

SUBSTITUTE FOR

HOUSE BILL NO. 4231

(As amended by the House June 11, 2019)

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

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1
2
3
4
5
6
7
8
9
10
11

PART 1

LINE-ITEM APPROPRIATIONS

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

DEPARTMENT OF CORRECTIONS

APPROPRIATION SUMMARY

Average population.....	38,445
Full-time equated unclassified positions.....	16.0
Full-time equated classified positions.....	13,778.3
GROSS APPROPRIATION.....	\$ [2,007,503,300]

House Bill No. 4231 as amended June 11, 2019

1	Interdepartmental grant revenues:	
2	Total interdepartmental grants and intradepartmental	
3	transfers	0
4	ADJUSTED GROSS APPROPRIATION.....	\$ [2,007,503,300]
5	Federal revenues:	
6	Total federal revenues.....	5,323,700
7	Special revenue funds:	
8	Total local revenues.....	11,687,200
9	Total private revenues.....	0
10	Total other state restricted revenues.....	57,992,400
11	State general fund/general purpose.....	\$ [1,932,500,000]
12	Sec. 102. DEPARTMENTAL ADMINISTRATION AND SUPPORT	
13	Full-time equated unclassified positions16.0	
14	Full-time equated classified positions322.0	
15	Unclassified salaries--16.0 FTE positions.....	\$ 1,760,700
16	Administrative hearings officers.....	3,136,800
17	Budget and operations administration--241.0 FTE	
18	positions	31,886,300
19	Compensatory buyout and union leave bank.....	100
20	County jail reimbursement program.....	14,814,600
21	Equipment and special maintenance.....	1,559,700
22	Executive direction--20.0 FTE positions.....	4,299,400
23	Judicial data warehouse user fees.....	50,600
24	New custody staff training.....	9,491,100
25	Prison industries operations--61.0 FTE positions.....	9,989,100
26	Property management.....	2,255,100
27	Prosecutorial and detainer expenses.....	4,801,000

House Bill No. 4231 as amended June 11, 2019

1	Sheriffs' coordinating and training office.....	100,000
2	Worker's compensation.....	<u>10,052,900</u>
3	GROSS APPROPRIATION.....	\$ 94,197,400
4	Appropriated from:	
5	Federal revenues:	
6	DOJ, prison rape elimination act grant.....	674,700
7	Special revenue funds:	
8	Correctional industries revolving fund.....	9,989,100
9	Correctional industries revolving fund 110.....	721,600
10	Jail reimbursement program fund.....	5,900,000
11	Local corrections officer training fund.....	100,000
12	Program and special equipment fund.....	100
13	State general fund/general purpose.....	\$ 76,811,900
14	Sec. 103. OFFENDER SUCCESS ADMINISTRATION	
15	Full-time equated classified positions344.4	
16	Community corrections comprehensive plans and services \$	11,658,000
17	Drunk driver jail reduction and community treatment	
18	program	1,440,100
19	Education/skilled trades/career readiness programs--	
20	266.4 FTE positions	38,331,600
21	Enhanced food technology program--12.0 FTE positions..	2,000,000
22	Federally qualified health center pilot.....	100
23	Offender success community partners.....	14,500,000
24	Offender success federal grants.....	751,000
25	Offender success programming.....	11,772,800
26	Offender success services--66.0 FTE positions.....	29,561,400
	[Public safety initiative	4,000,000]
27	Residential probation diversions.....	<u>17,825,500</u>

House Bill No. 4231 as amended June 11, 2019

1	GROSS APPROPRIATION.....	\$	[131,840,500]
2	Appropriated from:		
3	Federal revenues:		
4	DOJ, prisoner reintegration.....		751,000
5	Federal education funding.....		1,540,800
6	Special revenue funds:		
7	Program and special equipment fund.....		27,093,100
8	State general fund/general purpose.....	\$	[102,455,600]
9	Sec. 104. FIELD OPERATIONS ADMINISTRATION		
10	Full-time equated classified positions		2,181.5
11	Criminal justice reinvestment.....	\$	5,498,400
12	Detroit Detention Center--69.1 FTE positions.....		11,412,200
13	Detroit Reentry Center--237.9 FTE positions.....		30,561,100
14	Field operations--1,843.5 FTE positions.....		217,784,600
15	Parole board operations--31.0 FTE positions.....		3,793,300
16	Parole/probation services.....		940,000
17	Residential alternative to prison program.....		<u>1,500,000</u>
18	GROSS APPROPRIATION.....	\$	271,489,600
19	Appropriated from:		
20	Special revenue funds:		
21	Local - community tether program reimbursement.....		275,000
22	Local revenues.....		11,412,200
23	Parole and probation oversight fees.....		4,000,000
24	Parole and probation oversight fees set-aside.....		940,000
25	Reentry center offender reimbursements.....		10,000
26	Tether program participant contributions.....		2,630,500
27	State general fund/general purpose.....	\$	252,221,900

1	Sec. 105. CORRECTIONAL FACILITIES ADMINISTRATION	
2	Full-time equated classified positions	663.0
3	Central records--35.0 FTE positions.....	\$ 4,646,800
4	Correctional facilities administration--31.0 FTE	
5	positions	5,991,400
6	Housing inmates in federal institutions.....	511,000
7	Inmate housing fund.....	100
8	Inmate legal services.....	290,900
9	Leased beds and alternatives to leased beds.....	100
10	Prison food service--352.0 FTE positions.....	71,131,100
11	Prison store operations--34.0 FTE positions.....	3,331,400
12	Public works programs.....	1,000,000
13	Transportation--211.0 FTE positions.....	<u>29,938,400</u>
14	GROSS APPROPRIATION.....	\$ 116,841,200
15	Appropriated from:	
16	Federal revenues:	
17	DOJ-BOP, federal prisoner reimbursement.....	411,000
18	SSA-SSI, incentive payment.....	272,000
19	Special revenue funds:	
20	Correctional industries revolving fund 110.....	583,900
21	Public works user fees.....	1,000,000
22	Resident stores.....	3,331,400
23	State general fund/general purpose.....	\$ 111,242,900
24	Sec. 106. HEALTH CARE	
25	Full-time equated classified positions	1,473.3
26	Clinical complexes--1,035.3 FTE positions.....	\$ 145,977,800
27	Health care administration--20.0 FTE positions.....	3,815,200

