# DEPARTMENT OF CORRECTIONS - BOILERPLATE

| FY 2015-2016 CURRENT LAW | FY 2016-2017 EXECUTIVE | FY 2016-2017 HOUSE | FY 2016-2017 SENATE |
|---|---|---|---|
| **GENERAL SECTIONS**<br><br>***State Spending and State Appropriations Paid to Local Units of Government***<br><br>**Sec. 201.** Pursuant to section 30 of article IX of the state constitution of 1963, total state spending from state resources under part 1 for fiscal year 2015-2016 is $1,947,899,100.00 and state spending from state resources to be paid to local units of government for fiscal year 2015-2016 is $114,323,600.00. The itemized statement below identifies appropriations from which spending to local units of government will occur:<br><br>**DEPARTMENT OF CORRECTIONS**<br>Field operations - assumption of county probation staff.....$ 60,402,900<br>Community corrections comprehensive plans and services.....12,158,000<br>Reentry services - intensive detention reentry program.....1,500,000<br>Residential services .....15,475,500<br>County jail reimbursement program .....13,597,100<br>Felony drunk driver jail reduction and community treatment program.....1,440,100<br>Leased beds and alternatives to leased beds .....5,250,000<br>Public safety initiative.....4,500,000<br>**TOTAL .....$ 114,323,600** | **Sec. 4-201.** Retains current law; adjusts amounts to reflect appropriations in the Executive Bill; updates fiscal years. | **Sec. 201.** Retains current law; adjusts amounts to reflect appropriations in the House Bill; updates fiscal years. | |
| ***Appropriations Subject to the Management and Budget Act***<br><br>**Sec. 202.** The appropriations authorized under this part and part 1 are subject to the management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594. | **Sec. 4-202.** Retains current law. | **Sec. 202.** Retains current law. | |

# DEPARTMENT OF CORRECTIONS - BOILERPLATE

| FY 2015-2016 CURRENT LAW | FY 2016-2017 EXECUTIVE | FY 2016-2017 HOUSE | FY 2016-2017 SENATE |
|---|---|---|---|
| ***Terms and Acronyms***<br><br>**Sec. 203.** As used in this part and part 1:<br>(a) "Administrative segregation" means confinement for maintenance of order or discipline to a cell or room apart from accommodations provided for inmates who are participating in programs of the facility.<br>(b) "Cost per prisoner" means the sum total of the funds appropriated under part 1 for the following, divided by the projected prisoner population in fiscal year 2015-2016:<br>(*i*) Correctional facilities.<br>(*ii*) Northern and southern region administration and support.<br>(*iii*) Clinical and mental health services and support.<br>(*iv*) Prisoner health care services.<br>(*v*) Vaccination program.<br>(*vi*) Prison food service and federal school lunch program.<br>(*vii*) Transportation.<br>(*viii*) Inmate legal services.<br>(*ix*) Correctional facilities administration.<br>(*x*) Central records.<br>(*xi*) Worker's compensation.<br>(*xii*) New custody staff training.<br>(*xiii*) Prison store operations.<br>(*xiv*) Education program.<br>(c) "DAG" means the United States Department of Agriculture.<br>(d) "DAG-FNS" means the DAG Food and Nutrition Service.<br>(e) "DED" means the United States Department of Education.<br>(f) "DED-OESE" means the DED Office of Elementary and Secondary Education.<br>(g) "DED-OSERS" means the DED Office of Special Education and Rehabilitative Services.<br>(h) "DED-OVAE" means the DED Office of Vocational and Adult Education.<br>(i) "Department" or "MDOC" means the Michigan department of corrections.<br>(j) "DOJ" means the United States Department of Justice.<br>(k) "DOJ-BOP" means the DOJ Bureau of Prisons.<br>(*l*) "DOJ-OJP" means the DOJ Office of Justice Programs. | **Sec. 4-203.** Retains current law; adjusts acronyms to reflect those that are included in the Executive bill. | **Sec. 203.** Retains current law; adjusts acronyms to reflect those that are included in the House bill. | |

# DEPARTMENT OF CORRECTIONS - BOILERPLATE

| FY 2015-2016 CURRENT LAW | FY 2016-2017 | | |
|---|---|---|---|
| | EXECUTIVE | HOUSE | SENATE |
| (m) "EPIC program" means the department's effective process improvement and communication program.<br>(n) "Evidence-based practices" or "EBP" means a decision-making process that integrates the best available research, clinician expertise, and client characteristics.<br>(o) "FTE" means full-time equated.<br>(p) "Goal" means the intended or projected result of a comprehensive corrections plan or community corrections program to reduce repeat offending, criminogenic and high-risk behaviors, prison commitment rates, to reduce the length of stay in a jail, or to improve the utilization of a jail.<br>(q) "IDG" means interdepartmental grant.<br>(r) "Jail" means a facility operated by a local unit of government for the physical detention and correction of persons charged with or convicted of criminal offenses.<br>(s) "MDHHS" means the Michigan department of health and human services.<br>(t) "MDSP" means the Michigan department of state police.<br>(u) "Medicaid benefit" means a benefit paid or payable under a program for medical assistance under the social welfare act, 1939 PA 280, MCL 400.1 to 400.119b.<br>(v) "Objective risk and needs assessment" means an evaluation of an offender's criminal history; the offender's noncriminal history; and any other factors relevant to the risk the offender would present to the public safety, including, but not limited to, having demonstrated a pattern of violent behavior, and a criminal record that indicates a pattern of violent offenses.<br>(w) "OCC" means office of community corrections.<br>(x) "Offender eligibility criteria" means particular criminal violations, state felony sentencing guidelines descriptors, and offender characteristics developed by advisory boards and approved by local units of government that identify the offenders suitable for community corrections programs funded through the office of community corrections.<br>(y) "Offender success" means that an offender has, with the support of the community, intervention of the field agent, and benefit of any participation in programs and treatment, made an adjustment while at liberty in the community such that he or she has not been sentenced to or returned to prison for the conviction of a new crime or the revocation of probation or parole. | | | |

# DEPARTMENT OF CORRECTIONS - BOILERPLATE

| FY 2015-2016 CURRENT LAW | FY 2016-2017 | | |
|---|---|---|---|
| | EXECUTIVE | HOUSE | SENATE |
| (z) "Offender target population" means felons or misdemeanants who would likely be sentenced to imprisonment in a state correctional facility or jail, who would not likely increase the risk to the public safety based on an objective risk and needs assessment that indicates that the offender can be safely treated and supervised in the community.<br>(aa) "Offender who would likely be sentenced to imprisonment" means either of the following:<br>(*i*) A felon or misdemeanant who receives a sentencing disposition that appears to be in place of incarceration in a state correctional facility or jail, according to historical local sentencing patterns.<br>(*ii*) A currently incarcerated felon or misdemeanant who is granted early release from incarceration to a community corrections program or who is granted early release from incarceration as a result of a community corrections program.<br>(bb) "Programmatic success" means that the department program or initiative has ensured that the offender has accomplished all of the following:<br>(*i*) Obtained employment, has enrolled or participated in a program of education or job training, or has investigated all bona fide employment opportunities.<br>(*ii*) Obtained housing.<br>(*iii*) Obtained a state identification card.<br>(cc) "Recidivism" means the return of an individual to prison within 3 years after he or she is released either with a new sentence to prison or as a technical violator of parole conditions.<br>(dd) "RSAT" means residential substance abuse treatment.<br>(ee) "Serious emotional disturbance" means that term as defined in section 100d(2) of the mental health code, 1974 PA 328, MCL 330.1100d.<br>(ff) "Serious mental illness" means that term as defined in section 100d(3) of the mental health code, 1974 PA 328, MCL 330.1100d.<br>(gg) "SSA" means the United States Social Security Administration.<br>(hh) "SSA-SSI" means SSA supplemental security income. | | | |
| ***Disciplinary Action Against State Employees and Prisoners***<br><br>**Sec. 206.** The department shall not take disciplinary action against an employee or a prisoner for communicating with a member of the legislature or his or her staff. | Strikes current law. | **Sec. 206.** Retains current law. | |

# DEPARTMENT OF CORRECTIONS - BOILERPLATE

| FY 2015-2016 CURRENT LAW | FY 2016-2017 | | |
|---|---|---|---|
| | EXECUTIVE | HOUSE | SENATE |
| ***Internet Availability of Required Reports***<br><br>**Sec. 208.** The department shall use the Internet to fulfill the reporting requirements of this part. This requirement may include transmission of reports via electronic mail to the recipients identified for each reporting requirement or it may include placement of reports on an Internet or Intranet site. | **Sec. 4-204.** Retains current law. | **Sec. 208.** Retains current law. | |
| ***Purchase of Foreign Goods***<br><br>**Sec. 209.** Funds appropriated in part 1 shall not be used for the purchase of foreign goods or services, or both, if competitively priced and of comparable quality American goods or services, or both, are available. Preference shall be given to goods or services, or both, manufactured or provided by Michigan businesses, if they are competitively priced and of comparable quality. In addition, preference should be given to goods or services, or both, that are manufactured or provided by Michigan businesses owned and operated by veterans, if they are competitively priced and of comparable quality. | **Sec. 4-205.** Retains current law. | **Sec. 209.** Retains current law. | |
| ***Authority to Collect Certain Reimbursements***<br><br>**Sec. 211.** The department may charge fees and collect revenues in excess of appropriations in part 1 not to exceed the cost of offender services and programming, employee meals, parolee loans, academic/vocational services, custody escorts, compassionate visits, union steward activities, and public works programs and services provided to local units of government or private nonprofit organizations. The revenues and fees collected are appropriated for all expenses associated with these services and activities. | **Sec. 4-215.** Retains current law. | **Sec. 211.** Retains current law. | |
| ***FTE Positions and Long-Term Vacancies***<br><br>**Sec. 212.** On a quarterly basis, the department shall report on the number of full-time equated positions in pay status by civil service classification to the senate and house appropriations subcommittees on corrections, the legislative corrections ombudsman, and the senate and house fiscal agencies. This report shall include a detailed accounting of the long-term vacancies that exist within each department. As used in this subsection, "long-term vacancy" means any full-time equated position that has not been filled at any time during the past 24 calendar months. | Strikes current law. | Strikes current law. | |

