

SUBSTITUTE FOR
SENATE BILL NO. 852

A bill to make appropriations for the department of corrections for the fiscal year ending September 30, 2019; and to provide for the expenditure of the appropriations.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

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PART 1

LINE-ITEM APPROPRIATIONS

Sec. 101. There is appropriated for the department of corrections for the fiscal year ending September 30, 2019, from the following funds:

DEPARTMENT OF CORRECTIONS

APPROPRIATION SUMMARY

Average population	39,342
Full-time equated unclassified positions.....	16.0
Full-time equated classified positions.....	13,951.2

1	GROSS APPROPRIATION.....	\$ 2,010,125,100
2	Interdepartmental grant revenues:	
3	Total interdepartmental grants and intradepartmental	
4	transfers	0
5	ADJUSTED GROSS APPROPRIATION.....	\$ 2,010,125,100
6	Federal revenues:	
7	Total federal revenues.....	5,315,200
8	Special revenue funds:	
9	Total local revenues.....	8,960,100
10	Total other state restricted revenues.....	40,939,600
11	State general fund/general purpose.....	\$ 1,954,910,200
12	Sec. 102. DEPARTMENTAL ADMINISTRATION AND SUPPORT	
13	Full-time equated unclassified positions.....	16.0
14	Full-time equated classified positions.....	322.0
15	Unclassified salaries--16.0 FTE positions.....	\$ 1,884,600
16	Administrative hearings officers.....	3,266,100
17	Budget and operations administration--240.0 FTE	
18	positions	32,861,500
19	Compensatory buyout and union leave bank.....	100
20	County jail reimbursement program.....	20,743,400
21	Equipment and special maintenance.....	1,559,700
22	Executive direction--20.0 FTE positions.....	4,298,200
23	Judicial data warehouse user fees.....	50,600
24	New custody staff training.....	9,527,600
25	Prison industries operations--62.0 FTE positions.....	9,989,700
26	Property management.....	2,413,100
27	Prosecutorial and detainer expenses.....	5,001,000

1	Sheriffs' coordinating and training office	100,000
2	Workers' compensation	<u>10,613,000</u>
3	GROSS APPROPRIATION	\$ 102,308,600
4	Appropriated from:	
5	Federal revenues:	
6	DOJ, prison rape elimination act grant	674,700
7	Special revenue funds:	
8	Jail reimbursement program fund	5,900,000
9	Program and special equipment fund	100
10	Local corrections officer training fund	100,000
11	Correctional industries revolving fund	9,989,700
12	Correctional industries revolving fund 110	616,700
13	State general fund/general purpose	\$ 85,027,400
14	Sec. 103. OFFENDER SUCCESS ADMINISTRATION	
15	Full-time equated classified positions	339.4
16	Community corrections comprehensive plans and services \$	12,158,000
17	Education/skilled trades/career readiness	
18	programs--270.4 FTE positions	40,509,700
19	Enhanced food technology program	2,000,000
20	Federally qualified health center pilot	750,000
21	Felony drunk driver jail reduction and community	
22	treatment program	1,440,100
23	Goodwill Flip the Script	2,500,000
24	Offender success federal grants	751,000
25	Offender success community partners	14,500,000
26	Offender success programming	11,272,800
27	Public safety initiative	4,000,000

Senate Bill No. 852 as amended May 3, 2018

1	Offender success services--69.0 FTE positions	15,145,700
2	Residential probation diversions	<u><<18,825,500>></u>
3	GROSS APPROPRIATION	\$ <<123,852,800>>
4	Appropriated from:	
5	Federal revenues:	
6	DOJ, prisoner reintegration	751,000
7	Federal education funding	1,536,300
8	Special revenue funds:	
9	Program and special equipment fund	10,213,200
	State general fund/general purpose	\$ <<111,352,300>>
10	Sec. 104. FIELD OPERATIONS ADMINISTRATION	
11	Full-time equated classified positions	2,182.6
12	Criminal justice reinvestment	\$ 2,558,300
13	Detroit Detention Center--66.1 FTE positions	8,685,100
14	Detroit Reentry Center--236.0 FTE positions	29,989,600
15	Field operations--1,849.5 FTE positions	215,333,300
16	Parole board operations--31.0 FTE positions	3,727,300
17	Parole/probation services	940,000
18	Residential alternative to prison program	1,500,000
19	Substance abuse parole certain sanction program	2,440,000
20	Supervising region incentive program	<u>5,000,000</u>
21	GROSS APPROPRIATION	\$ 270,173,600
22	Appropriated from:	
23	Special revenue funds:	
24	Local funds	8,685,100
25	Local - community tether program reimbursement	275,000
26	Reentry center offender reimbursements	10,000

Senate Bill No. 852 as amended May 3, 2018

1	Parole and probation oversight fees	4,000,000
2	Parole and probation oversight fees set-aside	940,000
3	Tether program, participant contributions	2,630,500
4	State general fund/general purpose	\$ 253,633,000
5	Sec. 105. CORRECTIONAL FACILITIES ADMINISTRATION	
6	Full-time equated classified positions..... 654.0	
7	Central records--38.0 FTE positions	\$ 4,446,300
8	Correctional facilities administration--24.0 FTE	
9	positions	5,010,700
10	Housing inmates in federal institutions	611,000
11	Inmate housing fund.....	100
12	Inmate legal services.....	590,900
13	Inmate religious facilities.....	<<2,842,100>>
14	Leased beds and alternatives to leased beds	100
15	Prison food service--352.0 FTE positions	57,163,500
16	Prison kitchen inspections.....	50,000
17	Prison store operations--33.0 FTE positions	3,282,600
18	Public works programs.....	1,000,000
19	Transportation--207.0 FTE positions	<u>26,768,000</u>
20	GROSS APPROPRIATION.....	\$ <<101,765,300>>
21	Appropriated from:	
22	Federal revenues:	
23	DOJ-BOP, federal prisoner reimbursement	411,000
24	SSA-SSI, incentive payment	272,000
25	Special revenue funds:	
26	Correctional industries revolving fund 110	573,900
27	Public works user fees.....	1,000,000