1	Healthy Michigan plan administration--12.0 FTE	
2	positions	982,700
3	Hepatitis C treatment.....	6,735,600
4	Interdepartmental grant to health and human services,	
5	eligibility specialists	121,500
6	Mental health and substance abuse treatment services--	
7	406.0 FTE positions	50,924,800
8	Prisoner health care services.....	86,892,900
9	Vaccination program.....	<u>691,200</u>
10	GROSS APPROPRIATION.....	\$ 296,141,700
11	Appropriated from:	
12	Federal revenues:	
13	DOJ, Office of Justice programs, RSAT.....	250,200
14	Federal revenues and reimbursements.....	389,200
15	Special revenue funds:	
16	Prisoner health care copayments.....	257,200
17	State general fund/general purpose.....	\$ 295,245,100
18	Sec. 107. CORRECTIONAL FACILITIES	
19	Average population	38,445
20	Full-time equated classified positions	8,794.1
21	Alger Correctional Facility - Munising--259.0 FTE	
22	positions	\$ 31,510,900
23	Baraga Correctional Facility - Baraga--295.8 FTE	
24	positions	36,622,100
25	Bellamy Creek Correctional Facility - Ionia--391.2 FTE	
26	positions	45,578,500
27	Carson City Correctional Facility - Carson City--423.4	

1	FTE positions	50,103,600
2	Central Michigan Correctional Facility - St. Louis--	
3	388.6 FTE positions	47,665,900
4	Charles E. Egeler Correctional Facility - Jackson--	
5	386.6 FTE positions	47,136,400
6	Chippewa Correctional Facility - Kincheloe--443.6 FTE	
7	positions	52,687,300
8	Cooper Street Correctional Facility - Jackson--262.1	
9	FTE positions	30,716,700
10	Earnest C. Brooks Correctional Facility - Muskegon--	
11	248.2 FTE positions	31,058,100
12	G. Robert Cotton Correctional Facility - Jackson--	
13	393.0 FTE positions	46,141,700
14	Gus Harrison Correctional Facility - Adrian--443.6 FTE	
15	positions	51,430,500
16	Ionia Correctional Facility - Ionia--287.3 FTE	
17	positions	35,236,300
18	Kinross Correctional Facility - Kincheloe--258.6 FTE	
19	positions	33,574,700
20	Lakeland Correctional Facility - Coldwater--275.4 FTE	
21	positions	33,883,000
22	Macomb Correctional Facility - New Haven--292.8 FTE	
23	positions	35,755,800
24	Marquette Branch Prison - Marquette--319.7 FTE	
25	positions	39,115,100
26	Michigan Reformatory - Ionia--317.8 FTE positions.....	36,388,100
27	Muskegon Correctional Facility - Muskegon--206.0 FTE	

1	positions	26,478,300
2	Newberry Correctional Facility - Newberry--198.1 FTE	
3	positions	24,989,900
4	Oaks Correctional Facility - Eastlake--289.4 FTE	
5	positions	35,358,300
6	Parnall Correctional Facility - Jackson--264.1 FTE	
7	positions	29,818,600
8	Richard A. Handlon Correctional Facility - Ionia--	
9	252.7 FTE positions	31,116,300
10	Saginaw Correctional Facility - Freeland--276.9 FTE	
11	positions	34,390,100
12	Special Alternative Incarceration Program - Cassidy	
13	Lake--120.0 FTE positions	14,325,300
14	St. Louis Correctional Facility - St. Louis--303.6 FTE	
15	positions	38,496,600
16	Thumb Correctional Facility - Lapeer--283.6 FTE	
17	positions	34,269,200
18	Womens Huron Valley Correctional Complex - Ypsilanti--	
19	504.1 FTE positions	61,141,400
20	Woodland Correctional Facility - Whitmore Lake--277.9	
21	FTE positions	33,516,900
22	Northern region administration and support--43.0 FTE	
23	positions	4,406,900
24	Southern region administration and support--88.0 FTE	
25	positions	<u>20,640,500</u>
26	GROSS APPROPRIATION.....	\$ 1,073,553,000
27	Appropriated from:	

House Bill No. 4231 as amended June 11, 2019

1	Federal revenues:	
2	DOJ, state criminal assistance program.....	1,034,800
3	Special revenue funds:	
4	State restricted fees, revenues, and reimbursements...	102,100
5	State general fund/general purpose.....	\$ 1,072,416,100
6	Sec. 108. INFORMATION TECHNOLOGY	
7	Information technology services and projects.....	\$ <u>23,439,900</u>
8	GROSS APPROPRIATION.....	\$ 23,439,900
9	Appropriated from:	
10	Special revenue funds:	
11	Correctional industries revolving fund 110.....	179,900
12	Parole and probation oversight fees set-aside.....	706,200
13	Program and special equipment fund.....	447,300
14	State general fund/general purpose.....	\$ 22,106,500

PART 2

PROVISIONS CONCERNING APPROPRIATIONS

FOR FISCAL YEAR 2019-2020

GENERAL SECTIONS

19 Sec. 201. Pursuant to section 30 of article IX of the state
20 constitution of 1963, total state spending from state sources under
21 part 1 for fiscal year 2019-2020 is [\$1,990,492,400.00] and state
22 spending from state sources to be paid to local units of government
23 for fiscal year 2019-2020 is [\$122,635,700.00]. The itemized
24 statement below identifies appropriations from which spending to
25 local units of government will occur:

House Bill No. 4231 as amended June 11, 2019

1	DEPARTMENT OF CORRECTIONS		
2	County jail reimbursement program.....	\$	14,814,600
3	Community corrections comprehensive plans and		
4	services		11,658,000
5	Drunk driver jail reduction and community		
6	treatment program		1,440,100
7	Field operations.....		66,596,400
8	Leased beds and alternatives to leased beds.....		100
9	[Public safety initiative		4,000,000]
9	Prosecutorial and detainer expenses.....		4,801,000
10	Residential alternative to prison program.....		1,500,000
11	Residential probation diversions.....		<u>17,825,500</u>
12	TOTAL.....	\$	[122,635,700]

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

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

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

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

- 24 (i) New custody staff training.
- 25 (ii) Education/skilled trades/career readiness programs.
- 26 (iii) Offender success programming.
- 27 (iv) Central records.