# DEPARTMENT OF CORRECTIONS - BOILERPLATE

| FY 2015-2016 CURRENT LAW | FY 2016-2017 EXECUTIVE | FY 2016-2017 HOUSE | FY 2016-2017 SENATE |
|---|---|---|---|
| ***Receipt and Retention of Required Reports***<br><br>**Sec. 214.** The department shall receive and retain copies of all reports funded from appropriations in part 1. Federal and state guidelines for short-term and long-term retention of records shall be followed. The department may electronically retain copies of reports unless otherwise required by federal and state guidelines. | Strikes current law. | **Sec. 214.** Retains current law. | |
| ***Out-of-State Travel***<br><br>**Sec. 216.** The department shall prepare a report on out-of-state travel expenses not later than January 1 of each year. The travel report shall be a listing of all travel by classified and unclassified employees outside this state in the immediately preceding fiscal year that was funded in whole or in part with funds appropriated in the department's budget. The report shall be submitted to the senate and house standing committees on appropriations, the senate and house fiscal agencies, and the state budget director. The report shall include the following information:<br>(a) The dates of each travel occurrence.<br>(b) The total transportation and related costs of each travel occurrence, including the proportion funded with state general fund/general purpose revenues, the proportion funded with state restricted revenues, the proportion funded with federal revenues, and the proportion funded with other revenues. | **Sec. 4-207.** Retains current law. | **Sec. 216.** Retains current law. | |
| ***Prisoner Telephone Calls and Program and Special Equipment Fund***<br><br>**Sec. 219.** (1) Any contract for prisoner telephone services entered into after the effective date of this section shall include a condition that fee schedules for prisoner telephone calls, including rates and any surcharges other than those necessary to meet program and special equipment costs, be the same as fee schedules for calls placed from outside of correctional facilities.<br>(2) Revenues appropriated and collected for program and special equipment funds shall be considered state restricted revenue. Funding shall be used for prisoner programming, special equipment, and security projects. Unexpended funds remaining at the close of the fiscal year shall not lapse to the general fund but shall be carried forward and be available for appropriation in subsequent fiscal years. | **Sec. 4-216.** Retains current law. | **Sec. 219.** Retains current law. | |

# DEPARTMENT OF CORRECTIONS - BOILERPLATE

| FY 2015-2016 CURRENT LAW | FY 2016-2017 | | |
|---|---|---|---|
| | EXECUTIVE | HOUSE | SENATE |
| (3) The department shall submit a report to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, the legislative corrections ombudsman, and the state budget director by February 1 outlining revenues and expenditures from program and special equipment funds. The report shall include all of the following:<br>(a) A list of all individual projects and purchases financed with program and special equipment funds in the immediately preceding fiscal year, the amounts expended on each project or purchase, and the name of each vendor the products or services were purchased from.<br>(b) A list of planned projects and purchases to be financed with program and special equipment funds during the current fiscal year, the amounts to be expended on each project or purchase, and the name of each vendor for which the products or services were purchased.<br>(c) A review of projects and purchases planned for future fiscal years from program and special equipment funds. | | | |
| ***General Fund Lapses***<br><br>**Sec. 220.** Not later than November 30, the state budget office shall prepare and transmit a report that provides for estimates of the total general fund/general purpose appropriation lapses at the close of the fiscal year. This report shall summarize the projected year-end general fund/general purpose appropriation lapses by major departmental program or program areas. The report shall be transmitted to the chairpersons of the senate and house of representatives standing committees on appropriations and the senate and house fiscal agencies. | **Sec. 4-209.** Retains current law. | **Sec. 220.** Retains current law. | |

# DEPARTMENT OF CORRECTIONS - BOILERPLATE

| FY 2015-2016 CURRENT LAW | FY 2016-2017 EXECUTIVE | FY 2016-2017 HOUSE | FY 2016-2017 SENATE |
|---|---|---|---|
| ***Transparency Website***<br><br>**Sec. 221.** The department shall cooperate with the department of technology, management, and budget to maintain a searchable website accessible by the public at no cost that includes, but is not limited to, all of the following for the department:<br>(a) Fiscal year-to-date expenditures by category.<br>(b) Fiscal year-to-date expenditures by appropriation unit.<br>(c) Fiscal year-to-date payments to a selected vendor, including the vendor name, payment date, payment amount, and payment description.<br>(d) The number of active department employees by job classification.<br>(e) Job specifications and wage rates. | **Sec. 4-211.** Retains current law. | **Sec. 221.** Retains current law. | |
| ***Contingency Funding***<br><br>**Sec. 223.** (1) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed $10,000,000.00 for federal contingency funds. These funds are not available for expenditure until they have been transferred to another line item in part 1 under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.<br>(2) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed $10,000,000.00 for state restricted contingency funds. These funds are not available for expenditure until they have been transferred to another line item in part 1 under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.<br>(3) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed $2,000,000.00 for local contingency funds. These funds are not available for expenditure until they have been transferred to another line item in part 1 under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.<br>(4) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed $2,000,000.00 for private contingency funds. These funds are not available for expenditure until they have been transferred to another line item in part 1 under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393. | **Sec. 4-210.** Retains current law. | **Sec. 223.** Retains current law. | |

# DEPARTMENT OF CORRECTIONS - BOILERPLATE

| FY 2015-2016 CURRENT LAW | FY 2016-2017 | | |
|---|---|---|---|
| | EXECUTIVE | HOUSE | SENATE |
| ***Report on State Restricted Funds***<br><br>**Sec. 229.** Within 14 days after the release of the executive budget recommendation, the department shall cooperate with the state budget office to provide the chairpersons of the senate and house appropriations committees, the chairpersons of the senate and house appropriations subcommittees on corrections, and the senate and house fiscal agencies with an annual report on estimated state restricted fund balances, state restricted fund projected revenues, and state restricted fund expenditures for the fiscal years ending September 30, 2015 and September 30, 2016. | **Sec. 4-212.** Retains current law; updates fiscal years. | **Sec. 229.** Retains current law; updates fiscal years. | |
| ***Use of Funding for Legal Services***<br><br>**Sec. 230.** Funds appropriated in part 1 shall not be used by the department to hire a person to provide legal services that are the responsibility of the attorney general. This prohibition does not apply to legal services for bonding activities and for those outside services that the attorney general authorizes. | **Sec. 4-208.** Retains current law. | **Sec. 230.** Retains current law. | |
| ***Website for Performance Scorecard***<br><br>**Sec. 231.** The department shall maintain, on a publicly accessible website, a department scorecard that identifies, tracks, and regularly updates key metrics that are used to monitor and improve the department's performance. | **Sec. 4-213.** Retains current law. | **Sec. 231.** Retains current law. | |
| ***Management-to-Staff Ratio***<br><br>**Sec. 239.** It is the intent of the legislature that the department establish and maintain a management-to-staff ratio of not more than 1 supervisor for each 8 employees at the department's central office in Lansing and at both the northern and southern region administration offices. | Strikes current law. | Strikes current law. | |
| ***Legacy Costs***<br><br>**Sec. 246.** Total authorized appropriations from all sources under part 1 for legacy costs for the fiscal year ending September 30, 2016 are $332,330,600.00. From this amount, total department appropriations for pension-related legacy costs are estimated at $188,628,700.00. Total department appropriations for retiree health care legacy costs are estimated at $143,701,900.00. | **Sec. 4-214.** Retains current law; updates fiscal years; adjusts appropriation amounts. | **Sec. 246.** Retains current law; updates fiscal years; adjusts appropriation amounts. | |

# DEPARTMENT OF CORRECTIONS - BOILERPLATE

| FY 2015-2016 CURRENT LAW | FY 2016-2017 | | |
|---|---|---|---|
| | EXECUTIVE | HOUSE | SENATE |
| ***Performance Measures***<br><br>**Sec. 247.** In addition to the metrics required under section 447 of the management and budget act, 1984 PA 431, MCL 18.1447, for each new program or program enhancement for which funds in excess of $500,000.00 are appropriated in part 1, the department shall provide not later than November 1 a list of program-specific metrics intended to measure its performance based on a return on taxpayer investment. The department shall deliver the program-specific metrics to members of the senate and house subcommittees that have subject matter jurisdiction for this budget, the senate and house fiscal agencies, and the state budget director. The department shall provide an update on its progress in tracking program-specific metrics and the status of program success at an appropriations subcommittee meeting called for by the subcommittee chair. | Strikes current law. | **Sec. 247.** Retains current law. | |
| **EXECUTIVE**<br><br>***Offender Tracking Information System (OTIS)***<br><br>**Sec. 301.** For 3 years after a felony offender is released from the department's jurisdiction, the department shall maintain the offender's file on the offender tracking information system and make it publicly accessible in the same manner as the file of the current offender. However, the department shall immediately remove the offender's file from the offender tracking information system upon determination that the offender was wrongfully convicted and the offender's file is not otherwise required to be maintained on the offender tracking information system. | **Sec. 4-301.** Retains current law. | **Sec. 301.** Retains current law. | |