Senate Bill No. 852 as amended May 3, 2018

1	Resident stores.....	3,282,600
	State general fund/general purpose.....	\$ <<96,225,800>>
2	Sec. 106. HEALTH CARE	
3	Full-time equated classified positions..... 1,461.1	
4	Clinical complexes--1,047.1 FTE positions.....	\$ 144,330,200
5	Health care administration--20.0 FTE positions.....	3,623,500
6	Healthy Michigan plan administration--12.0 FTE	
7	positions	1,124,700
8	Hepatitis C treatment.....	6,735,500
9	Interdepartmental grant to health and human	
10	services, eligibility specialists.....	119,700
11	Mental health services and support--376.0 FTE	
12	positions	45,869,500
13	Prisoner health care services.....	86,644,000
14	Substance abuse testing and treatment services--6.0	
15	FTE positions	21,386,600
16	Vaccination program.....	<u>691,200</u>
17	GROSS APPROPRIATION.....	\$ 310,524,900
18	Appropriated from:	
19	Federal revenues:	
20	DOJ, Office of Justice programs, RSAT.....	250,200
21	Federal revenues and reimbursements.....	385,200
22	Special revenue funds:	
23	Prisoner health care copayments.....	257,200
24	State general fund/general purpose.....	\$ 309,632,300
25	Sec. 107. CORRECTIONAL FACILITIES	
26	Average population	39,342

1	Full-time equated classified positions.....	8,992.1	
2	Alger Correctional Facility - Munising--259.0 FTE		
3	positions		\$ 30,534,000
4	Baraga Correctional Facility - Baraga--293.8 FTE		
5	positions		35,264,700
6	Bellamy Creek Correctional Facility - Ionia--391.2		
7	FTE positions		44,057,900
8	Carson City Correctional Facility - Carson		
9	City--424.4 FTE positions		48,570,900
10	Central Michigan Correctional Facility - St.		
11	Louis--387.6 FTE positions		46,021,500
12	Charles E. Egeler Correctional Facility -		
13	Jackson--387.6 FTE positions		45,817,600
14	Chippewa Correctional Facility - Kincheloe--445.6		
15	FTE positions		51,132,600
16	Cooper Street Correctional Facility - Jackson--262.1		
17	FTE positions		29,687,800
18	Earnest C. Brooks Correctional Facility -		
19	Muskegon--245.2 FTE positions.....		29,961,600
20	G. Robert Cotton Correctional Facility -		
21	Jackson--393.0 FTE positions		44,675,800
22	Gus Harrison Correctional Facility - Adrian--443.6		
23	FTE positions		49,788,900
24	Ionia Correctional Facility - Ionia--287.3 FTE		
25	positions		34,152,900
26	Kinross Correctional Facility - Kincheloe--256.6 FTE		
27	positions		32,314,500

1	Lakeland Correctional Facility - Coldwater--276.4	
2	FTE positions	32,913,200
3	Macomb Correctional Facility - New Haven--292.8 FTE	
4	positions	34,544,100
5	Marquette Branch Prison - Marquette--319.7 FTE	
6	positions	37,884,000
7	Michigan Reformatory - Ionia--318.7 FTE positions	35,276,800
8	Muskegon Correctional Facility - Muskegon--206.0 FTE	
9	positions	25,560,900
10	Newberry Correctional Facility - Newberry--198.1 FTE	
11	positions	24,154,500
12	Oaks Correctional Facility - Eastlake--289.4 FTE	
13	positions	34,130,000
14	Ojibway Correctional Facility - Marenisco--201.1 FTE	
15	positions	23,248,300
16	Parnall Correctional Facility - Jackson--264.1 FTE	
17	positions	28,856,200
18	Richard A. Handlon Correctional Facility -	
19	Ionia--252.7 FTE positions	30,116,000
20	Saginaw Correctional Facility - Freeland--275.9 FTE	
21	positions	33,124,800
22	Special Alternative Incarceration Program - Cassidy	
23	Lake--120.0 FTE positions	13,881,300
24	St. Louis Correctional Facility - St. Louis--302.6	
25	FTE positions	37,111,100
26	Thumb Correctional Facility - Lapeer--283.6 FTE	
27	positions	33,099,200

1	Womens Huron Valley Correctional Complex -	
2	Ypsilanti--504.1 FTE positions.....	60,568,400
3	Woodland Correctional Facility - Whitmore	
4	Lake--277.9 FTE positions	32,472,100
5	Staff transition costs.....	1,000,000
6	Northern region administration and support--43.0 FTE	
7	positions	4,336,300
8	Southern region administration and support--89.0 FTE	
9	positions	<u>20,430,900</u>
10	GROSS APPROPRIATION.....	\$ 1,064,688,800
11	Appropriated from:	
12	Federal revenues:	
13	DOJ, state criminal assistance program.....	1,034,800
14	Special revenue funds:	
15	State restricted fees, revenues, and reimbursements ..	102,100
16	State general fund/general purpose.....	\$ 1,063,551,900
17	Sec. 108. INFORMATION TECHNOLOGY	
18	Information technology services and projects	\$ <u>30,583,400</u>
19	GROSS APPROPRIATION.....	\$ 30,583,400
20	Appropriated from:	
21	Special revenue funds:	
22	Correctional industries revolving fund 110.....	178,600
23	Parole and probation oversight fees set-aside.....	701,000
24	Program and special equipment fund.....	444,000
25	State general fund/general purpose.....	\$ 29,259,800
26	Sec. 109. ONE-TIME APPROPRIATIONS	
27	New custody training staff--one time.....	\$ <u>6,227,700</u>