- 1 (v) Correctional facilities administration.
2 (vi) Inmate legal services.
3 (vii) Prison food service.
4 (viii) Prison store operations.
5 (ix) Transportation.
6 (x) Clinical complexes.
7 (xi) Hepatitis C treatment.
8 (xii) Mental health and substance abuse treatment services.
9 (xiii) Prisoner health care services.
10 (xiv) Vaccination program.
11 (xv) Correctional facilities.
12 (xvi) Northern and southern region administration and support.
13 (c) "Department" or "MDOC" means the Michigan department of
14 corrections.
15 (d) "DOJ" means the United States Department of Justice.
16 (e) "DOJ-BOP" means the DOJ Bureau of Prisons.
17 (f) "EPIC program" means the department's effective process
18 improvement and communications program.
19 (g) "Evidence-based" means a decision-making process that
20 integrates the best available research, clinician expertise, and
21 client characteristics.
22 (h) "Federally qualified health center" means that term as
23 defined in section 1396d(l) (2) (B) of the social security act, 42
24 USC 1396d.
25 (i) "FTE" means full-time equated.
26 (j) "Goal" means the intended or projected result of a
27 comprehensive corrections plan or community corrections program to

1 reduce repeat offending, criminogenic and high-risk behaviors,
2 prison commitment rates, the length of stay in a jail, or to
3 improve the utilization of a jail.

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

7 (l) "MDHHS" means the Michigan department of health and human
8 services.

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

12 (n) "Objective risk and needs assessment" means an evaluation
13 of an offender's criminal history; the offender's noncriminal
14 history; and any other factors relevant to the risk the offender
15 would present to the public safety, including, but not limited to,
16 having demonstrated a pattern of violent behavior, and a criminal
17 record that indicates a pattern of violent offenses.

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

19 (p) "Offender eligibility criteria" means particular criminal
20 violations, state felony sentencing guidelines descriptors, and
21 offender characteristics developed by advisory boards and approved
22 by local units of government that identify the offenders suitable
23 for community corrections programs funded through the office of
24 community corrections.

25 (q) "Offender success" means that an offender has, with the
26 support of the community, intervention of the field agent, and
27 benefit of any participation in programs and treatment, made an

1 adjustment while at liberty in the community such that he or she
2 has not been sentenced to or returned to prison for the conviction
3 of a new crime or the revocation of probation or parole.

4 (r) "Offender target populations" means felons or
5 misdemeanants who would likely be sentenced to imprisonment in a
6 state correctional facility or jail, who would not likely increase
7 the risk to the public safety based on an objective risk and needs
8 assessment that indicates that the offender can be safely treated
9 and supervised in the community.

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

12 (i) A felon or misdemeanant who receives a sentencing
13 disposition that appears to be in place of incarceration in a state
14 correctional facility or jail, according to historical local
15 sentencing patterns.

16 (ii) A currently incarcerated felon or misdemeanant who is
17 granted early release from incarceration to a community corrections
18 program or who is granted early release from incarceration as a
19 result of a community corrections program.

20 (t) "Programmatic success" means that the department program
21 or initiative has ensured that the offender has accomplished all of
22 the following:

23 (i) Obtained employment, has enrolled or participated in a
24 program of education or job training, or has investigated all bona
25 fide employment opportunities.

26 (ii) Obtained housing.

27 (iii) Obtained a state identification card.

1 (u) "Recidivism" means that term as defined in section 1 of
2 2017 PA 5, MCL 798.31.

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

4 (w) "Serious emotional disturbance" means that term as defined
5 in section 100d(2) of the mental health code, 1974 PA 258, MCL
6 330.1100d.

7 (x) "Serious mental illness" means that term as defined in
8 section 100d(3) of the mental health code, 1974 PA 258, MCL
9 330.1100d.

10 (y) "SSA" means the United States Social Security
11 Administration.

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

13 Sec. 204. The department shall use the internet to fulfill the
14 reporting requirements of this part. This requirement may include
15 transmission of reports via electronic mail to the recipients
16 identified for each reporting requirement or it may include
17 placement of reports on an internet or intranet site.

18 Sec. 205. Funds appropriated in part 1 shall not be used for
19 the purchase of foreign goods or services, or both, if
20 competitively priced and of comparable quality American goods or
21 services, or both, are available. Preference shall be given to
22 goods or services, or both, manufactured or provided by Michigan
23 businesses, if they are competitively priced and of comparable
24 quality. In addition, preference shall be given to goods or
25 services, or both, that are manufactured or provided by Michigan
26 businesses owned and operated by veterans, if they are
27 competitively priced and of comparable quality.

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

4 Sec. 207. The department shall prepare a report on out-of-
5 state travel expenses not later than January 1 of each year. The
6 travel report shall be a listing of all travel by classified and
7 unclassified employees outside this state in the immediately
8 preceding fiscal year that was funded in whole or in part with
9 funds appropriated in the department's budget. The report shall be
10 submitted to the senate and house appropriations committees, the
11 senate and house fiscal agencies, and the state budget office. The
12 report shall include the following information:

13 (a) The dates of each travel occurrence.

14 (b) The total transportation and related costs of each travel
15 occurrence, including the proportion funded with state general
16 fund/general purpose revenues, the proportion funded with state
17 restricted revenues, the proportion funded with federal revenues,
18 and the proportion funded with other revenues.

19 Sec. 208. Funds appropriated in part 1 shall not be used by
20 the department to hire a person to provide legal services that are
21 the responsibility of the attorney general. This prohibition does
22 not apply to legal services for bonding activities and for those
23 outside services that the attorney general authorizes.

24 Sec. 209. Not later than November 30, the state budget office
25 shall prepare and transmit a report that provides for estimates of
26 the total general fund/general purpose appropriation lapses at the
27 close of the prior fiscal year. This report shall summarize the

1 projected year-end general fund/general purpose appropriation
2 lapses by major departmental program or program areas. The report
3 shall be transmitted to the chairpersons of the senate and house
4 appropriations committees and the senate and house fiscal agencies.

