facilities.</p>



DEPARTMENT OF CORRECTIONS - BOILERPLATE

FY 2012-2013 CURRENT LAW	FY 2013-2014		
	EXECUTIVE	HOUSE	SENATE
<p><u>FIELD OPERATIONS ADMINISTRATION</u></p> <p><i>Requires a caseload audit of field agents to evaluate their ability to complete their professional duties.</i></p> <p>Sec. 601. (1) From the funds appropriated in part 1, the department shall conduct a statewide caseload audit of field agents. The audit shall address public protection issues and assess the ability of the field agents to complete their professional duties. The complete audit shall be submitted to the senate and house appropriations subcommittees on corrections and the senate and house fiscal agencies, and the state budget office by March 1.</p> <p>(2) It is the intent of the legislature that the department maintain a number of field agents sufficient to meet supervision and workload standards.</p>	Strikes current law.	Sec. 601. Retains current law (1); strikes (2).	Sec. 601. Retains current law; adds Legislative Corrections Ombudsman to list of recipients of report.
<p><i>Requires tether participants to reimburse MDOC for program costs; provides for a community tether program for counties; allows tether rentals to local units of government.</i></p> <p>Sec. 603. (1) All prisoners, probationers, and parolees involved with the electronic tether program shall reimburse the department for costs associated with their participation in the program. The department may require community service work reimbursement as a means of payment for those able-bodied individuals unable to pay for the costs of the equipment.</p> <p>(2) Program participant contributions and local community tether program reimbursement for the electronic tether program appropriated in part 1 are related to program expenditures and may be used to offset expenditures for this purpose.</p>	Sec. 5-417. Retains current law.	Sec. 603. Retains current law.	Sec. 603. Retains current law.



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FY 2012-2013 CURRENT LAW	FY 2013-2014		
	EXECUTIVE	HOUSE	SENATE
<p>(3) Included in the appropriation in part 1 is adequate funding to implement the community tether program to be administered by the department. The community tether program is intended to provide sentencing judges and county sheriffs in coordination with local community corrections advisory boards access to the state's electronic tether program to reduce prison admissions and improve local jail utilization. The department shall determine the appropriate distribution of the tether units throughout the state based upon locally developed comprehensive corrections plans under the community corrections act, 1988 PA 511, MCL 791.401 to 791.414.</p> <p>(4) For a fee determined by the department, the department shall provide counties with the tether equipment, replacement parts, administrative oversight of the equipment's operation, notification of violators, and periodic reports regarding county program participants. Counties are responsible for tether equipment installation and service. For an additional fee as determined by the department, the department shall provide staff to install and service the equipment. Counties are responsible for the coordination and apprehension of program violators.</p> <p>(5) Any county with tether charges outstanding over 60 days shall be considered in violation of the community tether program agreement and lose access to the program.</p>			
<p><i>Requires community placement prisoners and parolees to reimburse for program costs or perform community service.</i></p> <p>Sec. 604. Community-placement prisoners and parolees shall reimburse the department for the total costs of the program. As an alternative method of payment, the department may develop a community service work schedule for those individuals unable to meet reimbursement requirements established by the department.</p>	<p>Strikes current law.</p>	<p>Sec. 604. Retains current law.</p>	<p>Strikes current law.</p>



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FY 2012-2013 CURRENT LAW	FY 2013-2014		
	EXECUTIVE	HOUSE	SENATE
<p><i>Establishes legislative intent that MDOC maintain procedures by which parolees and probationers may contact their parole and probation agents.</i></p> <p>Sec. 606. It is the intent of the legislature that the department shall ensure that parolees and probationers may timely contact their parole or probation agents and maintain procedures that preclude any necessity for an offender to have access to an agent's home telephone number or other personal information pertaining to the agent.</p>	Strikes current law.	Strikes current law.	Strikes current law.
<p><i>Requires a report on the electronic monitoring program, in particular, on the use of global positioning system (GPS) tethers.</i></p> <p>Sec. 608. By March 1, the department shall report to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, and the state budget director on the use of electronic monitoring. At a minimum, the report shall include all of the following:</p> <p>(a) Details on the failure rate of parolees for whom GPS tether is utilized, including the number and rate of parolee technical violations, including specifying failures due to committing a new crime that is uncharged but leads to parole termination, and the number and rate of parolee violators with new sentences.</p> <p>(b) Information on the factors considered in determining whether an offender is placed on active GPS tether, passive GPS tether, radio frequency tether, or some combination of these or other types of electronic monitoring.</p> <p>(c) Monthly data on the number of offenders on active GPS tether, passive GPS tether, radio frequency tether, and any other type of tether.</p>	Strikes current law.	Sec. 608. Retains current law.	Sec. 608. Retains current law; adds Legislative Corrections Ombudsman to list of recipients of report.



DEPARTMENT OF CORRECTIONS - BOILERPLATE

FY 2012-2013 CURRENT LAW	FY 2013-2014		
<p>Requires reports on the community re-entry, electronic tether, and special alternative incarceration programs.</p> <p>Sec. 611. The department shall prepare by March 1, 2011 individual reports for the community re-entry program, the electronic tether program, and the special alternative to incarceration program. The reports shall be submitted to the house and senate appropriations subcommittees on corrections, the house and senate fiscal agencies, and the state budget director. Each program's report shall include information on all of the following:</p> <ul style="list-style-type: none"> (a) Monthly new participants by type of offender. Community re-entry program participants shall be categorized by reason for placement. For technical rule violators, the report shall sort offenders by length of time since release from prison, by the most recent violation, and by the number of violations occurring since release from prison. (b) Monthly participant unsuccessful terminations, including cause. (c) Number of successful terminations. (d) End month population by facility/program. (e) Average length of placement. (f) Return to prison statistics. (g) Description of each program location or locations, capacity, and staffing. (h) Sentencing guideline scores and actual sentence statistics for participants, if applicable. (i) Comparison with prior year statistics. (j) Analysis of the impact on prison admissions and jail utilization and the cost effectiveness of the program. 	EXECUTIVE	HOUSE	SENATE
	Strikes current law.	Sec. 611. Retains current law; adds Legislative Corrections Ombudsman to list of recipients of report.	Sec. 611. Retains current law; adds Legislative Corrections Ombudsman to list of recipients of report.