Senate Bill No. 852 as amended May 3, 2018

1	GROSS APPROPRIATION.....	\$	6,227,700
2	Appropriated from:		
3	State general fund/general purpose.....	\$	6,227,700

PART 2

PROVISIONS CONCERNING APPROPRIATIONS

FOR FISCAL YEAR 2018-2019

GENERAL SECTIONS

8 Sec. 201. Pursuant to section 30 of article IX of the state
9 constitution of 1963, total state spending from state sources under
10 part 1 for fiscal year 2018-2019 is \$1,995,849,800.00 and state
11 spending from state sources to be paid to local units of government
12 for fiscal year 2018-2019 is \$<<129,048,400.00>>. The itemized
13 statement below identifies appropriations from which spending to
14 local units of government will occur:

DEPARTMENT OF CORRECTIONS

16	County jail reimbursement program.....	\$	20,743,400
17	Community corrections comprehensive plans and		
18	services		12,158,000
19	Felony drunk driver jail reduction and community		
20	treatment program		1,440,100
21	Field operations.....		65,380,300
22	Leased beds and alternatives to leased beds		100
23	Prosecutorial and detainer expenses.....		5,001,000
24	Public safety initiative.....		4,000,000
25	Residential alternative to prison program.....		1,500,000

Senate Bill No. 852 as amended May 3, 2018

1 Residential probation diversions..... <<18,825,500>>

2 TOTAL..... \$<<129,048,400>>

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

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

7 (a) "Administrative segregation" means confinement for
8 maintenance of order or discipline to a cell or room apart from
9 accommodations provided for inmates who are participating in
10 programs of the facility.

11 (b) "Cost per prisoner" means the sum total of the funds
12 appropriated under part 1 for the following, divided by the
13 projected prisoner population in fiscal year 2018-2019:

- 14 (i) New custody staff training.
- 15 (ii) Education/skilled trades/career readiness programs.
- 16 (iii) Offender success programming.
- 17 (iv) Central records.
- 18 (v) Correctional facilities administration.
- 19 (vi) Inmate legal services.
- 20 (vii) Prison food service.
- 21 (viii) Prison store operations.
- 22 (ix) Transportation.
- 23 (x) Clinical complexes.
- 24 (xi) Hepatitis C treatment.
- 25 (xii) Mental health services and support.
- 26 (xiii) Prisoner health care services.
- 27 (xiv) Vaccination program.

1 (xv) Correctional facilities.

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

3 (c) "Department" or "MDOC" means the Michigan department of
4 corrections.

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

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

7 (f) "EPIC program" means the department's effective process
8 improvement and communications program.

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

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

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

16 (j) "Goal" means the intended or projected result of a
17 comprehensive corrections plan or community corrections program to
18 reduce repeat offending, criminogenic and high-risk behaviors,
19 prison commitment rates, the length of stay in a jail, or to
20 improve the utilization of a jail.

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

24 (l) "MDHHS" means the Michigan department of health and human
25 services.

26 (m) "Medicaid benefit" means a benefit paid or payable under a
27 program for medical assistance under the social welfare act, 1939

1 PA 280, MCL 400.1 to 400.119b.

2 (n) "Objective risk and needs assessment" means an evaluation
3 of an offender's criminal history; the offender's noncriminal
4 history; and any other factors relevant to the risk the offender
5 would present to the public safety, including, but not limited to,
6 having demonstrated a pattern of violent behavior, and a criminal
7 record that indicates a pattern of violent offenses.

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

9 (p) "Offender eligibility criteria" means particular criminal
10 violations, state felony sentencing guidelines descriptors, and
11 offender characteristics developed by advisory boards and approved
12 by local units of government that identify the offenders suitable
13 for community corrections programs funded through the office of
14 community corrections.

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

21 (r) "Offender target populations" means felons or
22 misdemeanants who would likely be sentenced to imprisonment in a
23 state correctional facility or jail, who would not likely increase
24 the risk to the public safety based on an objective risk and needs
25 assessment that indicates that the offender can be safely treated
26 and supervised in the community.

27 (s) "Offender who would likely be sentenced to imprisonment"

1 means either of the following:

2 (i) A felon or misdemeanor who receives a sentencing
3 disposition that appears to be in place of incarceration in a state
4 correctional facility or jail, according to historical local
5 sentencing patterns.

6 (ii) A currently incarcerated felon or misdemeanor who is
7 granted early release from incarceration to a community corrections
8 program or who is granted early release from incarceration as a
9 result of a community corrections program.

10 (t) "Programmatic success" means that the department program
11 or initiative has ensured that the offender has accomplished all of
12 the following:

13 (i) Obtained employment, has enrolled or participated in a
14 program of education or job training, or has investigated all bona
15 fide employment opportunities.

16 (ii) Obtained housing.

17 (iii) Obtained a state identification card.

18 (u) "Recidivism" means that term as defined in section 1 of
19 2017 PA 5, MCL 798.31.

20 (v) "Serious emotional disturbance" means that term as defined
21 in section 100d(2) of the mental health code, 1974 PA 258, MCL
22 330.1100d.

23 (w) "Serious mental illness" means that term as defined in
24 section 100d(3) of the mental health code, 1974 PA 258, MCL
25 330.1100d.

26 (x) "SSA" means the United States Social Security
27 Administration.

1 (y) "SSA-SSI" means SSA supplemental security income.

2 Sec. 204. The department shall use the internet to fulfill the
3 reporting requirements of this part. This requirement may include
4 transmission of reports via electronic mail to the recipients
5 identified for each reporting requirement or it may include
6 placement of reports on an internet or intranet site.

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

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

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

1 report shall include the following information:

2 (a) The dates of each travel occurrence.

3 (b) The total transportation and related costs of each travel
4 occurrence, including the proportion funded with state general
5 fund/general purpose revenues, the proportion funded with state
6 restricted revenues, the proportion funded with federal revenues,
7 and the proportion funded with other revenues.