5 Sec. 210. (1) In addition to the funds appropriated in part 1,
6 there is appropriated an amount not to exceed \$10,000,000.00 for
7 federal contingency funds. These funds are not available for
8 expenditure until they have been transferred to another line item
9 in part 1 under section 393(2) of the management and budget act,
10 1984 PA 431, MCL 18.1393.

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

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

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

1 MCL 18.1393.

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

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

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

8 (c) Fiscal year-to-date payments to a selected vendor,
9 including the vendor name, payment date, payment amount, and
10 payment description.

11 (d) The number of active department employees by job
12 classification.

13 (e) Job specifications and wage rates.

14 Sec. 212. Within 14 days after the release of the executive
15 budget recommendation, the department shall cooperate with the
16 state budget office to provide the chairpersons of the senate and
17 house appropriations committees, the chairpersons of the senate and
18 house appropriations subcommittees on corrections, and the senate
19 and house fiscal agencies with an annual report on estimated state
20 restricted fund balances, state restricted fund projected revenues,
21 and state restricted fund expenditures for the prior 2 fiscal
22 years.

23 Sec. 213. The department shall maintain, on a publicly
24 accessible website, a department scorecard that identifies, tracks,
25 and regularly updates key metrics that are used to monitor and
26 improve the department's performance.

27 Sec. 214. Total authorized appropriations from all sources

1 under part 1 for legacy costs for the fiscal year ending September
2 30, 2020 are estimated at \$295,107,000.00. From this amount, total
3 department appropriations for pension-related legacy costs are
4 estimated at \$143,458,300.00. Total department appropriations for
5 retiree health care legacy costs are estimated at \$151,648,700.00.

6 Sec. 216. (1) On a quarterly basis, the department shall
7 report on the number of full-time equated positions in pay status
8 by civil service classification, including the number of full-time
9 equated positions in pay status by civil service classification for
10 each correctional facility, to the senate and house appropriations
11 subcommittees on corrections, the senate and house fiscal agencies,
12 the legislative corrections ombudsman, and the state budget office.
13 This report must include the following:

14 (a) A detailed accounting of all vacant positions that exist
15 within the department.

16 (b) A detailed accounting of all correction officer positions
17 at each correctional facility, including positions that are filled
18 and vacant positions, by facility.

19 (c) A detailed accounting of all vacant positions that are
20 health care-related.

21 (d) A detailed accounting of vacant positions that are being
22 held open for temporarily nonactive employees.

23 (2) As used in this section, "vacant position" means any
24 position that has not been filled at any time during the past 12
25 calendar months.

26 Sec. 219. (1) Any contract for prisoner telephone services
27 entered into after the effective date of this section shall include

1 a condition that fee schedules for prisoner telephone calls,
2 including rates and any surcharges other than those necessary to
3 meet program and special equipment costs, be the same as fee
4 schedules for calls placed from outside of correctional facilities.

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

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

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

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

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

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

11 Sec. 225. Appropriations in part 1 shall not be expended until
12 all existing work project authorization available for the same
13 purposes is exhausted.

14 Sec. 226. (1) From the unexpended and unencumbered funds
15 appropriated in 2014 PA 252, 2015 PA 84, 2016 PA 268, 2017 PA 107,
16 2018 PA 207, and 2018 PA 618 for MDOC physical plant projects
17 utilizing operating funds, pilot online career high school
18 education program, new custody officer training, offender
19 success/local reentry/local reentry services, education/vocational
20 village enhancements, Ojibway Correctional Facility closure costs
21 and site maintenance, staff transition costs, Hepatitis C treatment
22 program, Pugsley Correctional Facility closure costs and site
23 maintenance, and swift and sure sanctions program - Michigan
24 rehabilitation services, the following appropriations shall be
25 made:

26 (a) \$7,393,400.00 for training new custody staff.

27 (b) \$4,567,100.00 for replacing electronic tethers.

1 (c) \$950,000.00 for providing post-traumatic stress disorder
2 training and wellness support for department employees.

3 (d) \$750,000.00 for demolition of the former Deerfield
4 Correctional Facility.

5 (e) \$500,000.00 for replacing corrections officer training
6 binders with electronic equipment.

7 (f) \$200,000.00 for requalifying corrections officers in
8 handgun training.

9 (g) \$100,000.00 for conducting a study on the most suitable
10 location for a corrections officer training academy.

11 (2) The funds appropriated under subsection (1) are considered
12 work project appropriations for the fiscal year ending September
13 30, 2020. Any unencumbered or unallotted funds shall not lapse at
14 the end of the fiscal year and shall be available for expenditure
15 in succeeding years. The following is in compliance with section
16 451a of the management and budget act, 1984 PA 431, MCL 18.1451a:

17 (a) The purposes of the projects are as follows:

18 (i) To train additional corrections officers to address higher
19 than normal attrition and decrease the department's overtime costs.

20 (ii) To replace 6,619 electronic tethers.

21 (iii) To provide enhanced post-traumatic stress disorder
22 outreach, employee wellness programming, and mental health
23 programming for all department employees.

24 (iv) To demolish the former Deerfield Correctional Facility.

25 (v) To replace corrections officer training binders with
26 electronic equipment.

27 (vi) To requalify corrections officers choosing to be

House Bill No. 4231 as amended June 11, 2019

1 requalified in handgun training.

2 (vii) To conduct a study on the most suitable location for a
3 corrections officer training academy.

4 (b) The projects will be accomplished by state employees or by
5 contracts.

6 (c) The total estimated cost of the projects is
7 \$14,460,500.00.

8 (d) The tentative completion date is September 30, 2024.

9 Sec. 227. (1) From the repurposed work project appropriation
10 of \$100,000.00 for a study on the best location for a corrections
11 officer training academy, funding shall be used to conduct a study,
12 in cooperation with the department of technology, management, and
13 budget, to find a suitable location for a training academy. At a
14 minimum, [4] locations must be selected for the study, and [2 locations]
15 must be the former Riverside Correctional Facility [and the former
16 Ojibway Correctional Facility]. The new
17 training academy must have classrooms, administrative offices, a
18 gymnasium, a cafeteria, lodging facilities, an outdoor training
19 area, and a firearm range.