DEPARTMENT OF CORRECTIONS - BOILERPLATE

FY 2012-2013 CURRENT LAW	FY 2013-2014		
	EXECUTIVE	HOUSE	SENATE
<p><i>Requires MDOC to develop proposals for alternatives to prison for technical violators of parole and probation; requires a report on certain program impacts on probationers and parolees.</i></p> <p>Sec. 612. (1) The department shall review and revise as necessary policy proposals that provide alternatives to prison for offenders being sentenced to prison as a result of technical probation violations and technical parole violations. To the extent the department has insufficient policies or resources to affect the continued increase in prison commitments among these offender populations, the department shall explore other policy options to allow for program alternatives, including department or OCC-funded programs, local level programs, and programs available through private agencies that may be used as prison alternatives for these offenders.</p> <p>(2) To the extent policies or programs described in subsection (1) are used, developed, or contracted for, the department may request that funds appropriated in part 1 be transferred under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393, for their operation.</p> <p>(3) The department shall continue to utilize parole violator processing guidelines that require parole agents to utilize all available appropriate community-based, nonincarcerative postrelease sanctions and services when appropriate. The department shall periodically evaluate such guidelines for modification, in response to emerging information from the demonstration projects for substance abuse treatment provided under this article and applicable provisions of prior budget acts for the department.</p>	<p>Strikes current law.</p>	<p>Sec. 612. Retains current law.</p>	<p>Sec. 612. Retains current law, but revises quarterly report to annual report; adds Legislative Corrections Ombudsman to list of recipients of report.</p>



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FY 2012-2013 CURRENT LAW	FY 2013-2014		
	EXECUTIVE	HOUSE	SENATE
<p>(4) The department shall provide quarterly reports to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, and the state budget director on the number of all parolees returned to prison and probationers sentenced to prison for either a technical violation or new sentence during the preceding calendar quarter. The reports shall include the following information each for probationers, parolees after their first parole, and parolees who have been paroled more than once:</p> <p>(a) The numbers of parole and probation violators returned to or sent to prison for a new crime with a comparison of original versus new offenses by major offense type: assaultive, nonassaultive, drug, and sex.</p> <p>(b) The numbers of parole and probation violators returned to or sent to prison for a technical violation and the type of violation, including, but not limited to, zero gun tolerance and substance abuse violations. For parole technical rule violators, the report shall list violations by type, by length of time since release from prison, by the most recent violation, and by the number of violations occurring since release from prison.</p> <p>(c) The educational history of those offenders, including how many had a GED or high school diploma prior to incarceration in prison, how many received a GED while in prison, and how many received a vocational certificate while in prison.</p> <p>(d) The number of offenders who participated in the MPRI versus the number of those who did not.</p> <p>(e) The unduplicated number of offenders who participated in substance abuse treatment programs, mental health treatment programs, or both, while in prison, itemized by diagnosis.</p>			
<p><i>Encourages the use of continuous remote alcohol monitors for certain parolees and probationers with abuse history.</i></p> <p>Sec. 613. Subject to the appropriations in part 1, the department is encouraged to expand the use of continuous remote alcohol monitors for parolees and probationers who test positive for alcohol abuse or have alcohol-abuse-related violations of their community supervision.</p>	Strikes current law.	Strikes current law.	Strikes current law.



DEPARTMENT OF CORRECTIONS - BOILERPLATE

FY 2012-2013 CURRENT LAW	FY 2013-2014		
	EXECUTIVE	HOUSE	SENATE
<p><i>Requires the Parole Board to provide explanations as to why specific inmates who score "high probability of release" are not being paroled.</i></p> <p>Sec. 615. After the parole board has reviewed the cases of all inmates sentenced to imprisonment for life with the possibility of parole who have good institutional records, the parole board shall calculate each inmate's parole guidelines score. The parole board shall provide the legislature with the specific reason or reasons why any individual inmate who scores "high probability of release" is not being paroled. The parole board shall submit a report containing a list of these reasons for each inmate to the house and senate appropriations subcommittees on corrections, the house and senate fiscal agencies, and the state budget director by January 1.</p>	<p>Strikes current law.</p>	<p>Sec. 615. Retains current law; adds Legislative Corrections Ombudsman to list of recipients of report.</p>	<p>Sec. 615. Retains current law; adds Legislative Corrections Ombudsman to list of recipients of report.</p>
<p><u>HEALTH CARE</u></p> <p><i>Requires quarterly reports on expenditures from accounts for prisoner health care; requires updates on relevant health care requests for proposals.</i></p> <p>Sec. 802. As a condition of expenditure of the funds appropriated in part 1, the department shall provide the senate and house of representatives appropriations subcommittees on corrections, the senate and house fiscal agencies, and the state budget director with all of the following:</p> <p>(a) Quarterly reports on physical and mental health care detailing quarterly and fiscal year-to-date expenditures itemized by vendor, allocations, status of payments from contractors to vendors, and projected year-end expenditures from accounts for prisoner health care, mental health care, pharmaceutical services, and durable medical equipment.</p> <p>(b) Regular updates on progress on requests for proposals and requests for information pertaining to prisoner health care and mental health care, until the applicable contract is approved.</p>	<p>Strikes current law.</p>	<p>Sec. 802. Retains current law; adds Legislative Corrections Ombudsman to list of recipients of report.</p>	<p>Sec. 802. Retains current law; adds Legislative Corrections Ombudsman to list of recipients of report.</p>



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FY 2012-2013 CURRENT LAW	FY 2013-2014		
<p><i>Requires quarterly reports on prisoner health care use, including emergency room visits, outpatient visits, and inpatient stays; requires annual report on off-site care that would have been provided on-site if beds were available.</i></p> <p>Sec. 804. (1) The department shall report quarterly to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, and the state budget director on prisoner health care utilization. The report shall include the number of inpatient hospital days, outpatient visits, and emergency room visits in the previous quarter and since October 1, 2009, by facility.</p> <p>(2) By March 1, the department shall report to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, and the state budget director on prisoners receiving off-site inpatient medical care that would have received care in a state correctional facility if beds were available. The report shall include the number of prisoners receiving off-site inpatient medical care and average length of stay in an off-site facility during the period they would have received care in a state correctional facility if beds were available, by month and correctional facilities administration region.</p>	EXECUTIVE	HOUSE	SENATE
	Strikes current law.	Sec. 804. Retains current law; adds Legislative Corrections Ombudsman to list of recipients of reports.	Sec. 804. Retains current law; adds Legislative Corrections Ombudsman to list of recipients of reports.