# DEPARTMENT OF CORRECTIONS - BOILERPLATE

| FY 2015-2016 CURRENT LAW | FY 2016-2017 EXECUTIVE | FY 2016-2017 HOUSE | FY 2016-2017 SENATE |
|---|---|---|---|
| ***Staff Suggestions***<br><br>**Sec. 304.** The director of the department shall maintain a staff savings initiative program to invite employees to submit suggestions for saving costs for the department. The proposed savings initiatives shall be accepted or rejected within 60 business days. By March 1, the department shall report to the senate and house appropriations subcommittees on corrections, the legislative corrections ombudsman, the senate and house fiscal agencies, and the state budget director on any savings proposals, the date implemented, the amount of the expected savings, and any process improvements that can be implemented in other areas of the department. The report shall also include any rejected savings proposal and the reason that the proposal was refused. | **Sec. 4-304.** Modifies current law; strikes the requirement that savings initiatives be accepted or rejected within 60 business days; requires suggestions to be considered "in a timely manner"; strikes current contents of required report; requires report on "process improvements that were implemented based on suggestions that were recommended for the implementation from the staff savings initiative and EPIC programs". | **Sec. 304.** Concur with Executive revisions to language. | |
| **PRISONER REENTRY AND COMMUNITY SUPPORT**<br><br>***Prison Population Projections***<br><br>**Sec. 401.** The department shall submit 3-year and 5-year prison population projection updates concurrent with submission of the executive budget to the senate and house appropriations subcommittees on corrections, the legislative corrections ombudsman, the senate and house fiscal agencies, and the state budget director. The report shall include explanations of the methodology and assumptions used in developing the projection updates. | **Sec. 4-401.** Retains current law. | **Sec. 401.** Retains current law. | |
| ***Prisoner Reentry Expenditures***<br><br>**Sec. 402.** By March 1, the department shall provide a report on prisoner reentry expenditures and allocations to the members of the senate and house appropriations subcommittees on corrections, the legislative corrections ombudsman, the senate and house fiscal agencies, and the state budget director. At a minimum, the report shall include information on both of the following:<br>(a) Details on prior-year expenditures, including amounts spent on each project funded, itemized by service provided and service provider.<br>(b) Allocations and planned expenditures for each project funded and for each project to be funded, itemized by service to be provided and service provider. The department shall provide an amended report quarterly, if any revisions to allocations or planned expenditures occurred during that quarter. | Strikes current law. | **Sec. 402.** Retains current law. | |

# DEPARTMENT OF CORRECTIONS - BOILERPLATE

| FY 2015-2016 CURRENT LAW | FY 2016-2017 EXECUTIVE | FY 2016-2017 HOUSE | FY 2016-2017 SENATE |
|---|---|---|---|
| ***Effective Process Improvement and Communications (EPIC) Program***<br><br>**Sec. 403.** By February 1, the department shall report to the senate and house appropriations subcommittees on corrections, the legislative corrections ombudsman, the senate and house fiscal agencies, and the state budget director on the department's EPIC program. The report shall include the following: the exact scope and purpose of the EPIC program, the areas of the department that have received any EPIC resources, the line items in part 1 that are expected to recognize savings due to the EPIC program, the identified areas of the department where the EPIC program has changed the department's policy, and the number of the full-time equivalent positions in the department that are assigned to the EPIC program during the prior fiscal year. | Strikes current law. | Strikes current law. | |
| ***Substance Abuse Testing and Treatment***<br><br>**Sec. 405.** By March 1, the department shall report to the senate and house appropriations subcommittees on corrections, the legislative corrections ombudsman, the senate and house fiscal agencies, and the state budget director on substance abuse testing and treatment program objectives, outcome measures, and results, including program impact on offender success and programmatic success. | **Sec. 4-405.** Retains current law. | **Sec. 405.** Retains current law. | |
| ***Recidivism Measurement***<br><br>**Sec. 407.** By June 30, the department shall place the statistical report from the immediately preceding calendar year on an Internet site. The statistical report shall include, but not be limited to, the information as provided in the 2004 statistical report. | **Sec. 4-407.** Retains current law. | **Sec. 407.** Retains current law. | |
| ***Recidivism Measurement rates of Offenders***<br><br>**Sec. 408.** The department shall measure the recidivism rates of offenders. | **Sec. 4-408.** Retains current law. | **Sec. 408.** Retains current law. | |

# DEPARTMENT OF CORRECTIONS - BOILERPLATE

| FY 2015-2016 CURRENT LAW | FY 2016-2017 | | |
|---|---|---|---|
| | EXECUTIVE | HOUSE | SENATE |
| ***Workforce Development Program***<br><br>**Sec. 409.** (1) The department shall engage with the talent investment agency within the department of talent and economic development and local entities to design services and shall use appropriations provided in part 1 for reentry and vocational education programs. The department shall ensure that the collaboration provides relevant professional development opportunities to prisoners to ensure that the programs are high quality, demand driven, locally receptive, and responsive to the needs of communities where the prisoners are expected to reside after their release from correctional facilities. The programs shall begin upon the intake of the prisoner into a department facility.<br>(2) It is the intent of the legislature that the workforce development programming continue through the entire duration of the prisoner's incarceration to encourage employment upon release.<br>(3) By March 1, the department shall provide a report to the senate and house appropriations subcommittees on corrections, the legislative corrections ombudsman, and the senate and house fiscal agencies detailing the results of the workforce development program. | Strikes current law. | Strikes current law. | |
| ***Community Corrections Comprehensive Plans and Services***<br><br>**Sec. 410.** (1) The funds included in part 1 for community corrections comprehensive plans and services are to encourage the development through technical assistance grants, implementation, and operation of community corrections programs that enhance offender success and that also may serve as an alternative to incarceration in a state facility or jail. The comprehensive corrections plans shall include an explanation of how the public safety will be maintained, the goals for the local jurisdiction, offender target populations intended to be affected, offender eligibility criteria for purposes outlined in the plan, and how the plans will meet the following objectives, consistent with section 8(4) of the community corrections act, 1988 PA 511, MCL 791.408:<br>(a) Reduce admissions to prison of offenders who would likely be sentenced to imprisonment, including probation violators.<br>(b) Improve the appropriate utilization of jail facilities, the first priority of which is to open jail beds intended to house otherwise prison-bound felons, and the second priority being to appropriately utilize jail beds so that jail crowding does not occur. (c) Open jail beds through the increase of pretrial release options. | **Sec. 4-410.** Retains current law. | **Sec. 410.** Retains current law. | |

# DEPARTMENT OF CORRECTIONS - BOILERPLATE

| FY 2015-2016 CURRENT LAW | FY 2016-2017 EXECUTIVE | FY 2016-2017 HOUSE | FY 2016-2017 SENATE |
|---|---|---|---|
| (d) Reduce the readmission to prison of parole violators.<br>(e) Reduce the admission or readmission to prison of offenders, including probation violators and parole violators, for substance abuse violations.<br>(f) Contribute to offender success.<br>(2) The award of community corrections comprehensive plans and residential services funds shall be based on criteria that include, but are not limited to, the prison commitment rate by category of offenders, trends in prison commitment rates and jail utilization, historical trends in community corrections program capacity and program utilization, and the projected impact and outcome of annual policies and procedures of programs on offender success, prison commitment rates, and jail utilization.<br>(3) Funds awarded for residential services in part 1 shall provide for a per diem reimbursement of not more than $47.50 for nonaccredited facilities, or of not more than $48.50 for facilities that have been accredited by the American Corrections Association or a similar organization as approved by the department. | | | |
| ***Community Corrections Comprehensive Plans***<br><br>**Sec. 411.** The comprehensive corrections plans shall also include, where appropriate, descriptive information on the full range of sanctions and services that are available and utilized within the local jurisdiction and an explanation of how jail beds, residential services, the special alternative incarceration program, probation detention centers, the electronic monitoring program for probationers, and treatment and rehabilitative services will be utilized to support the objectives and priorities of the comprehensive corrections plans and the purposes and priorities of section 8(4) of the community corrections act, 1988 PA 511, MCL 791.408, that contribute to the success of offenders. The plans shall also include, where appropriate, provisions that detail how the local communities plan to respond to sentencing guidelines found in chapter XVII of the code of criminal procedure, 1927 PA 175, MCL 777.1 to 777.69, and use the county jail reimbursement program under section 414. The state community corrections board shall encourage local community corrections advisory boards to include in their comprehensive corrections plans strategies to collaborate with local alcohol and drug treatment agencies of the MDHHS for the provision of alcohol and drug screening, assessment, case management planning, and delivery of treatment to alcohol- and drug-involved offenders. | **Sec. 4-411.** Retains current law. | **Sec. 411.** Retains current law. | |