20 (2) The results of the study, including projected costs for
21 each location, must be reported to the senate and house of
22 representatives appropriations subcommittees on corrections, the
23 senate and house fiscal agencies, the legislative corrections
24 ombudsman, and the state budget office by April 1.

25 Sec. 228. From the repurposed work project appropriation of
26 \$750,000.00 for demolition of the former Deerfield Correctional
27 Facility, the department shall work with the department of
technology, management, and budget on awarding a contract to the

1 most responsive and responsible best value bidder for demolition of
2 the facility. The \$750,000.00 shall be transferred by the
3 department of corrections to the department of technology,
4 management, and budget through the interdepartmental grant and
5 transfer process and be used for demolition of the facility.

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

11 Sec. 247. In cooperation with the state court administrative
12 office, the department shall assist with the data compilation for
13 the swift and sure sanctions program.

14 Sec. 248. At the May 2020 consensus revenue estimating
15 conference, the senate and house fiscal agencies and the state
16 budget director, or state treasurer, shall establish a projected
17 prisoner population for fiscal year 2020-2021, and a projected
18 number of available beds based on the population projection.

19 **DEPARTMENTAL ADMINISTRATION AND SUPPORT**

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

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

3 Sec. 302. From the funds appropriated in part 1, the
4 department shall submit a report by March 1 on the department's
5 staff retention strategies to the senate and house appropriations
6 subcommittees on corrections, the senate and house fiscal agencies,
7 the legislative corrections ombudsman, and the state budget office.
8 The report must include, but not be limited to, the following:

9 (a) The department's strategies on how to improve employee
10 engagement, how to improve employee wellness, and how to offer
11 additional training and professional development for employees.

12 (b) Mechanisms by which the department receives employee
13 feedback in areas under subdivision (a) and how the department
14 considers suggestions made by employees.

15 (c) Steps the department has taken, and future plans the
16 department has for retention and improving employee wellness.

17 Sec. 303. From the funds appropriated in part 1, the
18 department shall submit a report by March 1 on the number of
19 employee departures to the senate and house appropriations
20 subcommittees on corrections, the senate and house fiscal agencies,
21 the legislative corrections ombudsman, and the state budget office.
22 The report must include the number of corrections officers that
23 departed from employment at a state correctional facility in the
24 immediately preceding fiscal year and the number of years they
25 worked for the department.

26 Sec. 304. The department shall maintain a staff savings
27 initiative program in conjunction with the EPIC program for

1 employees to submit suggestions for efficiencies for the
2 department. The department shall consider each suggestion in a
3 timely manner. By March 1, the department shall report to the
4 senate and house appropriations subcommittees on corrections, the
5 senate and house fiscal agencies, the legislative corrections
6 ombudsman, and the state budget office on process improvements that
7 were implemented based on suggestions that were recommended for
8 implementation from the staff savings initiative and EPIC programs.

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

15 Sec. 306. Funds included in part 1 for the sheriffs'
16 coordinating and training office are appropriated for and may be
17 expended to defray costs of continuing education, certification,
18 recertification, decertification, and training of local corrections
19 officers, the personnel and administrative costs of the sheriffs'
20 coordinating and training office, the local corrections officers
21 advisory board, and the sheriffs' coordinating and training council
22 under the local corrections officers training act, 2003 PA 125, MCL
23 791.531 to 791.546.

24 Sec. 307. The department shall issue a biannual report for all
25 vendor contracts to the senate and house appropriations
26 subcommittees on corrections, the senate and house fiscal agencies,
27 the legislative corrections ombudsman, and the state budget office.

1 The report shall cover service contracts with a value of
2 \$500,000.00 or more and include all of the following:

3 (a) The original start date and the current expiration date of
4 each contract.

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

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

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

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

1 Sec. 310. (1) By February 1, the department shall provide a
2 report to the senate and house appropriations subcommittees on
3 corrections, the senate and house fiscal agencies, the legislative
4 corrections ombudsman, and the state budget office which details
5 the strategic plan of the department. The report shall contain
6 strategies to decrease the overall recidivism rate, measurable
7 plans to increase the rehabilitative function of correctional
8 facilities, metrics to track and ensure prisoner readiness to
9 reenter society, and constructive actions for providing prisoners
10 with life skills development.

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

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

26 Sec. 312. (1) From the funds appropriated in part 1 for budget
27 and operations administration, \$50,000.00 shall be used for post-

1 traumatic stress disorder outreach and employee wellness
2 programming. The department shall work with the Michigan
3 corrections organization and others, including a multidisciplinary
4 team of department employees representing every job category and
5 administration, to determine strategies for treating mental health
6 issues and implementing mental health programming for all
7 department staff, with a focus on staff working in correctional
8 facilities on a daily basis.

9 (2) The appropriation of \$50,000.00 in part 1 shall be used in
10 addition to the repurposed work project appropriation of
11 \$950,000.00 contained in section 226 of this part.

12 (3) By September 30, the department shall submit a report
13 detailing strategies determined, programs established, the level of
14 employee involvement in the creation of programs, the prevalence of
15 post-traumatic stress disorder and other psychological issues among
16 corrections officers that are exacerbated by the corrections
17 environment and exposure to highly stressful situations, and
18 details on expenditures. The department shall submit the report to
19 the senate and house appropriations subcommittees on corrections,
20 the senate and house fiscal agencies, the legislative corrections
21 ombudsman, and the state budget office.

22 Sec. 313. (1) From the funds appropriated in part 1, the
23 department shall submit quarterly reports on new employee schools
24 to the senate and house appropriations subcommittees on
25 corrections, the senate and house fiscal agencies, the legislative
26 corrections ombudsman, and the state budget office. The reports
27 must include the following information for the immediately

1 preceding fiscal quarter, and as much of the information as
2 possible for the current and next fiscal year.

3 (a) The number of new employee schools that took place and the
4 location of each.

5 (b) The number of recruits that started in each employee
6 school.

7 (c) The number of recruits that graduated from each employee
8 school and continued employment with the department.

9 (2) The report must outline the department's strategy to
10 achieve a 5% or lower target corrections officer vacancy rate.

11 Sec. 314. From the funds appropriated in part 1, the
12 department shall submit a monthly report on the number of overtime
13 hours worked by all custody staff, by facility. The report shall
14 include for each facility, the number of mandatory overtime hours
15 worked, the number of voluntary overtime hours worked, the reasons
16 for overtime hours worked, and the average number of overtime hours
17 worked by active employees.