DEPARTMENT OF CORRECTIONS - BOILERPLATE

FY 2012-2013 CURRENT LAW	FY 2013-2014		
	EXECUTIVE	HOUSE	SENATE
<p><i>Requires Hepatitis C and HIV tests for exiting prisoners; requires intake prisoners to be screened for Hepatitis C risk factors and tested for HIV; requires MDOC to offer antibody tests to incoming high-risk prisoners.</i></p> <p>Sec. 806. From the funds appropriated in part 1, the department shall require a hepatitis C antibody test and an HIV test for each prisoner prior to release to the community by parole or discharge on the maximum sentence. The department shall require an HIV test and a hepatitis C risk factor screening for each prisoner at the health screening at admissions. If hepatitis C risk factors are identified, the department shall offer the prisoner a hepatitis C antibody test. An explanation of results of the tests shall be provided confidentially to the prisoner, and if appropriate based on the test results, the prisoner shall also be provided a recommendation to seek follow-up medical attention.</p>	Strikes current law.	Sec. 806. Retains current law.	Sec. 806. Retains current law.
<p><i>Requires medications to be transferred with prisoners between facilities; requires at least a 30-day supply of medications and prescriptions for refills to be provided to prisoners upon release.</i></p> <p>Sec. 807. The department shall ensure that all medications for a prisoner be transported with that prisoner when the prisoner is transferred from 1 correctional facility to another. Prisoners being released shall have access to at least a 30-day supply of medication and a prescription for refills to allow for continuity of care in the community.</p>	Strikes current law.	Sec. 807. Retains current law.	Sec. 807. Retains current law.



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FY 2012-2013 CURRENT LAW	FY 2013-2014		
	EXECUTIVE	HOUSE	SENATE
<p><i>Requires MDOC to work with DCH on data and information sharing on exiting prisoners who are positive for HIV or Hepatitis C antibody.</i></p> <p>Sec. 809. The department, in conjunction with efforts to implement prisoner re-entry, shall cooperate with the MDCH to share data and information as they relate to prisoners being released who are HIV positive or positive for the hepatitis C antibody. By March 1, the department shall report to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, and the state budget director on all of the following:</p> <p>(a) Programs and the location of programs implemented as a result of the work under this section.</p> <p>(b) The number of prisoners released to the community by parole, discharge on the maximum sentence, or transfer to community residential placement who are HIV positive, positive for the hepatitis C antibody, or both.</p> <p>(c) The number of parolees and offenders discharged on the maximum sentence who are HIV or hepatitis C positive by paroling office as reported to the state department of community health for referral to the local public health department.</p>	Strikes current law.	Sec. 809. Retains current law.	Strikes current law.



DEPARTMENT OF CORRECTIONS - BOILERPLATE

FY 2012-2013 CURRENT LAW	FY 2013-2014		
	EXECUTIVE	HOUSE	SENATE
<p>Requires MDOC and DHS to exchange information regarding newly-committed prisoners who may be Medicaid-eligible; requires MDOC to assist outgoing prisoners with Medicaid enrollment; requires quarterly updates on Medicaid utilization by prisoners.</p> <p>Sec. 812. (1) The department shall provide the department of human services with a monthly list of prisoners newly committed to the department of corrections. The department and the department of human services shall enter into an interagency agreement under which the department of human services provides the department of corrections with monthly lists of newly committed prisoners who are eligible for Medicaid benefits in order to maintain the process by which Medicaid benefits are suspended rather than terminated. The department shall assist prisoners who may be eligible for Medicaid benefits after release from prison with the Medicaid enrollment process prior to release from prison.</p> <p>(2) The department shall provide the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, and the state budget director with quarterly updates on the utilization of Medicaid benefits for prisoners.</p>	Strikes current law.	Sec. 812. Retains current law; adds Legislative Corrections Ombudsman to list of recipients of report.	Sec. 812. Retains current law; adds Legislative Corrections Ombudsman to list of recipients of report.
<p>Requires MDOC to assure psychotropic medications are available, when deemed medically necessary by licensed medical service providers, to prisoners with diagnosed mental illness but who are not enrolled in mental health services.</p> <p>Sec. 814. The department shall assure that psychotropic medications are available, when deemed medically necessary by a licensed medical service provider, to prisoners who have mental illness diagnoses but are not enrolled in corrections mental health services.</p>	Strikes current law.	Sec. 814. Retains current law.	Sec. 814. Retains current law.



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FY 2012-2013 CURRENT LAW	FY 2013-2014		
	EXECUTIVE	HOUSE	SENATE
<p><i>Requires a report on expenditures on antipsychotic medications, changes to prescription drug formularies, and progress in addressing Auditor General findings related to prescription drug practices.</i></p> <p>Sec. 816. By April 1, the department shall provide the members of the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, the state budget director, and the legislative corrections ombudsman with a report on pharmaceutical expenditures and prescribing practices. In particular, the report shall provide the following information:</p> <p>(a) A detailed accounting of expenditures on antipsychotic medications.</p> <p>(b) Any changes that have been made to the prescription drug formularies.</p> <p>(c) A progress report on the department's efforts to address various findings outlined in audit report 471-0325-09L issued in March 2011 by the Michigan office of the auditor general.</p>	<p>Strikes current law.</p>	<p>Sec. 816. Retains current law.</p>	<p>Sec. 816. Retains current law.</p>



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FY 2012-2013 CURRENT LAW	FY 2013-2014	
<u>CORRECTIONAL FACILITIES ADMINISTRATION</u>	EXECUTIVE	HOUSE
		SENATE <u>NEW LANGUAGE</u> Sec. 904. The department shall calculate the per prisoner/per day cost for each prisoner security custody level. This calculation shall include all direct and indirect costs for the current fiscal year, including, but not limited to, the value of services provided to the department by other state agencies. To calculate the per prisoner/per day costs, the department shall divide these direct and indirect costs by the average daily population for each custody level. The department shall perform this calculation twice for each custody level. In the first calculation, the costs shall include the allocation of statewide legacy costs, and in the second calculation, the costs shall exclude the allocation of statewide legacy costs. A report summarizing these calculations shall be submitted to the senate and house appropriations subcommittees on corrections, the legislative corrections ombudsman, the senate and house fiscal agencies, and the state budget director not later than December 15.