# DEPARTMENT OF CORRECTIONS - BOILERPLATE

| FY 2015-2016 CURRENT LAW | FY 2016-2017 EXECUTIVE | FY 2016-2017 HOUSE | FY 2016-2017 SENATE |
|---|---|---|---|
| ***Community Corrections Biannual Report***<br><br>**Sec. 412.** (1) As part of the March biannual report specified in section 12(2) of the community corrections act, 1988 PA 511, MCL 791.412, that requires an analysis of the impact of that act on prison admissions and jail utilization, the department shall submit to the senate and house appropriations subcommittees on corrections, the legislative corrections ombudsman, the senate and house fiscal agencies, and the state budget director the following information for each county and counties consolidated for comprehensive corrections plans:<br>(a) Approved technical assistance grants and comprehensive corrections plans including each program and level of funding, the utilization level of each program, and profile information of enrolled offenders.<br>(b) If federal funds are made available, the number of participants funded, the number served, the number successfully completing the program, and a summary of the program activity.<br>(c) Status of the community corrections information system and the jail population information system.<br>(d) Data on residential services, including participant data, participant sentencing guideline scores, program expenditures, average length of stay, and bed utilization data.<br>(e) Offender disposition data by sentencing guideline range, by disposition type, by prior record variable score, by number and percent statewide and by county, current year, and comparisons to the previous 3 years.<br>(f) Data on the use of funding made available under the felony drunk driver jail reduction and community treatment program.<br>(2) The report required under subsection (1) shall include the total funding allocated, program expenditures, required program data, and year-to-date totals. | Strikes current law. | **Sec. 412.** Retains current law. | |
| ***Community Corrections and Jail Data***<br><br>**Sec. 413.** (1) The department shall identify and coordinate information regarding the availability of and the demand for community corrections programs, jail-based community corrections programs, jail-based probation violation sanctions, and all state-required jail data.<br>(2) The department is responsible for the collection, analysis, and reporting of all state-required jail data. | Strikes current law. | **Sec. 413.** Retains current law. | |

# DEPARTMENT OF CORRECTIONS - BOILERPLATE

| FY 2015-2016 CURRENT LAW | FY 2016-2017 EXECUTIVE | FY 2016-2017 HOUSE | FY 2016-2017 SENATE |
|---|---|---|---|
| (3) As a prerequisite to participation in the programs and services offered through the department, counties shall provide necessary jail data to the department. | | | |
| ***County Jail Reimbursement Program***<br><br>**Sec. 414.** (1) The department shall administer a county jail reimbursement program from the funds appropriated in part 1 for the purpose of reimbursing counties for housing in jails certain felons who otherwise would have been sentenced to prison.<br>(2) The county jail reimbursement program shall reimburse counties for convicted felons in the custody of the sheriff if the conviction was for a crime committed on or after January 1, 1999 and 1 of the following applies:<br>(a) The felon's sentencing guidelines recommended range upper limit is more than 18 months, the felon's sentencing guidelines recommended range lower limit is 12 months or less, the felon's prior record variable score is 35 or more points, and the felon's sentence is not for commission of a crime in crime class G or crime class H or a nonperson crime in crime class F under chapter XVII of the code of criminal procedure, 1927 PA 175, MCL 777.1 to 777.69.<br>(b) The felon's minimum sentencing guidelines range minimum is more than 12 months under the sentencing guidelines described in subdivision (a).<br>(c) The felon was sentenced to jail for a felony committed while he or she was on parole and under the jurisdiction of the parole board and for which the sentencing guidelines recommended range for the minimum sentence has an upper limit of more than 18 months.<br>(3) State reimbursement under this subsection shall be $60.00 per diem per diverted offender for offenders with a presumptive prison guideline score, $50.00 per diem per diverted offender for offenders with a straddle cell guideline for a group 1 crime, and $35.00 per diem per diverted offender for offenders with a straddle cell guideline for a group 2 crime. Reimbursements shall be paid for sentences up to a 1-year total. | **Sec. 4-414.** Retains current law. | **Sec. 414.** Retains current law. | |

# DEPARTMENT OF CORRECTIONS - BOILERPLATE

| FY 2015-2016 CURRENT LAW | FY 2016-2017 EXECUTIVE | FY 2016-2017 HOUSE | FY 2016-2017 SENATE |
|---|---|---|---|
| (4) As used in this subsection:<br>(a) "Group 1 crime" means a crime in 1 or more of the following offense categories: arson, assault, assaultive other, burglary, criminal sexual conduct, homicide or resulting in death, other sex offenses, robbery, and weapon possession as determined by the department of corrections based on specific crimes for which counties received reimbursement under the county jail reimbursement program in fiscal year 2007 and fiscal year 2008, and listed in the county jail reimbursement program document titled "FY 2007 and FY 2008 Group One Crimes Reimbursed", dated March 31, 2009.<br>(b) "Group 2 crime" means a crime that is not a group 1 crime, including larceny, fraud, forgery, embezzlement, motor vehicle, malicious destruction of property, controlled substance offense, felony drunk driving, and other nonassaultive offenses.<br>(c) "In the custody of the sheriff" means that the convicted felon has been sentenced to the county jail and is either housed in the county jail or has been released from jail and is being monitored through the use of the sheriff's electronic monitoring system.<br>(5) County jail reimbursement program expenditures shall not exceed the amount appropriated in part 1 for the county jail reimbursement program. Payments to counties under the county jail reimbursement program shall be made in the order in which properly documented requests for reimbursements are received. A request shall be considered to be properly documented if it meets MDOC requirements for documentation. By October 15, the department shall distribute the documentation requirements to all counties.<br>(6) Any county that receives funding under this section for the purpose of housing in jails certain felons who otherwise would have been sentenced to prison shall, as a condition of receiving the funding, report by September 30 an annual average jail capacity and annual average jail occupancy for the immediately preceding fiscal year. | | | |
| ***Felony Drunk Driver Program***<br><br>**Sec. 416.** Allowable uses of felony drunk driver jail reduction and community treatment program funding shall include reimbursing counties for transportation, treatment costs, and housing felony drunk drivers during a period of assessment for treatment and case planning. Reimbursements for housing during the assessment process shall be at the rate of $43.50 per day per offender, up to a maximum of 5 days per offender. | **Sec. 4-416.** Retains current law. | **Sec. 416.** Retains current law. | |

# DEPARTMENT OF CORRECTIONS - BOILERPLATE

| FY 2015-2016 CURRENT LAW | FY 2016-2017 EXECUTIVE | FY 2016-2017 HOUSE | FY 2016-2017 SENATE |
|---|---|---|---|
| ***Reports on Community Programs***<br><br>**Sec. 417.** (1) By March 1, the department shall report to the members of the senate and house appropriations subcommittees on corrections, the legislative corrections ombudsman, the senate and house fiscal agencies, and the state budget director on each of the following programs from the previous fiscal year:<br>(a) The county jail reimbursement program.<br>(b) The felony drunk driver jail reduction and community treatment program.<br>(c) Any new initiatives to control prison population growth funded or proposed to be funded under part 1.<br>(2) For each program listed under subsection (1), the report shall include information on each of the following:<br>(a) Program objectives and outcome measures, including, but not limited to, the number of offenders who successfully completed the program, and the number of offenders who successfully remained in the community during the 3 years following termination from the program.<br>(b) Expenditures by location.<br>(c) The impact on jail utilization.<br>(d) The impact on prison admissions.<br>(e) Other information relevant to an evaluation of the program. | Strikes current law. | **Sec. 417.** Retains current law. | |
| ***State Identification/Birth Certificates/Military Documents for Returning Prisoners***<br><br>**Sec. 418.** (1) The department shall collaborate with the state court administrative office on facilitating changes to Michigan court rules that would require the court to collect at the time of sentencing the state operator's license, state identification card, or other documentation used to establish the identity of the individual to be admitted to the department. The department shall maintain those documents in the prisoner's personal file.<br>(2) The department shall cooperate with MDHHS to create and maintain a process by which prisoners can obtain their Michigan birth certificates if necessary. The department shall describe a process for obtaining birth certificates from other states, and in situations where the prisoner's effort fails, the department shall assist in obtaining the birth certificate.<br>(3) The department shall collaborate with the department of military and veterans affairs to create and maintain a process by which prisoners can obtain a copy of their DD Form 214 or other military discharge documentation if necessary. | **Sec. 4-418.** Retains current law. | **Sec. 418.** Retains current law. | |

# DEPARTMENT OF CORRECTIONS - BOILERPLATE

| FY 2015-2016 CURRENT LAW | FY 2016-2017 EXECUTIVE | FY 2016-2017 HOUSE | FY 2016-2017 SENATE |
|---|---|---|---|
| ***Offender Data Reports***<br><br>**Sec. 419.** (1) The department shall provide <u>weekly</u> electronic mail reports to the senate and house appropriations subcommittees on corrections, the legislative corrections ombudsman, the senate and house fiscal agencies, and the state budget director on prisoner populations by security levels by facility, prison facility capacities, and parolee and probationer populations.<br>(2) The department shall provide <u>monthly</u> electronic mail reports to the senate and house appropriations subcommittees on corrections, the legislative corrections ombudsman, the senate and house fiscal agencies, and the state budget director. The reports shall include information on end-of-month prisoner populations in county jails, the net operating capacity according to the most recent certification report, identified by date, and end-of-month data, year-to-date data, and comparisons to the prior year for the following:<br>(a) Community residential program populations, separated by centers and electronic monitoring.<br>(b) Parole populations.<br>(c) Probation populations, with identification of the number in special alternative incarceration.<br>(d) Prison and camp populations, with separate identification of the number in special alternative incarceration and the number of lifers.<br>(e) Prisoners classified as past their earliest release date.<br>(f) Parole board activity, including the numbers and percentages of parole grants and parole denials.<br>(g) Prisoner exits, identifying transfers to community placement, paroles from prisons and camps, paroles from community placement, total movements to parole, prison intake, prisoner deaths, prisoners discharging on the maximum sentence, and other prisoner exits.<br>(h) Prison intake and returns, including probation violators, new court commitments, violators with new sentences, escaper new sentences, total prison intake, returns from court with additional sentences, community placement returns, technical parole violator returns, and total returns to prison and camp. | **Sec. 4-419.** Modifies current law; changes "weekly" to "monthly" in subsection (1); changes "monthly" to "quarterly" in subsection (2). | **Sec. 419.** Retains current law. | |