18 Sec. 315. It is the intent of the legislature that, once
19 staffing vacancy rates improve to a sufficient level, the
20 department will allow corrections officers the option to work 12-
21 hour shifts.

22 Sec. 316. (1) From the funds appropriated in part 1 for new
23 custody staff training, \$200,000.00 shall be allocated for handgun
24 requalification for corrections officers wanting to be requalified.

25 (2) The appropriation of \$200,000.00 in part 1 shall be used
26 in addition to the repurposed work project appropriation of
27 \$200,000.00 contained in section 226 of this part.

1 **OFFENDER SUCCESS ADMINISTRATION**

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

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

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

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

24 Sec. 403. The department shall partner with nonprofit faith-
25 based, business and professional, civic, and community
26 organizations for the purpose of providing offender success
27 services. Offender success services include, but are not limited

1 to, counseling, providing information on housing and job placement,
2 and money management assistance.

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

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

15 Sec. 406. The department will work with the organization
16 representing federally qualified health centers (FQHCs) to
17 implement a pilot project to ensure that behavioral and physical
18 health needs among parolees and probationers are addressed. The
19 pilot project will position FQHCs to ensure that parolees and
20 probationers are enrolled in and maintain access to benefits for
21 which they qualify, are linked to the health care services they
22 need, follow up with providers, stay on their medications, are
23 engaged in services, and have barriers to care addressed. The
24 department will make necessary accommodations to perform the
25 transition planning to allow for a direct referral to the FQHC
26 organization to patients in relevant areas. The pilot project shall
27 operate in at least Berrien, Kent, and Macomb Counties. The FQHC

1 organization shall submit annual reports detailing these outcomes
2 to the senate and house appropriations subcommittees on
3 corrections, the senate and house fiscal agencies, the legislative
4 corrections ombudsman, and the state budget office. The report
5 shall include, but not be limited to, the number of offenders
6 served by the pilot project in each county, the number of
7 individual contacts with each offender, the federally reimbursable
8 expenditures leveraged by the pilot project by county, and the
9 state expenditures within the pilot project by county.

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

15 Sec. 408. The department shall measure the recidivism rates of
16 offenders.

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

1 facility.

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

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

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

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

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

1 occur.

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

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

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

8 (f) Contribute to offender success.

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

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

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

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

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

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

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

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

House Bill No. 4231 as amended June 11, 2019

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

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

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

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

[Sec. 413. (1) From the funds appropriated in part 1 for public
 safety initiative, the county sheriff of the county receiving the funding
 under part 1 shall report a detailed listing of expenditures made for the
 prior three fiscal years. The report must be submitted by February 1 to
 the senate and house of representatives appropriations subcommittees on
 corrections, the senate and house fiscal agencies, the legislative
 corrections ombudsman, and the state budget office and must include the
 purpose for which the expenditures were made, the amounts of expenditures
 by purpose, specific services that were provided, and number of
 individuals served.

(2) If requested by the senate and house of representatives
 appropriations subcommittees on corrections, the county sheriff of the
 county receiving the funding under part 1 shall appear before the
 subcommittees to discuss the expenditure report required under subsection
 (1). The subcommittees will work with the county sheriff to determine
 when the meeting will occur.]

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

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

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

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

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

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

16 (4) As used in this section:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

17 Sec. 416. Allowable uses of drunk driver jail reduction and
18 community treatment program funding shall include reimbursing
19 counties for transportation, treatment costs, and housing drunk
20 drivers during a period of assessment for treatment and case
21 planning. Reimbursements for housing during the assessment process
22 shall be at the rate of \$43.50 per day per offender, up to a
23 maximum of 5 days per offender.

24 Sec. 417. (1) By March 1, the department shall report to the
25 senate and house appropriations subcommittees on corrections, the
26 senate and house fiscal agencies, the legislative corrections
27 ombudsman, and the state budget office on both of the following

1 programs from the previous fiscal year:

2 (a) The drunk driver jail reduction and community treatment
3 program.

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

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

8 (a) Program objectives and outcome measures, including, but
9 not limited to, the number of offenders who successfully completed
10 the program, and the number of offenders who successfully remained
11 in the community during the 3 years following termination from the
12 program.

13 (b) Expenditures by location.

14 (c) The impact on jail utilization.

15 (d) The impact on prison admissions.

16 (e) Other information relevant to an evaluation of the
17 program.

18 Sec. 418. (1) The department shall collaborate with the state
19 court administrative office on facilitating changes to Michigan
20 court rules that would require the court to collect at the time of
21 sentencing the state operator's license, state identification card,
22 or other documentation used to establish the identity of the
23 individual to be admitted to the department. The department shall
24 maintain those documents in the prisoner's personal file.

25 (2) The department shall cooperate with MDHHS to create and
26 maintain a process by which prisoners can obtain their Michigan
27 birth certificates if necessary. The department shall describe a

1 process for obtaining birth certificates from other states, and in
2 situations where the prisoner's effort fails, the department shall
3 assist in obtaining the birth certificate.

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

8 Sec. 419. (1) The department shall provide weekly electronic
9 mail reports to the senate and house appropriations subcommittees
10 on corrections, the senate and house fiscal agencies, the
11 legislative corrections ombudsman, and the state budget office on
12 prisoner populations by security levels by facility, prison
13 facility capacities, and parolee and probationer populations.

14 (2) The department shall provide monthly electronic mail
15 reports to the senate and house appropriations subcommittees on
16 corrections, the senate and house fiscal agencies, the legislative
17 corrections ombudsman, and the state budget office. The reports
18 shall include information on end-of-month prisoner populations in
19 county jails, the net operating capacity according to the most
20 recent certification report, identified by date, the number of beds
21 in currently closed housing units by facility, and end-of-month
22 data, year-to-date data, and comparisons to the prior year for the
23 following:

24 (a) Community residential program populations, separated by
25 centers and electronic monitoring.

26 (b) Parole populations.

27 (c) Probation populations, with identification of the number

1 in special alternative incarceration.

2 (d) Prison and camp populations, with separate identification
3 of the number in special alternative incarceration and the number
4 of lifers.