DEPARTMENT OF CORRECTIONS - BOILERPLATE

FY 2012-2013 CURRENT LAW	FY 2013-2014		
	EXECUTIVE	HOUSE	SENATE
<p><i>Requires savings in the inmate housing fund to be achieved through competitive bidding of facility operations or other cost-saving measures; requires quarterly reports on expenditures.</i></p> <p>Sec. 905. (1) Savings in the inmate housing fund shall be achieved through competitive bidding of facility operations or other measures to reduce the custody, treatment, clinical, and administrative costs associated with the housing of prisoners. Savings shall be distributed as necessary into separate accounts created to separately identify savings through specific cost savings measures.</p> <p>(2) Quarterly reports on all expenditures from the inmate housing fund shall be submitted by the department to the state budget director, the senate and house appropriations subcommittees on corrections, and the senate and house fiscal agencies.</p>	<p>Sec. 5-905. Revisions to current law (1); retains (2).</p> <p>(1) The inmate housing fund shall be used for the custody, treatment, clinical, and administrative costs associated with the housing of prisoners other than those specifically budgeted for elsewhere in this article. Funding in the inmate housing fund is appropriated into a separate control account. Funding in the control account shall be distributed as necessary into separate accounts created to separately identify costs for specific purposes.</p>	<p>Sec. 905. Includes Executive revisions to (1); retains (2).</p>	<p>Strikes current law.</p>
<p><i>Establishes legislative intent that MDOC maintain or expand existing public works programming; requires local governments and private organizations that contract for services to be responsible for financing the entire cost of services.</i></p> <p>Sec. 906. It is the intent of the legislature that the department maintain or expand upon existing public works programming by contracting with local units of government or private organizations. Any local unit of government or private organization that contracts with the department for public works services shall be responsible for financing the entire cost of such an agreement.</p>	<p>Sec. 5-906. Retains current law, but strikes first sentence.</p>	<p>Sec. 906. Retains current law, but strikes first sentence.</p>	<p>Sec. 906. Retains current law, but strikes first sentence.</p>



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FY 2012-2013 CURRENT LAW	FY 2013-2014		
	EXECUTIVE	HOUSE	SENATE
<p>Requires detailed reports on MDOC's academic/vocational programs.</p> <p>Sec. 907. The department shall report by March 1 to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, and the state budget director on academic and vocational programs. The report shall provide information relevant to an assessment of the department's academic and vocational programs, including, but not limited to, all of the following:</p> <p>(a) The number of instructors and the number of instructor vacancies, by program and facility.</p> <p>(b) The number of prisoners enrolled in each program, the number of prisoners completing each program, the number of prisoners who fail each program, the number of prisoners who do not complete each program and the reason for not completing the program, the number of prisoners transferred to another facility while enrolled in a program and the reason for transfer, the number of prisoners enrolled who are repeating the program by reason, and the number of prisoners on waiting lists for each program, all itemized by facility.</p> <p>(c) The steps the department has undertaken to improve programs, track records, accommodate transfers and prisoners with health care needs, and reduce waiting lists.</p> <p>(d) The number of prisoners paroled without a high school diploma and the number of prisoners paroled without a GED.</p> <p>(e) An explanation of the value and purpose of each program, for example, to improve employability, reduce recidivism, reduce prisoner idleness, or some combination of these and other factors.</p> <p>(f) An identification of program outcomes for each academic and vocational program.</p> <p>(g) An explanation of the department's plans for academic and vocational programs, including plans to contract with intermediate school districts for GED and high school diploma programs.</p> <p>(h) The number of prisoners not paroled at their earliest release date due to lack of a GED, and the reason those prisoners have not obtained a GED.</p>	<p>Strikes current law.</p>	<p>Sec. 907. Retains current law; adds Legislative Corrections Ombudsman to list of recipients of report.</p>	<p>Sec. 907. Retains current law; adds Legislative Corrections Ombudsman to list of recipients of report.</p>



DEPARTMENT OF CORRECTIONS - BOILERPLATE

FY 2012-2013 CURRENT LAW	FY 2013-2014		
	EXECUTIVE	HOUSE	SENATE
<p>Requires MDOC to allow Michigan Braille transcribing service to continue to operate at its current location in Jackson complex.</p> <p>Sec. 910. The department shall allow the Michigan Braille transcribing fund program to operate at its current location. The donation of the building by the Michigan Braille transcribing fund at the G. Robert Cotton correctional facility in Jackson is acknowledged and appreciated. The department shall continue to encourage the Michigan Braille transcribing fund program to produce high-quality materials for use by the visually impaired.</p>	Strikes current law.	Sec. 910. Retains current law.	Sec. 910. Retains current law.
<p>Requires MDOC to report on the monthly number of critical incidents and assaults occurring at each prison facility.</p> <p>Sec. 911. By March 1, the department shall report to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, the legislative corrections ombudsman, and the state budget director the number of critical incidents occurring each month by type and the number and severity of assaults occurring each month at each facility during calendar year 2011.</p>	Strikes current law.	Sec. 911. Retains current law.	Sec. 911. Retains current law.
<p>Requires staffing report on corrections officer-to-prisoner ratio, shift command-to-line custody staff ratio, and non-custody staff-to-prisoner ratio for each correctional institution.</p> <p>Sec. 912. The department shall report to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, and the state budget director by March 1 on the ratio of correctional officers to prisoners for each correctional institution, the ratio of shift command staff to line custody staff, and the ratio of noncustody institutional staff to prisoners for each correctional institution.</p>	Strikes current law.	Sec. 912. Retains current law; adds Legislative Corrections Ombudsman to list of recipients of report.	Sec. 912. Retains current law; adds Legislative Corrections Ombudsman to list of recipients of report.