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

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

21 Sec. 210. (1) In addition to the funds appropriated in part 1,
22 there is appropriated an amount not to exceed \$10,000,000.00 for
23 federal contingency funds. These funds are not available for
24 expenditure until they have been transferred to another line item
25 in part 1 under section 393(2) of the management and budget act,
26 1984 PA 431, MCL 18.1393.

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

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

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

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

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

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

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

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

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

1 classification.

2 (e) Job specifications and wage rates.

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

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

16 Sec. 214. Total authorized appropriations from all sources
17 under part 1 for legacy costs for the fiscal year ending September
18 30, 2019 are estimated at \$319,141,800.00. From this amount, total
19 department appropriations for pension-related legacy costs are
20 estimated at \$147,129,800.00. Total department appropriations for
21 retiree health care legacy costs are estimated at \$172,012,000.00.

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

1 the long-term vacancies that exist within the department. As used
2 in this section, "long-term vacancy" means any full-time equated
3 position that has not been filled at any time during the past 24
4 calendar months.

5 Sec. 217. The department shall receive and retain copies of
6 all reports funded from appropriations in part 1. Federal and state
7 guidelines for short-term and long-term retention of records shall
8 be followed. The department may electronically retain copies of
9 reports unless otherwise required by federal and state guidelines.

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

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

23 (3) The department shall submit a report to the senate and
24 house appropriations subcommittees on corrections, the senate and
25 house fiscal agencies, the legislative corrections ombudsman, and
26 the state budget office by February 1 outlining revenues and
27 expenditures from program and special equipment funds. The report

1 shall include all of the following:

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

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

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

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

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

27 Sec. 247. In cooperation with the state court administrative

1 office, the department shall assist with the data compilation for
2 the swift and sure sanctions program.

3 Sec. 248. At the May 2019 consensus revenue estimating
4 conference, the senate and house fiscal agencies and the state
5 budget director, or state treasurer, shall establish a projected
6 prisoner population for fiscal year 2019-2020, and a projected
7 number of available beds based on the population projection.

8 DEPARTMENTAL ADMINISTRATION AND SUPPORT

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

18 Sec. 302. All employees of the department shall pay for any
19 meals that are prepared and provided to them initially at taxpayer
20 expense. The amount charged must be at least the amount required to
21 fully reimburse all food and labor costs associated with the meal.
22 Funds collected shall be credited to the enhanced food technology
23 program and be used for food safety training and the expansion of
24 the program.

25 Sec. 303. From funds appropriated in part 1 for prison food
26 service, the department shall, by facility, report quarterly to the

1 senate and house appropriations subcommittees on corrections, the
2 senate and house fiscal agencies, the legislative corrections
3 ombudsman, and the state budget office on the average per-meal cost
4 for the previous quarter. The per-meal cost shall include all costs
5 directly related to the provision of food in each prison kitchen,
6 and shall include, but not be limited to, actual food costs, total
7 compensation for all food service workers including benefits and
8 legacy costs, and inspection and compliance costs for food service.

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

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

25 Sec. 306. Funds included in part 1 for the sheriffs'
26 coordinating and training office are appropriated for and may be
27 expended to defray costs of continuing education, certification,

1 recertification, decertification, and training of local corrections
2 officers, the personnel and administrative costs of the sheriffs'
3 coordinating and training office, the local corrections officers
4 advisory board, and the sheriffs' coordinating and training council
5 under the local corrections officers training act, 2003 PA 125, MCL
6 791.531 to 791.546.

7 Sec. 307. The department shall issue a biannual report for all
8 vendor contracts to the senate and house appropriations
9 subcommittees on corrections, the senate and house fiscal agencies,
10 the legislative corrections ombudsman, and the state budget office.
11 The report shall cover service contracts with a value of
12 \$500,000.00 or more and include all of the following:

13 (a) The original start date and the current expiration date of
14 each contract.

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

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

20 Sec. 308. The department shall provide for the training of all
21 custody staff in effective and safe ways of handling prisoners with
22 mental illness and referring prisoners to mental health treatment
23 programs. Mental health awareness training shall be incorporated
24 into the training of new custody staff.

25 Sec. 309. The department shall issue a report for all
26 correctional facilities to the senate and house appropriations
27 subcommittees on corrections, the senate and house fiscal agencies,

1 the legislative corrections ombudsman, and the state budget office
2 by January 1 setting forth the following information for each
3 facility: its name, street address, and date of construction; its
4 current maintenance costs; any maintenance planned; its current
5 utility costs; its expected future capital improvement costs; the
6 current unspent balance of any authorized capital outlay projects,
7 including the original authorized amount; and its expected future
8 useful life.

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

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

24 Sec. 311. By December 1, the department shall provide a report
25 on the Michigan state industries program to the senate and house
26 appropriations subcommittees on corrections, the senate and house
27 fiscal agencies, the legislative corrections ombudsman, and the

1 state budget office. The report shall include, but not be limited
2 to, the locations of the programs, the total number of participants
3 at each location, a description of job duties and typical inmate
4 schedules, the products that are produced, and how the program
5 provides marketable skills that lead to employable outcomes after
6 release from a department facility.

7 **OFFENDER SUCCESS ADMINISTRATION**

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

16 Sec. 402. By March 1, the department shall provide a report on
17 offender success expenditures and allocations to the senate and
18 house appropriations subcommittees on corrections, the legislative
19 corrections ombudsman, the senate and house fiscal agencies, and
20 the state budget office. At a minimum, the report shall include
21 information on both of the following:

22 (a) Details on prior-year expenditures, including amounts
23 spent on each project funded, itemized by service provided and
24 service provider.