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

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

8 (g) Prisoner exits, identifying transfers to community
9 placement, paroles from prisons and camps, paroles from community
10 placement, total movements to parole, prison intake, prisoner
11 deaths, prisoners discharging on the maximum sentence, and other
12 prisoner exits.

13 (h) Prison intake and returns, including probation violators,
14 new court commitments, violators with new sentences, escaper new
15 sentences, total prison intake, returns from court with additional
16 sentences, community placement returns, technical parole violator
17 returns, and total returns to prison and camp.

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

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

26 (b) How many prisoners were granted parole.

27 (c) How many prisoners were denied parole.

1 (d) How many parole decisions were deferred.

2 (e) The distribution of the total number of prisoners reviewed
3 during that quarter grouped by whether the prisoner had been
4 interviewed for the first, second, third, fourth, fifth, sixth, or
5 more than sixth time.

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

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

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

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

27 (2) The manufacturer of a long-acting nonaddictive medication

1 approved by the Food and Drug Administration for opioid and alcohol
2 dependence shall provide the department with samples of the
3 medication, at no cost to the department, during the duration of
4 the medication-assisted treatment offender success pilot programs.
5 Offenders shall receive 1 injection prior to being released from
6 custody and shall be connected with an aftercare plan and
7 assistance with obtaining insurance to cover subsequent injections.

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

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

25 Sec. 426. From the funds appropriated in part 1, the
26 department shall ensure that any inmate with a diagnosed mental
27 illness is referred to a local mental health care provider that is

1 able and willing to treat the inmate upon parole or discharge. The
2 department shall ensure that the provider is informed of the
3 inmate's current treatment plan including any medications that are
4 currently prescribed to the inmate.

5 **FIELD OPERATIONS ADMINISTRATION**

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

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

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

1 (4) For a fee determined by the department, the department
2 shall provide counties with the curfew monitor equipment,
3 replacement parts, administrative oversight of the equipment's
4 operation, notification of violators, and periodic reports
5 regarding county program participants. Counties are responsible for
6 curfew monitor equipment installation and service. For an
7 additional fee as determined by the department, the department
8 shall provide staff to install and service the equipment. Counties
9 are responsible for the coordination and apprehension of program
10 violators.

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

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

18 (2) Of the funds appropriated in part 1 for criminal justice
19 reinvestment, at least \$600,000.00 shall be allocated to an
20 organization that has received a United States Department of Labor
21 training to work 2-adult reentry grant to provide county jail
22 inmates with programming and services to prepare them to get and
23 keep jobs. Examples of eligible programs and services are, but are
24 not limited to: adult education, tutoring, manufacturing skills
25 training, participation in a simulated work environment, mentoring,
26 cognitive therapy groups, life skills classes, substance abuse
27 recovery groups, fatherhood programs, classes in understanding the

1 legal system, family literacy, health and wellness, finance
2 management, employer presentations, and classes on job retention.
3 Programming and support services should begin before release and
4 continue after release from the county jail. To be eligible for
5 funding, an organization must show at least 2 years' worth of data
6 that demonstrate program success.

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

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

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

23 (c) Number of successful terminations.

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

25 (e) Average length of placement.

26 (f) Return to prison statistics.

27 (g) Description of each program location or locations,

1 capacity, and staffing.

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

4 (i) Comparison with prior year statistics.

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

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

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

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

1 or sent to prison for a new crime with a comparison of original
2 versus new offenses by major offense type: assaultive,
3 nonassaultive, drug, and sex.

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

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

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

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

21 Sec. 613. When the department is determining where to place a
22 parolee with chronic technical violations, the department shall
23 give priority to placing a parolee in an intensive detention
24 program that offers specific programming to address the behavioral
25 needs of the parolee, and that works on a plan with the parolee to
26 ensure that once the parolee is released he or she can remain in
27 the community and successfully complete his or her parole.

1 Sec. 615. (1) The department shall submit a report detailing
2 the number of prisoners who have received life imprisonment
3 sentences with the possibility of parole and who are currently
4 eligible for parole to the senate and house appropriations
5 subcommittees on corrections, the senate and house fiscal agencies,
6 the legislative corrections ombudsman, and the state budget office
7 by April 30.

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

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

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

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

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

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

6 **HEALTH CARE**

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

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

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

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

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

14 Sec. 807. The funds appropriated in part 1 for Hepatitis C
15 treatment shall be used only to purchase specialty medication for
16 Hepatitis C treatment in the prison population. In addition to the
17 above appropriation, any rebates received from the medications used
18 shall be used only to purchase specialty medication for Hepatitis C
19 treatment. On a quarterly basis, the department shall issue a
20 report to the senate and house appropriations subcommittees on
21 corrections, the senate and house fiscal agencies, the legislative
22 corrections ombudsman, and the state budget office, showing for the
23 previous 4 quarters the total amount spent on specialty medication
24 for the treatment of Hepatitis C, the number of prisoners that were
25 treated, the amount of any rebates that were received from the
26 purchase of specialty medication, and what outstanding rebates are
27 expected to be received.

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

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

18 Sec. 816. By April 1, the department shall provide the senate
19 and house appropriations subcommittees on corrections, the senate
20 and house fiscal agencies, the legislative corrections ombudsman,
21 and the state budget office with a report on pharmaceutical
22 expenditures and prescribing practices. In particular, the report
23 shall provide the following information:

24 (a) A detailed accounting of expenditures on antipsychotic
25 medications.

26 (b) Any changes that have been made to the prescription drug
27 formularies.

1 **CORRECTIONAL FACILITIES ADMINISTRATION**

2 Sec. 901. From the funds appropriated in part 1 for the
3 enhanced food technology program, the department shall expand the
4 existing food technology education program to at least 700 inmates
5 annually. A participant in the food technology program shall
6 complete 408 hours of on-the-job training in a prison kitchen as a
7 part of the program.

8 Sec. 903a. From the funds appropriated in part 1 for prison
9 food service, the department shall report biannually to the senate
10 and house appropriations subcommittees on corrections, the senate
11 and house fiscal agencies, the legislative corrections ombudsman,
12 and the state budget office on the following:

13 (a) Average per-meal cost for prisoner food service. Per-meal
14 cost shall include all costs directly related to the provision of
15 food for the prisoner population, and shall include, but not be
16 limited to, actual food costs, total compensation for all food
17 service workers, including benefits and legacy costs, and
18 inspection and compliance costs for food service.