DEPARTMENT OF CORRECTIONS - BOILERPLATE

FY 2012-2013 CURRENT LAW	FY 2013-2014		
	EXECUTIVE	HOUSE	SENATE
<p><i>Requires quarterly reporting detailing enrollment and completion of sex offender, assaultive offender, violent offender, and Thinking for Change programming and plans to address waiting lists for these programs.</i></p> <p>Sec. 913. (1) It is the intent of the legislature that any prisoner required to complete an assaultive offender program, sexual offender program, or other program as a condition of parole shall be transferred to a facility where that program is available in order to accomplish timely completion of that program prior to the expiration of his or her minimum sentence and eligibility for parole. Nothing in this section should be deemed to make parole denial appealable in court.</p> <p>(2) The department shall submit a quarterly report to the members of the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, the state budget director, and the legislative corrections ombudsman detailing enrollment in sex offender programming, assaultive offender programming, violent offender programming, and thinking for change. At a minimum, the report shall include the following:</p> <p>(a) A full accounting of the number of individuals who are required to complete the programming, but have not yet done so.</p> <p>(b) The number of individuals who have reached their earliest release date, but who have not completed required programming.</p> <p>(c) A plan of action for addressing any waiting lists or backlogs for programming that may exist.</p>	<p>Strikes current law.</p>	<p>Sec. 913. Retains current law.</p>	<p>Sec. 913. Retains current law; changes "assaultive offender program" to "violence prevention program" in (1).</p>



DEPARTMENT OF CORRECTIONS - BOILERPLATE

FY 2012-2013 CURRENT LAW	FY 2013-2014		
	EXECUTIVE	HOUSE	SENATE
<p><i>Requires a report on the number of computers available for prisoner use within each prison, and the purpose and frequency of use of these computers.</i></p> <p>Sec. 916. The department shall report by February 1 to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, and the state budget director on the number of computers available for use by prisoners within each prison facility. The report shall summarize the purpose and frequency of use of these computers within each facility, and in particular shall provide detail on the extent to which computers are utilized for education programming, for both academic and vocational purposes.</p>	<p>Strikes current law.</p>	<p>Sec. 916. Retains current law.</p>	<p>Sec. 916. Retains current law; adds Legislative Corrections Ombudsman to list of recipients of report.</p>



DEPARTMENT OF CORRECTIONS - BOILERPLATE

FY 2012-2013 CURRENT LAW	FY 2013-2014		
	EXECUTIVE	HOUSE	SENATE
<p><i>Requires a report on savings realized through prison and camp closures, and on associated costs generated for other facilities and for community-based programs and supervision.</i></p> <p>Sec. 921. (1) By March 1, the department shall report to the chairs of the senate and house appropriations committees, the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, and the state budget director on the following:</p> <p>(a) The actual savings realized between January 1, 2009 and April 1, 2012 as a result of closing correctional facilities and correctional camps between January 1, 2009 and January 1, 2013, itemized by correctional facility or correctional camp.</p> <p>(b) The projected fiscal year 2012-2013 savings by closing correctional facilities and correctional camps between January 1, 2009 and January 1, 2013, itemized by correctional facility or correctional camp.</p> <p>(2) The report in subsection (1) shall include information on all of the following:</p> <p>(a) The savings realized or projected to be realized, itemized by program or type of expenditure.</p> <p>(b) Any cost of field supervision, field operations programs, or prisoner reintegration programs related to the closure of correctional facilities and correctional camps between January 1, 2009 and January 1, 2013.</p>	<p>Strikes current law.</p>	<p>Sec. 921. Includes new language.</p> <p>The department shall notify the chairs of the senate and house of representatives standing committees on appropriations, the senate and house of representatives appropriations subcommittees on corrections, the senate and house fiscal agencies, the legislative corrections ombudsman, and the state budget director not less than 90 days before recommending to close or consolidate any correctional facilities or correctional camps. The notification shall include a local and state impact study of the proposed closure or consolidation. The study shall include, but not be limited to, information on cost avoidance and cost savings associated with the proposed closure or consolidation, including costs for maintenance and security of facilities and camps after closure, and any costs of field supervision, field operations programs, or prisoner reintegration programs related to the closure or consolidation of those correctional facilities or correctional camps. Costs and savings shall be itemized by program or type of expenditure.</p>	<p>Strikes current law.</p>



DEPARTMENT OF CORRECTIONS - BOILERPLATE

FY 2012-2013 CURRENT LAW	FY 2013-2014		
	EXECUTIVE	HOUSE	SENATE
<p><i>Requires MDOC to cooperate with DOE to evaluate the feasibility of local intermediate school districts providing educational programming to targeted prisoners under age 20; requires a report on plans and evaluations.</i></p> <p>Sec. 923. (1) The department shall cooperate with the department of education to evaluate the feasibility of local intermediate school districts providing education programming to targeted prisoners under the age of 20 who have not received a high school diploma. By June 1, the department shall report to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, and the state budget director on any plans or evaluations developed under this section.</p> <p>(2) The department shall make efforts to encourage retired school teachers to provide education services in correctional facilities through volunteerism.</p>	<p>Strikes current law.</p>	<p>Sec. 923. Retains current law; adds Legislative Corrections Ombudsman to list of recipients of report.</p>	<p>Strikes current law.</p>