# DEPARTMENT OF CORRECTIONS - BOILERPLATE

| FY 2015-2016 CURRENT LAW | FY 2016-2017 | | |
|---|---|---|---|
| | EXECUTIVE | HOUSE | SENATE |
| ***Parole Sanction Certainty Pilot Program***<br><br>**Sec. 421.** (1) Funds appropriated in part 1 for the parole sanction certainty pilot program shall be distributed to an American Correctional Association accredited rehabilitation organization operating in any of the following counties: Berrien, Calhoun, Kalamazoo, Macomb, Muskegon, Oakland, and Wayne for operations and administration of the pilot program. The pilot program may be utilized as a condition of parole for technical parole violators to ensure public safety and justice through a program based on evidence-based tactics and programs.<br>(2) The program or programs selected shall report by March 30 to the department, the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, the legislative corrections ombudsman, and the state budget director. The report shall include program performance measurements, the number of individuals who participate in the pilot program, the number of individuals who return to prison after participating, and outcomes of participants who complete the program. | Strikes current law. | **Sec. 421.** Retains current law. | |

# DEPARTMENT OF CORRECTIONS - BOILERPLATE

| FY 2015-2016 CURRENT LAW | FY 2016-2017 | | |
|---|---|---|---|
| | EXECUTIVE | HOUSE | SENATE |
| | | **NEW LANGUAGE**<br><br>**Sec. 425. (1) From the funds appropriated in part 1, the department shall establish a medication-assisted treatment reentry pilot program to provide prerelease treatment and postrelease referral for opioid-addicted and alcohol-addicted prisoners who voluntarily participate in the medication-assisted treatment reentry pilot program. The department shall collaborate with residential and nonresidential substance abuse treatment providers and with community-based clinics to provide postrelease treatment. The program shall employ a multifaceted approach to treatment including a long-acting nonaddictive medication approved by the Food and Drug Administration for the treatment of opioid and alcohol dependence, counseling, and postrelease referral to community-based providers.** | |

# DEPARTMENT OF CORRECTIONS - BOILERPLATE

| FY 2015-2016 CURRENT LAW | FY 2016-2017 | | |
|---|---|---|---|
| | EXECUTIVE | HOUSE | SENATE |
| | | **(2) The manufacturer of a long-acting nonaddictive medication approved by the Food and Drug Administration for opioid and alcohol dependence shall provide the department with samples of the medication, at no cost to the department, during the duration of the medication-assisted treatment reentry pilot program. Prisoners shall receive 1 injection prior to being released from custody and shall be connected with an aftercare plan and assistance with obtaining insurance to cover subsequent injections.**<br>**(3) Participants of the program shall be required to attend substance abuse treatment programing as directed by their agent, shall be subject to routine drug and alcohol testing, shall not be allowed to consume drugs or alcohol, and shall possess a strong will to overcome addiction.** | |

# DEPARTMENT OF CORRECTIONS - BOILERPLATE

| FY 2015-2016 CURRENT LAW | FY 2016-2017 | | |
|---|---|---|---|
| | EXECUTIVE | HOUSE | SENATE |
| | | **(4) The department shall submit a report by September 30 to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, the legislative corrections ombudsman, and the state budget director on the number of prisoners who received injections upon release, the number of prisoners who received injections and tested positive for drugs or alcohol, the number of prisoners who received injections in the community for a duration of at least 3 months, and the number of prisoners who received injections and were subsequently returned to prison.** | |
| ***Programs to Employ Parolees in Agricultural Settings***<br><br>**Sec. 434.** The department shall explore opportunities to collaborate with Michigan colleges and universities on establishing programs that will employ parolees in agricultural settings. | Strikes current law. | **Sec. 434.** Retains current law. | |
| ***Goodwill Flip the Script***<br><br>**Sec. 437.** (1) Funds appropriated in part 1 for Goodwill Flip the Script shall be distributed to a Michigan-chartered 501(c)(3) nonprofit corporation operating in a county with greater than 1,500,000 people for administration and expansion of a program which serves a population of persons aged 16 to 29. The program shall target those who are entering the criminal justice system for the first or second time and shall assist those individuals through the following program types:<br>(a) Alternative sentencing programs in partnership with a local district or circuit court.<br>(b) Educational recovery for special adult populations with high rates of illiteracy.<br>(c) Career development and continuing education for women. | Strikes current law. | **Sec. 437.** Retains current law. | |

# DEPARTMENT OF CORRECTIONS - BOILERPLATE

| FY 2015-2016 CURRENT LAW | FY 2016-2017 EXECUTIVE | FY 2016-2017 HOUSE | FY 2016-2017 SENATE |
|---|---|---|---|
| (2) The program selected shall report by March 30 to the department, the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, the legislative corrections ombudsman, and the state budget director. The report shall include program performance measurements, the number of individuals diverted from incarceration, the number of individuals served, and outcomes of participants who complete the program. | | | |
| **BUDGET AND OPERATIONS ADMINISTRATION**<br><br>***Prosecutorial and Detainer Expenses***<br><br>**Sec. 501.** From the funds appropriated in part 1 for prosecutorial and detainer expenses, the department shall reimburse counties for housing and custody of parole violators and offenders being returned by the department from community placement who are available for return to institutional status and for prisoners who volunteer for placement in a county jail. | **Sec. 4-501.** Retains current law. | **Sec. 501.** Retains current law. | |
| ***Sheriffs' Coordinating and Training Office***<br><br>**Sec. 502.** Funds included in part 1 for the sheriffs' coordinating and training office are appropriated for and may be expended to defray costs of continuing education, certification, recertification, decertification, and training of local corrections officers, the personnel and administrative costs of the sheriffs' coordinating and training office, the local corrections officers advisory board, and the sheriffs' coordinating and training council under the local corrections officers training act, 2003 PA 125, MCL 791.531 to 791.546. | **Sec. 4-502.** Retains current law. | **Sec. 502.** Retains current law. | |
| ***Mental Health Awareness Training***<br><br>**Sec. 505.** The department shall provide for the training of all custody staff in effective and safe ways of handling prisoners with mental illness and referring prisoners to mental health treatment programs. Mental health awareness training shall be incorporated into the training of new custody staff. | Strikes current law. | Strikes current law. | |

# DEPARTMENT OF CORRECTIONS - BOILERPLATE

| FY 2015-2016 CURRENT LAW | FY 2016-2017 | | |
|---|---|---|---|
| | EXECUTIVE | HOUSE | SENATE |
| ***Maintenance and Utility Costs at Facilities***<br><br>**Sec. 508.** The department shall issue a report for all correctional facilities to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, and the legislative corrections ombudsman by October 1 setting forth the following information for each facility: its name, street address, and date of construction; its current maintenance costs; any maintenance planned; its current utility costs; its expected future capital improvement costs; and its expected future useful life. | Strikes current law. | **Sec. 508.** Retains current law. | |
| ***Study on Michigan State Industries Program***<br><br>**Sec. 509.** (1) The department shall conduct a study on the Michigan state industries program. The study shall focus on determining which industries within the 10 identified prosperity regions in this state have the maximum benefit to the prisoner population in providing marketable skills and leading to employable outcomes after release of the prisoner from a department facility. The report shall also include data on the current labor force trends in the prosperity regions of this state and how the operations of Michigan state industries can work in coordination with local communities to determine the industries that would produce the greatest number of employable prisoners upon release.<br>(2) By December 1, the department shall provide a report to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, and the legislative corrections ombudsman detailing the results and recommendations from the study on Michigan state industries described in subsection (1). | Strikes current law. | Strikes current law. | |
| ***Strategic Plan Reporting***<br><br>**Sec. 511.** (1) By February 1, the department shall provide a report to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, the legislative corrections ombudsman, and the state budget director which details the strategic plan of the department. The report shall contain strategies to decrease the overall recidivism rate, measurable plans to increase the rehabilitative function of correctional facilities, metrics to track and ensure prisoner readiness to re-enter society, and constructive actions for providing prisoners with life skills development. | Strikes current law. | Strikes current law. | |

# DEPARTMENT OF CORRECTIONS - BOILERPLATE

| FY 2015-2016 CURRENT LAW | FY 2016-2017 | | |
|---|---|---|---|
| | EXECUTIVE | HOUSE | SENATE |
| (2) The intent of this report is to express that the mission of the department is to provide an action plan before reentry to society that ensures prisoners' readiness for meeting parole requirements and ensures a reduction in the total number of released inmates who reenter the criminal justice system. | | | |
| **FIELD OPERATIONS ADMINISTRATION**<br><br>***Parole and Probation Agent Caseload Audits***<br><br>**Sec. 601.** (1) From the funds appropriated in part 1, the department shall conduct a statewide caseload audit of field agents. The audit shall address public protection issues and assess the ability of the field agents to complete their professional duties. The complete audit shall be submitted to the senate and house appropriations subcommittees on corrections, the legislative corrections ombudsman, the senate and house fiscal agencies, and the state budget office by March 1.<br>(2) It is the intent of the legislature that the department maintain a number of field agents sufficient to meet supervision and workload standards. | Strikes current law. | Strikes current law. | |
| ***Curfew Monitoring Program Costs***<br><br>**Sec. 603.** (1) All prisoners, probationers, and parolees involved with the curfew monitoring program shall reimburse the department for costs associated with their participation in the program. The department may require community service work reimbursement as a means of payment for those able-bodied individuals unable to pay for the costs of the equipment.<br>(2) Program participant contributions and local program reimbursement for the curfew monitoring program appropriated in part 1 are related to program expenditures and may be used to offset expenditures for this purpose. | **Sec. 4-603.** Retains current law. | **Sec. 603.** Retains current law. | |