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

21 (c) Major sanitation violations.

22 Sec. 904. The department shall calculate the cost per
23 prisoner/per day for each security custody level. This calculation
24 shall include all actual direct and indirect costs for the previous
25 fiscal year, including, but not limited to, the value of services
26 provided to the department by other state agencies and the
27 allocation of statewide legacy costs. To calculate the cost per

1 prisoner/per day, the department shall divide these direct and
2 indirect costs by the average daily population for each custody
3 level. For multilevel facilities, the indirect costs that cannot be
4 accurately allocated to each custody level can be included in the
5 calculation on a per-prisoner basis for each facility. A report
6 summarizing these calculations and the direct and indirect costs
7 included in them shall be submitted to the senate and house
8 appropriations subcommittees on corrections, the senate and house
9 fiscal agencies, the legislative corrections ombudsman, and the
10 state budget office not later than December 15.

11 Sec. 906. Any local unit of government or private nonprofit
12 organization that contracts with the department for public works
13 services shall be responsible for financing the entire cost of such
14 an agreement.

15 Sec. 907. The department shall report by March 1 to the senate
16 and house appropriations subcommittees on corrections, the senate
17 and house fiscal agencies, the legislative corrections ombudsman,
18 and the state budget office on academic and vocational programs.
19 The report shall provide information relevant to an assessment of
20 the department's academic and vocational programs, including, but
21 not limited to, all of the following:

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

24 (b) The number of prisoners enrolled in each program, the
25 number of prisoners completing each program, the number of
26 prisoners who do not complete each program and are not subsequently
27 reenrolled, and the reason for not completing the program, the

1 number of prisoners transferred to another facility while enrolled
2 in a program and not subsequently reenrolled, the number of
3 prisoners enrolled who are repeating the program, and the number of
4 prisoners on waiting lists for each program, all itemized by
5 facility.

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

9 (d) The number of prisoners paroled without a high school
10 diploma and the number of prisoners paroled without a high school
11 equivalency.

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

15 (f) An identification of program outcomes for each academic
16 and vocational program.

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

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

27 Sec. 911. By March 1, the department shall report to the

1 senate and house appropriations subcommittees on corrections, the
2 senate and house fiscal agencies, the legislative corrections
3 ombudsman, and the state budget office the number of critical
4 incidents occurring each month by type and the number and severity
5 of assaults, escape attempts, suicides, and attempted suicides
6 occurring each month at each facility during the immediately
7 preceding calendar year.

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

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

23 (2) It is the intent of the legislature that any prisoner
24 required to complete a violence prevention program, sexual offender
25 program, or other program as a condition of parole shall be placed
26 on a waiting list for the appropriate programming upon entrance to
27 prison and transferred to a facility where that program is

1 available in order to accomplish timely completion of that program
2 prior to the expiration of his or her minimum sentence and
3 eligibility for parole. Nothing in this section should be deemed to
4 make parole denial appealable in court.

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

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

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

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

19 Sec. 920. If a female prisoner consents to a visitor being
20 present, the department shall allow that 1 person to be present
21 during the prisoner's labor and delivery. The person allowed to
22 accompany the prisoner must be an immediate family member, legal
23 guardian, spouse, or domestic partner. The department is authorized
24 to deny access to a visitor if the department has a safety concern
25 with that visitor's access. The department is authorized to conduct
26 a criminal background check on a visitor.

27 Sec. 924. The department shall evaluate all prisoners at

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

16 Sec. 925. By March 1, the department shall report to the
17 senate and house appropriations subcommittees on corrections, the
18 senate and house fiscal agencies, the legislative corrections
19 ombudsman, and the state budget office on the annual number of
20 prisoners in administrative segregation between October 1, 2018 and
21 September 30, 2019, and the annual number of prisoners in
22 administrative segregation between October 1, 2018 and September
23 30, 2019 who at any time during the current or prior prison term
24 were diagnosed with serious mental illness or have a developmental
25 disorder and the number of days each of the prisoners with serious
26 mental illness or a developmental disorder have been confined to
27 administrative segregation.

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

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

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

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

5 (c) Implement a specialized offender success program that
6 recognizes the needs of prisoners less than 18 years old for
7 supervised offender success.

8 Sec. 930. The department shall submit a quarterly report to
9 the senate and house appropriations subcommittees on corrections,
10 the senate and house fiscal agencies, the legislative corrections
11 ombudsman, and the state budget office on the number of youth in
12 prison. The report shall include, but not be limited to, the
13 following information:

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

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

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

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

25 (2) The lease, rental, contract, or other legal agreement
26 shall also require the party using the property to make a payment
27 in lieu of taxes to the local jurisdictions that would otherwise

1 receive property tax revenue, as if the property were not owned by
2 the state.

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

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

20 Sec. 944. When the department is planning to close a
21 correctional facility, the department shall fully consider the
22 potential economic impact of the prison closure on the community
23 where the facility is located. The department, when weighing all
24 factors related to the closure of a facility, shall also consider
25 the impact on the local community where the facility to be closed
26 is located.

1 MISCELLANEOUS

2 Sec. 1009. The department shall make an information packet for
3 the families of incoming prisoners available on the department's
4 website. The information packet shall be updated by February 1. The
5 packet shall provide information on topics including, but not
6 limited to: how to put money into prisoner accounts, how to make
7 phone calls or create Jpay electronic mail accounts, how to visit
8 in person, proper procedures for filing complaints or grievances,
9 the rights of prisoners to physical and mental health care, how to
10 utilize the offender tracking information system (OTIS), truth-in-
11 sentencing and how it applies to minimum sentences, the parole
12 process, and guidance on the importance of the role of families in
13 the reentry process. The department is encouraged to partner with
14 external advocacy groups and actual families of prisoners in the
15 packet-writing process to ensure that the information is useful and
16 complete.

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

26 Sec. 1013. From the funds appropriated in part 1, priority may
27 be given to funding reentry or rehabilitation programs that have

- 1 been demonstrated to reduce prison violence and recidivism,
- 2 including faith-based initiatives.