DEPARTMENT OF CORRECTIONS - BOILERPLATE

FY 2012-2013 CURRENT LAW	FY 2013-2014		
<p><i>Requires prisoners to be evaluated at intake for certain disorders and serious mental illness; requires therapeutic seclusion as opposed to administrative segregation for prisoners with serious mental illness.</i></p> <p>Sec. 924. The department shall evaluate all prisoners at intake for substance abuse disorders, developmental disorders, serious mental illness, and other mental health disorders. Prisoners with serious mental illness shall not be confined in administrative segregation. Under the supervision of a mental health professional, a prisoner with serious mental illness may be secluded in a therapeutic environment for the safety of the prisoner or others. A prisoner in therapeutic seclusion shall be evaluated by a mental health professional at a frequency set forth in the mental health code, 1974 PA 258, MCL 330.1001 to 330.2106, or at least every 12 hours, whichever would require more frequent evaluations, in order to remain in therapeutic seclusion.</p>	EXECUTIVE	HOUSE	SENATE
	<p>Sec. 5-924. The department shall evaluate all prisoners at intake for substance abuse disorders, developmental disorders, serious mental illness, and other mental health disorders. Prisoners with serious mental illness shall not be confined in administrative segregation DUE TO SERIOUS MENTAL ILLNESS. Under the supervision of a mental health professional, a prisoner with serious mental illness may be secluded in a therapeutic environment for the safety of the prisoner or others. A prisoner in therapeutic seclusion shall be evaluated by a mental health professional at a frequency set forth in the mental health code, 1974 PA 258, MCL 330.1001 to 330.2106. or at least every 12 hours, whichever would require more frequent evaluations, in order to remain in therapeutic seclusion.</p>	<p>Sec. 924. Retains current law.</p>	<p>Sec. 924. Retains current law; revises evaluation time period to "not less than every 8 hours".</p>



DEPARTMENT OF CORRECTIONS - BOILERPLATE

FY 2012-2013 CURRENT LAW	FY 2013-2014		
	EXECUTIVE	HOUSE	SENATE
<p><i>Requires a report on the use of administrative segregation for prisoners with serious mental illness or developmental disorders.</i></p> <p>Sec. 925. By March 1, 2013, the department shall report to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, and the state budget director on the annual number of prisoners in administrative segregation between October 1, 2003 and September 30, 2012, and the annual number of prisoners in administrative segregation between October 1, 2003 and September 30, 2012 who at any time during the current or prior prison term were diagnosed with serious mental illness or have a developmental disorder and the number of days each of the prisoners with serious mental illness or a developmental disorder have been confined to administrative segregation.</p>	<p>Strikes current law.</p>	<p>Sec. 925. Retains current law; adds Legislative Corrections Ombudsman to list of recipients of report; updates fiscal years.</p>	<p>Sec. 925. Retains current law; adds Legislative Corrections Ombudsman to list of recipients of report; updates fiscal years.</p>



DEPARTMENT OF CORRECTIONS - BOILERPLATE

FY 2012-2013 CURRENT LAW	FY 2013-2014		
	EXECUTIVE	HOUSE	SENATE
<p><i>Guides treatment of offenders less than 19 years of age by requiring specialized training for staff and separate housing, limiting administrative segregation for those with mental health issues, and requiring specialized re-entry program.</i></p> <p>Sec. 929. From the funds appropriated in part 1, the department shall do all of the following: (a) Ensure that any inmate care and control staff in contact with prisoners less than 19 years of age are adequately trained with regard to the developmental and mental health needs of prisoners less than 19 years of age. By April 1, 2012, the department shall report to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, and the state budget director on the training curriculum used and the number and types of staff receiving training under that curriculum since October 2009. (b) Provide appropriate placement for prisoners less than 19 years of age who have serious mental illness, serious emotional disturbance, or a developmental disorder and need to be housed separately from the general population. Prisoners less than 19 years of age who have serious mental illness, serious emotional disturbance, or a developmental disorder shall not be placed in administrative segregation. Under the supervision of a mental health professional, a prisoner less than 19 years of age with serious mental illness or serious emotional disturbance may be secluded in a therapeutic environment for the safety of the prisoner or others. A prisoner in therapeutic seclusion shall be evaluated every 12 hours by a mental health professional in order to remain in therapeutic seclusion. (c) Implement a specialized re-entry program that recognizes the needs of prisoners less than 19 years old for supervised re-entry.</p>	<p>Sec. 5-929. Strikes current law (a) and (c); retains (b) with revisions.</p> <p>Provide appropriate placement for prisoners less than 19 years of age who have serious mental illness, serious emotional disturbance, or a developmental disorder and need to be housed separately from the general population. Prisoners less than 19 years of age who have serious mental illness, serious emotional disturbance, or a developmental disorder shall not be placed in administrative segregation due to a serious mental illness or serious emotion disturbance. Under the supervision of a mental health professional, a prisoner less than 19 years of age with serious mental illness or serious emotional disturbance may be secluded in a therapeutic environment for the safety of the prisoner or others. A prisoner in therapeutic seclusion shall be evaluated every 12 hours by a mental health professional at the frequency set forth in the mental health code, 1974 PA 258, MCL 330.1001 to 330.2106. in order to remain in therapeutic seclusion.</p>	<p>Sec. 929. Retains current law; adds Legislative Corrections Ombudsman to list of recipients of report.</p>	<p>Sec. 929. Retains current law; revises evaluation time period to "not less than every 8 hours"; adds Legislative Corrections Ombudsman to list of recipients of report.</p>
<p><i>Forbids the Department from having a shooting range at 3760 Foco Road in Standish.</i></p> <p>Sec. 930. The department shall not have a shooting range located on property east of 3760 Foco Road, Standish, Michigan.</p>	<p>Strikes current law.</p>	<p>Strikes current law.</p>	<p>Strikes current law.</p>



DEPARTMENT OF CORRECTIONS - BOILERPLATE

FY 2012-2013 CURRENT LAW	FY 2013-2014		
	EXECUTIVE	HOUSE	SENATE
<p><i>Requires MDOC to regularly evaluate prisons in terms of cost effectiveness; requires an economic impact analysis to be done on the surrounding community when a facility is no longer cost effective; requires cooperation with MEDC and other agencies to encourage private investment after any closure.</i></p> <p>Sec. 935. The department shall regularly evaluate each correctional facility in terms of cost effectiveness and make a determination as to how long each facility should remain open based upon the age of the facility, the costs of its continued operation, and the relative costs of alternative bed space that could be utilized. When it is determined that a facility is no longer cost-effective to operate due to the age of the facility or that the facility has become functionally obsolete, or both, the department should analyze the economic impact of the facility on the surrounding community. If the department determines that the facility is critical to the economic viability of the surrounding community, the department shall work with the Michigan economic development corporation and any other relevant state or local agencies to encourage private sector investment in that community.</p>	Strikes current law.	Sec. 935. Retains current law.	Strikes current law.
<p><i>Requires MDOC to contract for energy utilization assessments at each state prison and to implement energy-saving initiatives; requires a report on these efforts.</i></p> <p>Sec. 936. The department shall contract with third-party providers to complete an assessment of energy utilization at each state correctional facility. In particular, the department shall endeavor to identify and implement energy-saving initiatives in the various correctional facilities. By April 1, the department shall provide the members of the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, the state budget director, and the legislative corrections ombudsman with a report on these efforts.</p>	Strikes current law.	Strikes current law.	Strikes current law.