25 (b) Allocations and planned expenditures for each project
26 funded and for each project to be funded, itemized by service to be

1 provided and service provider. The department shall provide an
2 amended report quarterly, if any revisions to allocations or
3 planned expenditures occurred during that quarter.

4 Sec. 403. The department shall partner with nonprofit faith-
5 based, business and professional, civic, and community
6 organizations for the purpose of providing inmate offender success
7 services. Offender success services include, but are not limited
8 to, counseling, providing information on housing and job placement,
9 and money management assistance.

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

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

22 Sec. 406. The department will work with the organization
23 representing federally qualified health centers (FQHCs) to
24 implement a pilot project to ensure that behavioral and physical
25 health needs among parolees and probationers are addressed. The
26 pilot project will position FQHCs to ensure that parolees and
27 probationers are enrolled in and maintain access to benefits for

1 which they qualify, are linked to the health care services they
2 need, follow up with providers, stay on their medications, are
3 engaged in services, and have barriers to care addressed. The
4 department will make necessary accommodations to perform the
5 transition planning to allow for a direct referral to the FQHC
6 organization to patients in relevant areas. The pilot shall operate
7 in at least the following counties: Berrien, Kalamazoo, Kent,
8 Macomb, Oakland, Washtenaw, and Wayne. The FQHC organization may
9 submit annual reports detailing these outcomes to the senate and
10 house appropriations subcommittees on corrections, the legislative
11 corrections ombudsman, the senate and house fiscal agencies, and
12 the state budget office.

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

18 Sec. 408. The department shall measure the recidivism rates of
19 offenders.

20 Sec. 409. (1) The department shall engage with the talent
21 investment agency within the department of talent and economic
22 development and local entities to design services and shall use
23 appropriations provided in part 1 for offender success and
24 vocational education programs. The department shall ensure that the
25 collaboration provides relevant professional development
26 opportunities to prisoners to ensure that the programs are high
27 quality, demand driven, locally receptive, and responsive to the

1 needs of communities where the prisoners are expected to reside
2 after their release from correctional facilities. The programs
3 shall begin upon the intake of the prisoner into a department
4 facility.

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

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

13 Sec. 410. (1) The funds included in part 1 for community
14 corrections comprehensive plans and services are to encourage the
15 development through technical assistance grants, implementation,
16 and operation of community corrections programs that enhance
17 offender success and that also may serve as an alternative to
18 incarceration in a state facility or jail. The comprehensive
19 corrections plans shall include an explanation of how the public
20 safety will be maintained, the goals for the local jurisdiction,
21 offender target populations intended to be affected, offender
22 eligibility criteria for purposes outlined in the plan, and how the
23 plans will meet the following objectives, consistent with section
24 8(4) of the community corrections act, 1988 PA 511, MCL 791.408:

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

27 (b) Improve the appropriate utilization of jail facilities,

Senate Bill No. 852 as amended May 3, 2018

1 the first priority of which is to open jail beds intended to house
2 otherwise prison-bound felons, and the second priority being to
3 appropriately utilize jail beds so that jail crowding does not
4 occur.

5 (c) Open jail beds through the increase of pretrial release
6 options.

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

8 (e) Reduce the admission or readmission to prison of
9 offenders, including probation violators and parole violators, for
10 substance abuse violations.

11 (f) Contribute to offender success.

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

20 (3) Funds awarded for residential probation diversions in part
21 shall provide for a per diem reimbursement of not more than
22 <<\$55.00>> for nonaccredited facilities, or of not more than <<\$56.00>>
23 for
24 facilities that have been accredited by the American Corrections
25 Association or a similar organization as approved by the
26 department.

27 Sec. 411. The comprehensive corrections plans shall also
include, where appropriate, descriptive information on the full

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

21 Sec. 412. (1) As part of the March biannual report specified
22 in section 12(2) of the community corrections act, 1988 PA 511, MCL
23 791.412, that requires an analysis of the impact of that act on
24 prison admissions and jail utilization, the department shall submit
25 to the senate and house appropriations subcommittees on
26 corrections, the senate and house fiscal agencies, the legislative
27 corrections ombudsman, and the state budget office the following

1 information for each county and counties consolidated for
2 comprehensive corrections plans:

3 (a) Approved technical assistance grants and comprehensive
4 corrections plans including each program and level of funding, the
5 utilization level of each program, and profile information of
6 enrolled offenders.

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

10 (c) Status of the community corrections information system and
11 the jail population information system.

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

15 (e) Offender disposition data by sentencing guideline range,
16 by disposition type, by prior record variable score, by number and
17 percent statewide and by county, current year, and comparisons to
18 the previous 3 years.

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

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

24 Sec. 413. (1) The department shall identify and coordinate
25 information regarding the availability of and the demand for
26 community corrections programs, jail-based community corrections
27 programs, jail-based probation violation sanctions, and all state-

1 required jail data.

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

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

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

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

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

22 (b) The felon's minimum sentencing guidelines range minimum is
23 more than 12 months under the sentencing guidelines described in
24 subdivision (a).

25 (c) The felon was sentenced to jail for a felony committed
26 while he or she was on parole and under the jurisdiction of the
27 parole board and for which the sentencing guidelines recommended

1 range for the minimum sentence has an upper limit of more than 18
2 months.

3 (3) State reimbursement under this subsection shall be \$65.00
4 per diem per diverted offender for offenders with a presumptive
5 prison guideline score, \$55.00 per diem per diverted offender for
6 offenders with a straddle cell guideline for a group 1 crime, and
7 \$40.00 per diem per diverted offender for offenders with a straddle
8 cell guideline for a group 2 crime. Reimbursements shall be paid
9 for sentences up to a 1-year total.

10 (4) As used in this subsection:

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

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

24 (c) "In the custody of the sheriff" means that the convicted
25 felon has been sentenced to the county jail and is either housed in
26 a county jail, is in custody but is being housed at a hospital or
27 medical facility for a medical or mental health purpose, has been

1 released from jail and is being monitored through the use of the
2 sheriff's electronic monitoring system, or has been placed in a
3 sheriff's contracted residential program.