# DEPARTMENT OF CORRECTIONS - BOILERPLATE

| FY 2015-2016 CURRENT LAW | FY 2016-2017 | | |
|---|---|---|---|
| | EXECUTIVE | HOUSE | SENATE |
| (3) Included in the appropriation in part 1 is adequate funding to implement the curfew monitoring program to be administered by the department. The curfew monitoring program is intended to provide sentencing judges and county sheriffs in coordination with local community corrections advisory boards access to the state's curfew monitoring program to reduce prison admissions and improve local jail utilization. The department shall determine the appropriate distribution of the curfew monitor units throughout the state based upon locally developed comprehensive corrections plans under the community corrections act, 1988 PA 511, MCL 791.401 to 791.414.<br>(4) For a fee determined by the department, the department shall provide counties with the curfew monitor equipment, replacement parts, administrative oversight of the equipment's operation, notification of violators, and periodic reports regarding county program participants. Counties are responsible for curfew monitor equipment installation and service. For an additional fee as determined by the department, the department shall provide staff to install and service the equipment. Counties are responsible for the coordination and apprehension of program violators.<br>(5) Any county with curfew monitor charges outstanding over 60 days shall be considered in violation of the community curfew monitor program agreement and lose access to the program. | | | |

# DEPARTMENT OF CORRECTIONS - BOILERPLATE

| FY 2015-2016 CURRENT LAW | FY 2016-2017 | | |
|---|---|---|---|
| | EXECUTIVE | HOUSE | SENATE |
| ***Annual Program Reports***<br><br>**Sec. 611.** The department shall prepare by March 1 individual reports for the community reentry program, the electronic monitoring program, and the special alternative to incarceration program. The reports shall be submitted to the senate and house appropriations subcommittees on corrections, the legislative corrections ombudsman, the senate and house fiscal agencies, and the state budget director. Each program's report shall include information on all of the following:<br>(a) Monthly new participants by type of offender. Community reentry program participants shall be categorized by reason for placement. For technical rule violators, the report shall sort offenders by length of time since release from prison, by the most recent violation, and by the number of violations occurring since release from prison.<br>(b) Monthly participant unsuccessful terminations, including cause.<br>(c) Number of successful terminations.<br>(d) End month population by facility/program.<br>(e) Average length of placement.<br>(f) Return to prison statistics.<br>(g) Description of each program location or locations, capacity, and staffing.<br>(h) Sentencing guideline scores and actual sentence statistics for participants, if applicable.<br>(i) Comparison with prior year statistics.<br>(j) Analysis of the impact on prison admissions and jail utilization and the cost effectiveness of the program. | Strikes current law. | Strikes current law. | |
| ***Violators of Parole and Probation***<br><br>**Sec. 612.** (1) The department shall review and revise as necessary policy proposals that provide alternatives to prison for offenders being sentenced to prison as a result of technical probation violations and technical parole violations. To the extent the department has insufficient policies or resources to affect the continued increase in prison commitments among these offender populations, the department shall explore other policy options to allow for program alternatives, including department or OCC-funded programs, local level programs, and programs available through private agencies that may be used as prison alternatives for these offenders. | Strikes current law. | **Sec. 612.** Retains current law. | |

# DEPARTMENT OF CORRECTIONS - BOILERPLATE

| FY 2015-2016 CURRENT LAW | FY 2016-2017 | | |
|---|---|---|---|
| | EXECUTIVE | HOUSE | SENATE |
| (2) By April 1, the department shall provide a report to the senate and house appropriations subcommittees on corrections, the legislative corrections ombudsman, the senate and house fiscal agencies, and the state budget director on the number of all parolees returned to prison and probationers sentenced to prison for either a technical violation or new sentence during the preceding fiscal year. The report shall include the following information for probationers, for parolees after their first parole, and for parolees who have been paroled more than once:<br>(a) The numbers of parole and probation violators returned to or sent to prison for a new crime with a comparison of original versus new offenses by major offense type: assaultive, nonassaultive, drug, and sex.<br>(b) The numbers of parole and probation violators returned to or sent to prison for a technical violation and the type of violation, including, but not limited to, zero gun tolerance and substance abuse violations. For parole technical rule violators, the report shall list violations by type, by length of time since release from prison, by the most recent violation, and by the number of violations occurring since release from prison.<br>(c) The educational history of those offenders, including how many had a high school equivalency or high school diploma prior to incarceration in prison, how many received a high school equivalency while in prison, and how many received a vocational certificate while in prison.<br>(d) The number of offenders who participated in the reentry program versus the number of those who did not.<br>(e) The unduplicated number of offenders who participated in substance abuse treatment programs, mental health treatment programs, or both, while in prison, itemized by diagnosis. | | | |

# DEPARTMENT OF CORRECTIONS - BOILERPLATE

| FY 2015-2016 CURRENT LAW | FY 2016-2017 EXECUTIVE | FY 2016-2017 HOUSE | FY 2016-2017 SENATE |
|---|---|---|---|
| ***Inmates Sentenced to Life with Possibility of Parole***<br><br>**Sec. 615.** The department shall submit a report containing a list detailing the number of prisoners who have received life imprisonment sentences with the possibility of parole and who are currently eligible for parole to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, the legislative corrections ombudsman, and the state budget director by January 1. | **Sec. 4-615.** Retains current law. | **Sec. 615.** Retains current law; includes new subsection (2).<br><br>**(2) The report shall include the following information on parolable lifers who have served more than 25 years: prisoner name, MDOC identification number, prefix, offense for which life term is being served, county of conviction, age at time offense was committed, current age, race, gender, true security classification, dates of parole board file reviews, dates of parole board interviews, parole guideline scores, and reason for decision not to release.** | |
| ***Parole Board Reviews of Parolable Lifers***<br><br>**Sec. 616.** The parole board shall review its policies related to the review and parole of those offenders serving a parolable life sentence with consideration given to those that do not pose an ongoing risk to society. | **Sec. 4-616.** Retains current law. | **Sec. 616.** Retains current law. | |
| **HEALTH CARE**<br><br>***Health Care Timeliness and Expenditures***<br><br>**Sec. 802.** As a condition of expenditure of the funds appropriated in part 1, the department shall provide the senate and house of representatives appropriations subcommittees on corrections, the legislative corrections ombudsman, the senate and house fiscal agencies, and the state budget director with quarterly reports on physical and mental health care detailing quarterly and fiscal year-to-date expenditures itemized by vendor, allocations, status of payments from contractors to vendors, and projected year-end expenditures from accounts for prisoner health care, mental health care, pharmaceutical services, and durable medical equipment. | Strikes current law. | **Sec. 802.** Retains current law. | |

# DEPARTMENT OF CORRECTIONS - BOILERPLATE

| FY 2015-2016 CURRENT LAW | FY 2016-2017 | | |
|---|---|---|---|
| | EXECUTIVE | HOUSE | SENATE |
| ***Standard Medical Release Form***<br><br>**Sec. 803.** (1) The department shall assure that all prisoners, upon any health care treatment, are given the opportunity to sign a release of information form designating a family member or other individual to whom the department shall release records information regarding a prisoner. A release of information form signed by a prisoner shall remain in effect for 1 year, and the prisoner may elect to withdraw or amend the release form at any time.<br>(2) The department shall assure that any such signed release forms follow a prisoner upon transfer to another department facility or to the supervision of a parole officer.<br>(3) The form shall be placed on an online, public website managed by the department. | Strikes current law. | **Sec. 803.** Retains current law. | |
| ***Health Care Utilization Reports***<br><br>**Sec. 804.** The department shall report quarterly to the senate and house appropriations subcommittees on corrections, the legislative corrections ombudsman, the senate and house fiscal agencies, and the state budget director on prisoner health care utilization. The report shall include the number of inpatient hospital days, outpatient visits, emergency room visits, and prisoners receiving off-site inpatient medical care in the previous quarter, by facility. | **Sec. 4-804.** Retains current law. | **Sec. 804.** Retains current law. | |
| ***Health Care Coverage for Dependents***<br><br>**Sec. 805.** If a prisoner aged 26 years or under is determined not to be eligible for Medicaid, the department shall determine whether the prisoner is eligible for dependent health insurance coverage. | Strikes current law. | Strikes current law. | |

# DEPARTMENT OF CORRECTIONS - BOILERPLATE

| FY 2015-2016 CURRENT LAW | FY 2016-2017 | | |
|---|---|---|---|
| | EXECUTIVE | HOUSE | SENATE |
| ***Medicaid Utilization by Prisoners***<br><br>**Sec. 812.** (1) The department shall provide the department of health and human services with a monthly list of prisoners newly committed to the department of corrections. The department and the department of health and human services shall enter into an interagency agreement under which the department of health and human services provides the department of corrections with monthly lists of newly committed prisoners who are eligible for Medicaid benefits in order to maintain the process by which Medicaid benefits are suspended rather than terminated. The department shall assist prisoners who may be eligible for Medicaid benefits after release from prison with the Medicaid enrollment process prior to release from prison.<br>(2) The department shall provide the senate and house appropriations subcommittees on corrections, the legislative corrections ombudsman, the senate and house fiscal agencies, and the state budget director with quarterly updates on the utilization of Medicaid benefits for prisoners. | Strikes current law. | **Sec. 812.** Retains current law. | |
| ***Psychotropic Medications for Prisoners***<br><br>**Sec. 814.** The department shall assure that psychotropic medications are available, when deemed medically necessary by a licensed medical service provider, to prisoners who have mental illness diagnoses but are not enrolled in corrections mental health services. | Strikes current law. | Strikes current law. | |
| ***Pharmaceutical Expenditures***<br><br>**Sec. 816.** By April 1, the department shall provide the members of the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, the state budget director, and the legislative corrections ombudsman with a report on pharmaceutical expenditures and prescribing practices. In particular, the report shall provide the following information:<br>(a) A detailed accounting of expenditures on antipsychotic medications.<br>(b) Any changes that have been made to the prescription drug formularies. | Strikes current law. | Strikes current law. | |