DEPARTMENT OF CORRECTIONS - BOILERPLATE

FY 2012-2013 CURRENT LAW	FY 2013-2014		
	EXECUTIVE	HOUSE	SENATE
<p><i>Requires cost-effective housing initiative funding to be used for public-private partnerships, privately-owned facilities, or use of state facilities by third-party contractors to achieve budgeted savings.</i></p> <p>Sec. 937. The funds appropriated in part 1 for the cost-effective housing initiative shall be utilized to ensure more cost-effective housing of prisoners. The department shall use this funding to house prisoners in the most cost-effective manner possible. This shall include exploring the use of public-private partnerships, the use of privately owned facilities in Michigan, and the use of state facilities by third-party contractors. The use of cost-effective housing from this initiative shall be used to achieve general prison operations savings budgeted in the inmate housing fund line item. The department shall work cooperatively with the chairpersons of the senate and house appropriations subcommittees on corrections in identifying appropriate reductions to prison facility line items to achieve the budgeted savings in the inmate housing fund line item.</p>	Strikes current law.	Sec. 937. Retains current law.	Strikes current law.
			<p><u>NEW LANGUAGE</u></p> <p>Sec. 938. The department shall designate an individual to be responsible for responding to questions that legislators, vendors, and the public submit to the department about pending requests for proposals or requests for information. The department shall respond to these inquiries within 15 business days.</p>



DEPARTMENT OF CORRECTIONS - BOILERPLATE

FY 2012-2013 CURRENT LAW	FY 2013-2014		
	EXECUTIVE	HOUSE	SENATE
<p>Requires competitive bidding for the privatization of the special alternative incarceration facility at Camp Cassidy Lake, prison stores, prison food service operations, and up to 1,750 custody beds by January 1, 2013.</p> <p>Sec. 939. (1) By January 1, the department shall release a request for proposal seeking competitive bids for the special alternative incarceration facility, the prison stores, the food service operations, and up to 1,750 custody beds.</p> <p>(2) The department, working with the department of technology, management, and budget, shall issue a quarterly report detailing the current status of any requests for proposal required under this section. If the status of any item listed in the report remains unchanged for more than 2 consecutive reporting periods, the report shall provide an explanation of the delay.</p>	<p>Strikes current law.</p>	<p>Sec. 939. Revises language.</p> <p>Changes January 1 to October 15</p> <p>Strikes special alternative incarceration facility and the food service operations</p> <p>Lists specific report recipients.</p>	<p>Sec. 939. Revises language.</p> <p>Adds request for proposal seeking competitive bids for electronic monitoring center.</p> <p>Adds request for information for competitive bids for prisoner clothing produced by MSI and for a secure detention facility that would house inmates serving terms of two years or less and provide job training and related programming.</p> <p>Adds new (4) When coordinating with the department of technology, management, and budget to competitively bid a department service, the department shall disclose to bidders in advance of bid submission all costs, including accrued legacy costs and administrative oversight costs, that will be included in the analysis of the potential savings of the bids.</p>
<p>Requires MDOC to enter into a contract with a Michigan-based company that provides laboratory oral fluid drug testing.</p> <p>Sec. 940. For the purpose of procuring drug testing services at correctional facilities, the department shall enter into a contract with a Michigan-based company that provides laboratory oral fluid drug testing.</p>	<p>Strikes current law.</p>	<p>Sec. 940. Retains current law.</p>	<p>Strikes current law.</p>



DEPARTMENT OF CORRECTIONS - BOILERPLATE

FY 2012-2013 CURRENT LAW	FY 2013-2014		
	EXECUTIVE	HOUSE	SENATE
			<u>NEW LANGUAGE</u>
			<p>Sec. 940. (1) Any lease, rental, contract, or other legal agreement that includes a provision allowing a private person or entity to use state-owned facilities or other property to conduct a for-profit business enterprise shall require the lessee to pay fair market value for the use of the state-owned property.</p> <p>(2) The lease, rental, contract, or other legal agreement shall also require the party using the property to make a payment in lieu of taxes to the local jurisdictions that would otherwise receive property tax revenue if the property were not owned by the state.</p>
<p><i>Requires MDOC to ensure that any contractor that operates the Special Alternative Incarceration facility at Camp Cassidy Lake will continue to provide public works services to the St. Louis Center in Chelsea at rates consistent with current rates.</i></p> <p>Sec. 941. The department shall ensure that any contract with a public or private party to operate the special alternative incarceration facility at camp Cassidy Lake includes a provision to require that public works program services continue to be provided to the St. Louis Center in Chelsea at rates consistent with the rate structure in place as of May 1, 2011.</p>	Strikes current law.	Strikes current law.	Strikes current law.