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

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

18 (7) Not later than February 1, 2019, the department shall
19 report to the house and senate appropriations subcommittees on
20 corrections all of the following information:

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

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

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

27 (d) The number of inmates sentenced to the custody of the

1 sheriff under each of the 3 categories: presumptive prison, group 1
2 crime, and group 2 crime in subsection (3).

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

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

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

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

19 Sec. 417. (1) By March 1, the department shall report to the
20 senate and house appropriations subcommittees on corrections, the
21 senate and house fiscal agencies, the legislative corrections
22 ombudsman, and the state budget office on each of the following
23 programs from the previous fiscal year:

24 (a) The county jail reimbursement program.

25 (b) The felony drunk driver jail reduction and community
26 treatment program.

27 (c) Any new initiatives to control prison population growth

1 funded or proposed to be funded under part 1.

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

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

9 (b) Expenditures by location.

10 (c) The impact on jail utilization.

11 (d) The impact on prison admissions.

12 (e) Other information relevant to an evaluation of the
13 program.

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

21 (2) The department shall cooperate with MDHHS to create and
22 maintain a process by which prisoners can obtain their Michigan
23 birth certificates if necessary. The department shall describe a
24 process for obtaining birth certificates from other states, and in
25 situations where the prisoner's effort fails, the department shall
26 assist in obtaining the birth certificate.

27 (3) The department shall collaborate with the department of

1 military and veterans affairs to create and maintain a process by
2 which prisoners can obtain a copy of their DD Form 214 or other
3 military discharge documentation if necessary.

4 Sec. 419. (1) The department shall provide weekly electronic
5 mail reports to the senate and house appropriations subcommittees
6 on corrections, the senate and house fiscal agencies, the
7 legislative corrections ombudsman, and the state budget office on
8 prisoner populations by security levels by facility, prison
9 facility capacities, the number of beds in currently closed housing
10 units by facility, and parolee and probationer populations.

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

20 (a) Community residential program populations, separated by
21 centers and electronic monitoring.

22 (b) Parole populations.

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

25 (d) Prison and camp populations, with separate identification
26 of the number in special alternative incarceration and the number
27 of lifers.

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

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

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

9 (h) Prison intake and returns, including probation violators,
10 new court commitments, violators with new sentences, escaper new
11 sentences, total prison intake, returns from court with additional
12 sentences, community placement returns, technical parole violator
13 returns, and total returns to prison and camp.

14 Sec. 421. (1) Funds appropriated in part 1 for the substance
15 abuse parole certain sanction program shall be distributed to an
16 American Correctional Association accredited rehabilitation
17 organization operating in any of the following counties: Berrien,
18 Calhoun, Genesee, Kalamazoo, Kent, Macomb, Muskegon, Oakland,
19 Saginaw, and Wayne for operations and administration of the
20 program. The program may be utilized as a condition of parole for
21 technical parole violators to ensure public safety and justice
22 through a program based on evidence-based tactics and programs.

23 (2) The program or programs selected shall report by March 30
24 to the department, the senate and house appropriations
25 subcommittees on corrections, the senate and house fiscal agencies,
26 the legislative corrections ombudsman, and the state budget office.
27 The report shall include program performance measurements, the

1 number of individuals who participate in the program, the number of
2 individuals who return to prison after participating, and outcomes
3 of participants who complete the program.

4 Sec. 422. On a quarterly basis, the department shall issue a
5 report to the senate and house appropriations subcommittees on
6 corrections, the senate and house fiscal agencies, the legislative
7 corrections ombudsman, and the state budget office, for the
8 previous 4 quarters detailing the outcomes of prisoners who have
9 been reviewed for parole. The report shall include all of the
10 following:

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

12 (b) How many prisoners were granted parole.

13 (c) How many prisoners were denied parole.

14 (d) How many parole decisions were deferred.

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

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

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

22 Sec. 423. From funds appropriated in part 1 for field
23 operations, the department shall collaborate with the Michigan
24 Restaurant Association for job placement for individuals on
25 probation and parole.

26 Sec. 425. (1) From the funds appropriated in part 1, the
27 department shall establish medication-assisted treatment offender

1 success pilot programs to provide prerelease treatment and
2 postrelease referral for opioid-addicted and alcohol-addicted
3 offenders who voluntarily participate in the medication-assisted
4 treatment offender success pilot programs. The department shall
5 collaborate with residential and nonresidential substance abuse
6 treatment providers and with community-based clinics to provide
7 postrelease treatment. The programs shall employ a multifaceted
8 approach to treatment, including a long-acting nonaddictive
9 medication approved by the Food and Drug Administration for the
10 treatment of opioid and alcohol dependence, counseling, and
11 postrelease referral to community-based providers.

12 (2) The manufacturer of a long-acting nonaddictive medication
13 approved by the Food and Drug Administration for opioid and alcohol
14 dependence shall provide the department with samples of the
15 medication, at no cost to the department, during the duration of
16 the medication-assisted treatment offender success pilot programs.
17 Offenders shall receive 1 injection prior to being released from
18 custody and shall be connected with an aftercare plan and
19 assistance with obtaining insurance to cover subsequent injections.

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

1 (4) The department shall submit a report by September 30 to
2 the senate and house appropriations subcommittees on corrections,
3 the senate and house fiscal agencies, the legislative corrections
4 ombudsman, and the state budget office on the number of offenders
5 who received injections upon release, the number of offenders who
6 received injections and tested positive for drugs or alcohol, the
7 number of offenders who received injections in the community for a
8 duration of at least 3 months, and the number of offenders who
9 received injections and were subsequently returned to prison.