# DEPARTMENT OF CORRECTIONS - BOILERPLATE

| FY 2015-2016 CURRENT LAW | FY 2016-2017 EXECUTIVE | FY 2016-2017 HOUSE | FY 2016-2017 SENATE |
|---|---|---|---|
| | **NEW LANGUAGE**<br><br>**Sec. 4-805. From the funds appropriated in part 1 for substance abuse testing and treatment services, the department shall implement the living in recovery program serving at least 500 offenders in the current fiscal year. The purpose of this new program is to cost effectively target relapse prevention and help develop sobriety support systems to deter further criminal behavior and recidivism. The department will track the outcome of the program to determine the number of participants that succeeded, the number that failed and were returned to prison, and the number that failed, but were not returned to prison.** | **Sec. 806.** Includes Executive language; changes number of offenders to be served from 500 to 250. | |
| | **NEW LANGUAGE**<br><br>**Sec. 4-806. From the funds appropriated in part 1 for clinical and mental health services and support, the department shall expand its mental health treatment and sex offender treatment programs. The purpose of this enhancement is to address increased caseloads, reduce the number of prisoners on the waiting list of prisoners who are past their earliest release date, and reduce the percentage of prisoners readmitted to mental health programs at their previous level of care.** | **Sec. 807.** Includes Executive language. | |

# DEPARTMENT OF CORRECTIONS - BOILERPLATE

| FY 2015-2016 CURRENT LAW | FY 2016-2017 | | |
|---|---|---|---|
| | EXECUTIVE | HOUSE | SENATE |
| **CORRECTIONAL FACILITIES ADMINISTRATION**<br><br>***Cost Per Prisoner Per Day***<br><br>**Sec. 904.** The department shall calculate the per prisoner/per day cost for each prisoner security custody level. This calculation shall include all actual direct and indirect costs for the previous fiscal year, including, but not limited to, the value of services provided to the department by other state agencies and the allocation of statewide legacy costs. To calculate the per prisoner/per day costs, the department shall divide these direct and indirect costs by the average daily population for each custody level. For multilevel facilities, the indirect costs that cannot be accurately allocated to each custody level can be included in the calculation on a per-prisoner basis for each facility. Marginal cost per prisoner by age cohort shall be calculated under the assumptions made by the department under prior marginal cost analysis. A report summarizing these calculations and the direct and indirect costs included in them shall be submitted to the senate and house appropriations subcommittees on corrections, the legislative corrections ombudsman, the senate and house fiscal agencies, and the state budget director not later than December 15. | Strikes current law. | **Sec. 904.** Retains current law; strikes sentence relative to cost per prisoner by age cohort. | |
| ***Public Works Program***<br><br>**Sec. 906.** Any local unit of government or private nonprofit organization that contracts with the department for public works services shall be responsible for financing the entire cost of such an agreement. | **Sec. 4-906.** Retains current law. | **Sec. 906.** Retains current law. | |

# DEPARTMENT OF CORRECTIONS - BOILERPLATE

| FY 2015-2016 CURRENT LAW | FY 2016-2017 EXECUTIVE | FY 2016-2017 HOUSE | FY 2016-2017 SENATE |
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| ***Educational Programs for Prisoners***<br><br>**Sec. 907.** The department shall report by March 1 to the senate and house appropriations subcommittees on corrections, the legislative corrections ombudsman, the senate and house fiscal agencies, and the state budget director on academic and vocational programs. The report shall provide information relevant to an assessment of the department's academic and vocational programs, including, but not limited to, all of the following:<br>(a) The number of instructors and the number of instructor vacancies, by program and facility.<br>(b) The number of prisoners enrolled in each program, the number of prisoners completing each program, <u>the number of prisoners who fail each program, the number of prisoners who do not complete each program and the reason for not completing the program</u>, the number of prisoners transferred to another facility while enrolled in a program and the reason for transfer, <u>the number of prisoners enrolled who are repeating the program by reason</u>, and the number of prisoners on waiting lists for each program, all itemized by facility.<br>(c) The steps the department has undertaken to improve programs, track records, accommodate transfers and prisoners with health care needs, and reduce waiting lists.<br>(d) The number of prisoners paroled without a high school diploma and the number of prisoners paroled without a high school equivalency.<br>(e) An explanation of the value and purpose of each program, for example, to improve employability, reduce recidivism, reduce prisoner idleness, or some combination of these and other factors.<br>(f) An identification of program outcomes for each academic and vocational program.<br>(g) An explanation of the department's plans for academic and vocational programs, <u>including plans to contract with intermediate school districts for high school equivalency and high school diploma programs</u>.<br>(h) The number of prisoners not paroled at their earliest release date due to lack of a high school equivalency, and the reason those prisoners have not obtained a high school equivalency. | **Sec. 4-907.** Modifies current law; strikes "the number of prisoners who fail each program, the number of prisoners who do not complete each program and the reason for not completing the program" from subsection (b); strikes "by reason" from "the number of prisoners enrolled who are repeating the program by reason" in subsection (b); strikes "including plans to contract with intermediate school districts for high school equivalency and high school diploma programs" from subsection (g). | **Sec. 907.** Concurs with Executive on revisions to subsection (b); retains current law in subsection (g). | |

# DEPARTMENT OF CORRECTIONS - BOILERPLATE

| FY 2015-2016 CURRENT LAW | FY 2016-2017 | | |
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| | EXECUTIVE | HOUSE | SENATE |
| | | **NEW LANGUAGE**<br><br>**Sec. 908. From the funds appropriated in part 1, the department shall explore the feasibility of establishing an online career high school education pilot program, or other alternatives to providing prisoners with a high school diploma in lieu of a high school equivalency. The department shall explore establishing outside partnerships to assist the department with providing high school diplomas. The department shall submit a report by October 15 to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, the legislative corrections ombudsman, and the state budget director that describes the necessary steps the department would have to take, the resources the department would need, any departmental organizational changes that would be required, and the feasibility of the department's forming outside partnerships to assist with providing prisoners with a high school diploma in lieu of a high school equivalency.** | |

# DEPARTMENT OF CORRECTIONS - BOILERPLATE

| FY 2015-2016 CURRENT LAW | FY 2016-2017 | | |
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| | EXECUTIVE | HOUSE | SENATE |
| | | **NEW LANGUAGE**<br><br>**Sec. 909. From the funds appropriated in part 1, the department shall focus on providing career-based educational programming for prisoners, to include vocational trade programs and employment readiness programs.** | |
| ***Braille Program***<br><br>**Sec. 910.** The department shall allow the Michigan Braille transcribing fund program to operate at its current location. The donation of the building by the Michigan Braille transcribing fund at the G. Robert Cotton Correctional Facility in Jackson is acknowledged and appreciated. The department shall continue to encourage the Michigan Braille transcribing fund program to produce high-quality materials for use by the visually impaired. | **Sec. 4-910.** Retains current law. | **Sec. 910.** Retains current law. | |
| ***Critical Incidents in Prisons***<br><br>**Sec. 911.** By March 1, the department shall report to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, the legislative corrections ombudsman, and the state budget director the number of critical incidents occurring each month by type and the number and severity of assaults, escape attempts, suicides, and attempted suicides occurring each month at each facility during the immediately preceding calendar year. | Strikes current law. | **Sec. 911.** Retains current law. | |
| ***Institutional Staffing***<br><br>**Sec. 912.** The department shall report to the senate and house appropriations subcommittees on corrections, the legislative corrections ombudsman, the senate and house fiscal agencies, and the state budget director by March 1 on the ratio of correctional officers to prisoners for each correctional institution, the ratio of shift command staff to line custody staff, and the ratio of noncustody institutional staff to prisoners for each correctional institution. | Strikes current law. | Strikes current law. | |