DEPARTMENT OF CORRECTIONS - BOILERPLATE

FY 2012-2013 CURRENT LAW	FY 2013-2014		
	EXECUTIVE	HOUSE	SENATE
<p><i>Requires that any contract with a third-party to operate a facility to house Michigan prisoners include a provision allowing access to the facility and to appropriate records by the Auditor General and Corrections Ombudsman.</i></p> <p>Sec. 942. The department shall ensure that any contract with a public or private party to operate a facility to house state prisoners includes a provision to allow access by both the office of the legislative auditor general and the office of the legislative corrections ombudsman to the facility and to appropriate records and documents related to the operation of the facility. These access rights for both offices shall be the same for the contracted facility as for a general state-operated correctional facility.</p>	Strikes current law.	Sec. 942. Retains current law.	Sec. 942. Retains current law.
<p><i>Establishes legislative intent that MDOC will maintain sufficient perimeter security measures at prisons to ensure safety of surrounding communities.</i></p> <p>Sec. 943. It is the intent of the legislature that the department maintains sufficient perimeter security measures at department prison facilities to ensure the safety of communities surrounding those facilities.</p>	Strikes current law.	Sec. 943. Retains current law.	Strikes current law.
<p><i>Requires MDOC to allow prisoner mentors to continue their relationships with prisoners during their parole term unless there are specific reasons that it is not in the prisoner's best interest; prohibits MDOC from practicing policy that disqualifies established mentors at time of parole.</i></p> <p>Sec. 945. As a condition for expending funds appropriated in part 1, the department shall allow a person acting as a prisoner mentor to continue his or her mentoring relationship with a prisoner as that prisoner transitions back into the community during his or her term of parole unless the department has specific reasons as to why the continuation of the mentoring relationship is not in the best interest of the prisoner's transition success. The department shall not establish or practice a policy that automatically disqualifies a mentor from continuing an established mentoring relationship during a prisoner's term of parole.</p>	Strikes current law.	Sec. 945. Retains current law.	Strikes current law.



DEPARTMENT OF CORRECTIONS - BOILERPLATE

FY 2012-2013 CURRENT LAW	FY 2013-2014		
	EXECUTIVE	HOUSE	SENATE
<p><i>Prohibits MDOC from denying prisoners access to faith-based programming based on its faith-based nature; requires MDOC to establish and distribute policy guidance regarding the validity of faith-based programming and prohibiting discrimination where prisoners desire such programming.</i></p> <p>Sec. 946. As a condition for expending funds appropriated in part 1, the department shall not restrict prisoner access to programming and shall not deny prisoner access to persons qualified to deliver programming because of the faith-based nature of the programming. The department shall establish clear policy guidance regarding the validity of faith-based programming for prisoners who desire that programming and prohibiting discrimination against faith-based programming relative to other types of programming for those prisoners. The policy shall be communicated to all prison wardens and key facility management staff to ensure compliance.</p>	<p>Strikes current law.</p>	<p>Sec. 946. Retains current law.</p>	<p>Strikes current law.</p>



DEPARTMENT OF CORRECTIONS - BOILERPLATE

FY 2012-2013 CURRENT LAW	FY 2013-2014		
	EXECUTIVE	HOUSE	SENATE
		<p><u>NEW LANGUAGE</u></p> <p>Sec. 947. The department may engage with a state of Michigan 501(c)(3) nonprofit agency to develop a pilot program to manufacture prison clothing. This program shall utilize the prisoner re-entry population and provide comprehensive job training with the goal of transitioning into community employment. The pilot program shall be funded from 15% of the current funds allocated to Michigan services industry for the manufacture of prison clothing. The nonprofit agency must have existing statewide capacity to serve paroled prisoners. The agency selected will provide semi-annual reports to the department, the senate and house appropriations subcommittees on corrections, and the senate and house fiscal agencies, detailing cost savings incurred and outcomes of parolee employment programs.</p>	



DEPARTMENT OF CORRECTIONS - BOILERPLATE

FY 2012-2013 CURRENT LAW	FY 2013-2014		
	EXECUTIVE	HOUSE	SENATE
<p><u>MISCELLANEOUS</u></p> <p><i>Requires MDOC to create an information packet for families of incoming prisoners and to post it on the MDOC website; specifies information to be included in packet.</i></p> <p>Sec. 1009. The department shall create an information packet for the families of incoming prisoners. This packet shall be made available on the department website by February 1, 2013 and shall be updated by February 1 of each year thereafter. The packet shall provide information on topics including, but not limited to: how to put money into prisoner accounts, how to make phone calls or create Jpay email accounts, how to visit in person, proper procedures for filing complaints or grievances, the rights of prisoners to physical and mental health care, how to utilize the offender tracking information system (OTIS), truth-in-sentencing and how it applies to minimum sentences, the parole process, and guidance on the importance of the role of families in the reentry process. The department is encouraged to partner with external advocacy groups and actual families of prisoners in the packet-writing process to ensure that the information is useful and complete.</p>	Strikes current law.	Sec. 1009. Retains current law.	Strikes current law.
<p><i>Requires MDOC to accept in-kind services and equipment donations to facilitate adding cable network with religious programming for prisoners.</i></p> <p>Sec. 1011. The department shall accept in-kind services and equipment donations to facilitate the addition of a cable network that provides programming that will address the religious needs of incarcerated individuals. This network shall be a cable television network that presently reaches the majority of households in the United States. A bilingual channel affiliated with this network may also be added to department programming to assist the religious needs of Spanish-speaking inmates. The addition of these channels shall be of no additional cost to this state.</p>	Strikes current law.	Sec. 1011. Retains current law.	Strikes current law.



DEPARTMENT OF CORRECTIONS - BOILERPLATE

FY 2012-2013 CURRENT LAW	FY 2013-2014		
	EXECUTIVE	HOUSE	SENATE
	<p><u>NEW LANGUAGE</u></p> <p><u>CAPITAL OUTLAY</u> Sec. 5-1001. The appropriations in part 1 for capital outlay shall be carried forward at the end of the fiscal year consistent with the provisions of section 248 of the management and budget act, 1984 PA 431, MCL 18.1248.</p>	<p>Sec. 1001. Includes new Executive language.</p>	<p>Sec. 1001. Includes new Executive language.</p>
<p><i>States legislative intent to provide appropriations for FY 2013-14, adjusting FY 2012-13 amounts based on economic and other factors.</i></p> <p>Sec. 1201. It is the intent of the legislature to provide appropriations for the fiscal year ending on September 30, 2014 for the line items listed in part 1. The fiscal year 2013-2014 appropriations are anticipated to be the same as those for fiscal year 2012-2013, except that the line items will be adjusted for changes in caseload and related costs, federal fund match rates, economic factors, and available revenue. These adjustments will be determined after the January 2013 consensus revenue estimating conference.</p>	<p>Strikes current law.</p>	<p>Sec. 1201. Retains current law; updates fiscal years.</p>	<p>Sec. 1201. Retains current law; updates fiscal years.</p>