10 Sec. 426. From the funds appropriated in part 1, the
11 department shall ensure that any inmate with a diagnosed mental
12 illness is referred to a local mental health care provider that is
13 able and willing to treat the inmate upon parole or discharge. The
14 department shall ensure that the provider is informed of the
15 inmate's current treatment plan including any medications that are
16 currently prescribed to the inmate.

17 Sec. 437. (1) Funds appropriated in part 1 for Goodwill Flip
18 the Script shall be distributed to a Michigan-chartered 501(c)(3)
19 nonprofit corporation operating in a county with greater than
20 1,500,000 people for administration and expansion of a program
21 which serves a population of persons aged 16 to 39. The program
22 shall target those who are entering the criminal justice system for
23 the first or second time and shall assist those individuals through
24 the following program types:

25 (a) Alternative sentencing programs in partnership with a
26 local district or circuit court.

27 (b) Educational recovery for special adult populations with

1 high rates of illiteracy.

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

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

10 **FIELD OPERATIONS ADMINISTRATION**

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

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

22 Sec. 602. The funds appropriated in part 1 for the supervising
23 region incentive program shall be used only to fund an incentive
24 program for field operations administration regions in accordance
25 with the supervising region incentive act, 2017 PA 11, MCL 791.131
26 to 791.137.

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

7 (2) Program participant contributions and local program
8 reimbursement for the curfew monitoring program appropriated in
9 part 1 are related to program expenditures and may be used to
10 offset expenditures for this purpose.

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

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

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1 additional fee as determined by the department, the department
2 shall provide staff to install and service the equipment. Counties
3 are responsible for the coordination and apprehension of program
4 violators.

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

8 Sec. 604. <<(1)>> The funds appropriated in part 1 for criminal
9 justice reinvestment shall be used only to fund data collection and
10 evidence-based programs designed to reduce recidivism among
11 probationers and parolees.

<<(2) Of the funds appropriated in part 1 for criminal justice
reinvestment, at least \$600,000.00 shall be allocated to an organization
that has received the United States Department of Labor Training to Work
2 grant to provide county jail inmates with programming and services to
prepare them to get and keep jobs. Examples of eligible programs and
services are, but are not limited to: adult education, tutoring,
manufacturing skills training, participation in a simulated work
environment, mentoring, cognitive therapy groups, life skills classes,
substance abuse recovery groups, fatherhood programs, classes in
understanding the legal system, family literacy, health and wellness,
finance management, employer presentations, and classes on job retention.
Programming and support services should begin before release and continue
after release from the county jail. To be eligible for funding, an
organization must show at least 2 years' worth of data that demonstrate
program success.>>

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

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

26 (b) Monthly participant unsuccessful terminations, including
27 cause.

1 (c) Number of successful terminations.

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

3 (e) Average length of placement.

4 (f) Return to prison statistics.

5 (g) Description of each program location or locations,
6 capacity, and staffing.

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

9 (i) Comparison with prior year statistics.

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

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

23 (2) By April 1, the department shall provide a report to the
24 senate and house appropriations subcommittees on corrections, the
25 senate and house fiscal agencies, the legislative corrections
26 ombudsman, and the state budget office on the number of all
27 parolees returned to prison and probationers sentenced to prison

1 for either a technical violation or new sentence during the
2 preceding fiscal year. The report shall include the following
3 information for probationers, for parolees after their first
4 parole, and for parolees who have been paroled more than once:

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

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

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

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

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

26 Sec. 615. (1) The department shall submit a report detailing
27 the number of prisoners who have received life imprisonment

1 sentences with the possibility of parole and who are currently
2 eligible for parole to the senate and house appropriations
3 subcommittees on corrections, the senate and house fiscal agencies,
4 the legislative corrections ombudsman, and the state budget office
5 by April 30.

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

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

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

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

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

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

4 **HEALTH CARE**

5 Sec. 801. From funds appropriated in part 1, the department
6 shall negotiate with the current third-party health care vendor to
7 have that vendor hire and supply the department with registered
8 nurses. The transition to vendor-provided registered nurses shall
9 be completed by April 1, 2019, after which point the department
10 shall not directly employ registered nurses.

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

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

1 elect to withdraw or amend the release form at any time.

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

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

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

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

1 expected to be received.

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

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

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

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

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

1 formularies.

2 **CORRECTIONAL FACILITIES ADMINISTRATION**

3 Sec. 901. (1) From funds appropriated in part 1 for the
4 enhanced food technology program, the department shall expand the
5 existing food technology education program to at least 1,000
6 inmates annually. The department shall utilize classrooms and
7 learning kitchens during all available hours including Fridays,
8 evenings, and weekends to achieve that goal.

9 (2) A participant in the food technology program shall
10 complete 408 hours of on-the-job training in a prison kitchen as a
11 part of the program. The program participants shall be given
12 priority in job assignments in order to complete this requirement.

13 Sec. 902. All inmates working in prison kitchens shall
14 complete the minimum requirements for a ServSafe Food Handler
15 certificate before being allowed to work in the kitchens. Current
16 prison kitchen workers shall complete the requirements for a
17 ServSafe Food Handler certificate on or before January 1, 2019, to
18 maintain eligibility to work in a prison kitchen.

19 Sec. 903. (1) All department-operated kitchens shall maintain
20 the same requirements for food safety as a food service
21 establishment is required to maintain under the food law, 2000 PA
22 92, MCL 289.1101 to 289.8111, and as a food establishment is
23 required to maintain under the 2001 food code published by the Food
24 and Drug Administration of the Public Health Service of the
25 Department of Health and Human Services. Funds appropriated in part
26 1 for prison kitchen inspections shall be used for costs to

1 implement this section and to inspect department-operated kitchens.

2 (2) The department shall, by facility, report quarterly to the
3 senate and house appropriations subcommittees on corrections, the
4 senate and house fiscal agencies, the legislative corrections
5 ombudsman, and the state budget office on the number of violations
6 committed by a department-operated kitchen for a failure to
7 maintain the requirements under subsection (1).