# DEPARTMENT OF CORRECTIONS - BOILERPLATE

| FY 2015-2016 CURRENT LAW | FY 2016-2017 EXECUTIVE | FY 2016-2017 HOUSE | FY 2016-2017 SENATE |
|---|---|---|---|
| ***Enrollment in and Completion of Various Programming***<br><br>**Sec. 913.** (1) It is the intent of the legislature that any prisoner required to complete a violence prevention program, sexual offender program, or other program as a condition of parole shall be transferred to a facility where that program is available in order to accomplish timely completion of that program prior to the expiration of his or her minimum sentence and eligibility for parole. Nothing in this section should be deemed to make parole denial appealable in court.<br>(2) The department shall submit a quarterly report to the members of the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, the state budget director, and the legislative corrections ombudsman detailing enrollment in sex offender programming, assaultive offender programming, violent offender programming, and thinking for change. At a minimum, the report shall include the following:<br>(a) A full accounting of the number of individuals who are required to complete the programming, but have not yet done so.<br>(b) The number of individuals who have reached their earliest release date, but who have not completed required programming.<br>(c) A plan of action for addressing any waiting lists or backlogs for programming that may exist. | **Sec. 4-913.** Modifies current law; strikes "It is the intent of the legislature that" from subsection (1); changes "quarterly" to "biannual" in subsection (2). | **Sec. 913.** Concurs with Executive on revision to subsection (1); retains current law in subsection (2); includes new subsection (1):<br><br>**(1) From the funds appropriated in part 1, the department shall focus on providing required programming to prisoners who are past their earliest release date because of not having received the required programming. Programming includes, but is not limited to, violence prevention programming, assaultive offender programming, sexual offender programming, substance abuse treatment programming, thinking for a change programming, and any other programming that is required as a condition of parole.** | |
| ***Evaluation and Placement of Prisoners With Mental Illness***<br><br>**Sec. 924.** The department shall evaluate all prisoners at intake for substance abuse disorders, serious developmental disorders, serious mental illness, and other mental health disorders. Prisoners with serious mental illness or serious developmental disorders shall not be removed from the general population as a punitive response to behavior caused by their serious mental illness or serious developmental disorder. Due to persistent high violence risk or severe disruptive behavior that is unresponsive to treatment, prisoners with serious mental illness or serious developmental disorders may be placed in secure residential housing programs that will facilitate access to institutional programming and ongoing mental health services. A prisoner with serious mental illness or serious developmental disorder who is confined in these specialized housing programs shall be evaluated or monitored by a medical professional at a frequency of not less than every 12 hours. | **Sec. 9-924.** Retains current law. | **Sec. 924.** Retains current law. | |

# DEPARTMENT OF CORRECTIONS - BOILERPLATE

| FY 2015-2016 CURRENT LAW | FY 2016-2017 | | |
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| | EXECUTIVE | HOUSE | SENATE |
| ***Administrative Segregation Report***<br><br>**Sec. 925.** By March 1, the department shall report to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, the legislative corrections ombudsman, and the state budget director on the annual number of prisoners in administrative segregation between October 1, 2014 and September 30, 2015, and the annual number of prisoners in administrative segregation between October 1, 2014 and September 30, 2015 who at any time during the current or prior prison term were diagnosed with serious mental illness or have a developmental disorder and the number of days each of the prisoners with serious mental illness or a developmental disorder have been confined to administrative segregation. | **Sec. 4-925.** Retains current law; updates fiscal years. | **Sec. 925.** Retains current law; updates fiscal years. | |
| ***Youthful Offenders***<br><br>**Sec. 929.** From the funds appropriated in part 1, the department shall do all of the following:<br>(a) Ensure that any inmate care and control staff in contact with prisoners less than 18 years of age are adequately trained with regard to the developmental and mental health needs of prisoners less than 18 years of age. By April 1, the department shall report to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, and the state budget director on the training curriculum used and the number and types of staff receiving annual training under that curriculum. | **Sec. 4-929.** Retains current law. | **Sec. 929.** Retains current law. | |

# DEPARTMENT OF CORRECTIONS - BOILERPLATE

| FY 2015-2016 CURRENT LAW | FY 2016-2017 EXECUTIVE | FY 2016-2017 HOUSE | FY 2016-2017 SENATE |
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| (b) Provide appropriate placement for prisoners less than 18 years of age who have serious mental illness, serious emotional disturbance, or a serious developmental disorder and need to be housed separately from the general population. Prisoners less than 18 years of age who have serious mental illness, serious emotional disturbance, or a serious developmental disorder shall not be removed from an existing placement as a punitive response to behavior caused by their serious mental illness, serious emotional disturbance, or a serious developmental disorder. Due to persistent high violence risk or severe disruptive behavior that is unresponsive to treatment, prisoners less than 18 years of age with serious emotional disturbance, serious mental illness, or serious developmental disorders may be placed in secure residential housing programs that will facilitate access to institutional programming and ongoing mental health services. A prisoner less than 18 years of age with serious mental illness, serious emotional disturbance, or a serious developmental disorder who is confined in these specialized housing programs shall be evaluated or monitored by a medical professional at a frequency of not less than every 12 hours.<br>(c) Implement a specialized reentry program that recognizes the needs of prisoners less than 18 years old for supervised reentry. | | | |
| ***Competitive Bidding***<br><br>**Sec. 937.** The department shall not issue a request for proposal (RFP) for a contract in excess of $5,000,000.00, unless the department has first considered issuing a request for information (RFI) or a request for qualification (RFQ) relative to that contract to better enable the department to learn more about the market for the products or services that are the subject of the future RFP. The department shall notify the department of technology, management, and budget of the evaluation process used to determine if an RFI or RFQ was not necessary prior to issuing the RFP. | Strikes current law. | Strikes current law. | |
| ***Use of State-Owned Facilities***<br><br>**Sec. 940.** (1) Any lease, rental, contract, or other legal agreement that includes a provision allowing a private person or entity to use state-owned facilities or other property to conduct a for-profit business enterprise shall require the lessee to pay fair market value for the use of the state-owned property. | Strikes current law. | Strikes current law. | |

# DEPARTMENT OF CORRECTIONS - BOILERPLATE

| FY 2015-2016 CURRENT LAW | FY 2016-2017 | | |
|---|---|---|---|
| | EXECUTIVE | HOUSE | SENATE |
| (2) The lease, rental, contract, or other legal agreement shall also require the party using the property to make a payment in lieu of taxes to the local jurisdictions that would otherwise receive property tax revenue, as if the property were not owned by the state. | | | |
| ***Auditor General and Corrections Ombudsman Access to Contracted Facilities***<br><br>**Sec. 942.** The department shall ensure that any contract with a public or private party to operate a facility to house state prisoners includes a provision to allow access by both the office of the legislative auditor general and the office of the legislative corrections ombudsman to the facility and to appropriate records and documents related to the operation of the facility. These access rights for both offices shall be the same for the contracted facility as for a general state-operated correctional facility. | Strikes current law. | **Sec. 942.** Retains current law. | |
| ***Overcrowding in Central Michigan Correctional Facility Visiting Room***<br><br>**Sec. 945.** The department shall investigate options for increasing the visiting capacity at Central Michigan Correctional Facility - St. Louis in order to ease visiting room overcrowding. The department shall submit a report by April 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 director on progress being made to address visiting room overcrowding. | Strikes current law. | Strikes current law. | |

# DEPARTMENT OF CORRECTIONS - BOILERPLATE

| FY 2015-2016 CURRENT LAW | FY 2016-2017 | | |
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| | EXECUTIVE | HOUSE | SENATE |
| **MISCELLANEOUS**<br><br>***Information Packet for Prisoner Families***<br><br>**Sec. 1009.** The department shall make an information packet for the families of incoming prisoners available on the department's website. The information packet shall be updated by February 1 of each year thereafter. The packet shall provide information on topics including, but not limited to: how to put money into prisoner accounts, how to make phone calls or create Jpay email accounts, how to visit in person, proper procedures for filing complaints or grievances, the rights of prisoners to physical and mental health care, how to utilize the offender tracking information system (OTIS), truth-in-sentencing and how it applies to minimum sentences, the parole process, and guidance on the importance of the role of families in the reentry process. The department is encouraged to partner with external advocacy groups and actual families of prisoners in the packet-writing process to ensure that the information is useful and complete. | Strikes current law. | **Sec. 1009.** Retains current law. | |
| ***Religious Cable Programming***<br><br>**Sec. 1011.** The department may accept in-kind services and equipment donations to facilitate the addition of a cable network that provides programming that will address the religious needs of incarcerated individuals. This network may be a cable television network that presently reaches the majority of households in the United States. A bilingual channel affiliated with this network may also be added to department programming to assist the religious needs of Spanish-speaking inmates. The addition of these channels shall be of no additional cost to this state. | Strikes current law. | Strikes current law. | |
| ***Faith-Based Reentry Programs***<br><br>**Sec. 1012.** From the funds appropriated in part 1, priority may be given to funding reentry or rehabilitation programs that have been demonstrated to reduce prison violence and recidivism such as faith-based initiatives. | Strikes current law. | Strikes current law. | |

# DEPARTMENT OF CORRECTIONS - BOILERPLATE

| FY 2015-2016 CURRENT LAW | FY 2016-2017 | | |
|---|---|---|---|
| | EXECUTIVE | HOUSE | SENATE |
| | **NEW LANGUAGE**<br><br>**Sec. 4-1000. From the funds appropriated in part 1 for information technology services and projects, the department shall expand bandwidth in 27 correctional facilities and 113 field operations offices. The purpose of this bandwidth expansion is to support critical information technology systems that provide platforms for several mandated programs and department cost savings efforts.** | **Sec. 1000.** Includes new language. | |
| | **NEW LANGUAGE**<br><br>**Sec. 4-1100. From the funds appropriated in part 1 for new custody staff training, the department will increase the training capacity for new custody staff by 350 officers. The purpose of this academy is to address higher than normal attrition or correction officers and decrease overtime costs.** | **Sec. 1100.** Includes new language. | |
| **GENERAL SECTIONS**<br><br>***Anticipated FY 2016-17 Appropriations***<br><br>**Sec. 1201.** It is the intent of the legislature to provide appropriations for the fiscal year ending on September 30, 2017 for the line items listed in part 1. The fiscal year 2016-2017 appropriations are anticipated to be the same as those for fiscal year 2015-2016, except that the line items will be adjusted for changes in caseload and related costs, federal fund match rates, economic factors, and available revenue. These adjustments will be determined after the January 2016 consensus revenue estimating conference. | Strikes current law. | Strikes current law. | |