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

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

1 correctional facilities.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

24 (f) An identification of program outcomes for each academic
25 and vocational program.

26 (g) The number of prisoners not paroled at their earliest
27 release date due to lack of a high school equivalency, and the

1 reason those prisoners have not obtained a high school equivalency.

2 Sec. 908. From the funds appropriated in part 1, the
3 department shall establish a pilot online career high school
4 education program to serve up to 400 inmates through a regionally
5 accredited public or private school district that offers career-
6 based online high school diplomas designed to prepare adult inmates
7 for transition into the workplace. The district chosen for the
8 pilot shall be paid a specified amount per inmate per course
9 successfully completed by the inmate. The department may use
10 federal funds provided to educate inmates to expand this pilot
11 beyond 400 inmates. Funds for the pilot shall also be used for
12 certification programs related to the enhanced food technology
13 program. The department shall provide an initial report no later
14 than June 1 regarding the progress of the inmates in the online
15 high school diploma and career certificate programs to the senate
16 and house appropriations subcommittees on corrections, the
17 legislative corrections ombudsman, the senate and house fiscal
18 agencies, and the state budget office.

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

26 Sec. 911. By March 1, the department shall report to the
27 senate and house appropriations subcommittees on corrections, the

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

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

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

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

1 prior to the expiration of his or her minimum sentence and
2 eligibility for parole. Nothing in this section should be deemed to
3 make parole denial appealable in court.

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

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

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

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

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

1 housing programs that will facilitate access to institutional
2 programming and ongoing mental health services. A prisoner with
3 serious mental illness or serious developmental disorder who is
4 confined in these specialized housing programs shall be evaluated
5 or monitored by a medical professional at a frequency of not less
6 than every 12 hours.

7 Sec. 925. By March 1, the department shall report to the
8 senate and house appropriations subcommittees on corrections, the
9 senate and house fiscal agencies, the legislative corrections
10 ombudsman, and the state budget office on the annual number of
11 prisoners in administrative segregation between October 1, 2017 and
12 September 30, 2018, and the annual number of prisoners in
13 administrative segregation between October 1, 2017 and September
14 30, 2018 who at any time during the current or prior prison term
15 were diagnosed with serious mental illness or have a developmental
16 disorder and the number of days each of the prisoners with serious
17 mental illness or a developmental disorder have been confined to
18 administrative segregation.

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

21 (a) Ensure that any inmate care and control staff in contact
22 with prisoners less than 18 years of age are adequately trained
23 with regard to the developmental and mental health needs of
24 prisoners less than 18 years of age. By April 1, the department
25 shall report to the senate and house appropriations subcommittees
26 on corrections, the senate and house fiscal agencies, the
27 legislative corrections ombudsman, and the state budget office on

1 the training curriculum used and the number and types of staff
2 receiving annual training under that curriculum.

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

23 (c) Implement a specialized offender success program that
24 recognizes the needs of prisoners less than 18 years old for
25 supervised offender success.

26 Sec. 930. The department shall submit a quarterly report to
27 the senate and house appropriations subcommittees on corrections,

1 the senate and house fiscal agencies, the legislative corrections
2 ombudsman, and the state budget office on the number of youth in
3 prison. The report shall include, but not be limited to, the
4 following information:

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

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

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

11 Sec. 937. The department shall not issue a request for
12 proposal (RFP) for a contract in excess of \$5,000,000.00, unless
13 the department has first considered issuing a request for
14 information (RFI) or a request for qualification (RFQ) relative to
15 that contract to better enable the department to learn more about
16 the market for the products or services that are the subject of the
17 future RFP. The department shall notify the department of
18 technology, management, and budget of the evaluation process used
19 to determine if an RFI or RFQ was not necessary prior to issuing
20 the RFP.

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

26 (2) The lease, rental, contract, or other legal agreement
27 shall also require the party using the property to make a payment

1 in lieu of taxes to the local jurisdictions that would otherwise
2 receive property tax revenue, as if the property were not owned by
3 the state.

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

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

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

1 **MISCELLANEOUS**

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

17 Sec. 1010. From funds appropriated in part 1 for inmate
18 religious facilities, the department shall provide a place of
19 worship for inmates of all faiths who are housed within each
20 facility. Each place of worship must allow separate time for
21 inmates of each faith to worship and have all necessary facilities
22 and items needed for services.

23 Sec. 1011. The department may accept in-kind services and
24 equipment donations to facilitate the addition of a cable network
25 that provides programming that will address the religious needs of
26 incarcerated individuals. This network may be a cable television
27 network that presently reaches the majority of households in the

1 United States. A bilingual channel affiliated with this network may
2 also be added to department programming to assist the religious
3 needs of Spanish-speaking inmates. The addition of these channels
4 shall be at no additional cost to this state.

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

9 **ONE-TIME APPROPRIATIONS**

10 Sec. 1100. From the funds appropriated in part 1 for new
11 custody staff training, the department shall increase the training
12 capacity for new custody staff. The purpose of this academy is to
13 address higher than normal attrition of correction officers and to
14 decrease overtime costs.

15 PART 2A

16 PROVISIONS CONCERNING ANTICIPATED APPROPRIATIONS

17 FOR FISCAL YEAR 2019-2020

18 **GENERAL SECTIONS**

19 Sec. 1201. It is the intent of the legislature to provide
20 appropriations for the fiscal year ending on September 30, 2020 for
21 the line items listed in part 1. Fiscal year 2019-2020
22 appropriations are anticipated to be the same as those for fiscal
23 year 2018-2019, except that the line items will be adjusted for
24 changes in caseload and related costs, federal fund match rates,

1 economic factors, and available revenue. These adjustments will be
2 determined after the January 2019 consensus revenue estimating
3 conference.