



Mitchell E. Bean, Director

---

**DEPARTMENT OF CORRECTIONS**  
**Boilerplate Decision Detail**  
**House Bill 4270**  
**FY 2011-12 and FY 2012-13 House Chair's Recommendations**  
**April 14, 2011**

---

House Fiscal Analyst  
Bob Schneider



# DEPARTMENT OF CORRECTIONS FY 2011-2012 BOILERPLATE

FY 2010-2011 CURRENT LAW	FY 2011-2012		
	EXECUTIVE	HOUSE	SENATE
<p><b>GENERAL SECTIONS</b></p> <p><i>Provides statement of state spending to local units of government.</i></p> <p><b>Sec. 201.</b> Pursuant to section 30 of article IX of the state constitution of 1963, total state spending from state resources under part 1 for fiscal year 2010-2011 is \$1,998,756,600.00 and state spending from state resources to be paid to local units of government for fiscal year 2010-2011 is \$92,562,700.00. The itemized statement below identifies appropriations from which spending to local units of government will occur:</p> <p><b>DEPARTMENT OF CORRECTIONS</b>            Field operations - assumption of county probation staff..... \$ 51,579,200            Public service work projects ..... 5,140,200            Community corrections comprehensive plans and services ..... 13,958,000            Community corrections residential services ..... 18,075,500            Community corrections public education and training..... 50,000            Felony drunk driver jail reduction and community treatment program .... 1,740,100            Community re-entry centers..... 2,019,600            Regional jail program ..... 100            TOTAL ..... \$ 92,562,700</p>	<p><b>Sec. 5-201.</b> Pursuant to section 30 of article IX of the state constitution of 1963, total state spending from state resources under part 1 for fiscal year 2010-2011 is <del>\$1,998,756,600.00</del> <b>\$2,003,020,200.00</b> and state spending from state resources to be paid to local units of government for fiscal year 2010-2011 is <del>\$92,562,700.00</del> <b>\$90,193,500.00</b>. The itemized statement below identifies appropriations from which spending to local units of government will occur:</p> <p>List modified to reflect Executive roll-ups:</p> <p><b>DEPARTMENT OF CORRECTIONS</b>            Field programs - assumption of county probation..... \$ 51,579,200            Prison operations - public service work projects .....5,140,200            Community support and programs ..... 35,843,300            TOTAL.....\$ 90,193,500</p>	<p><b>Sec. 201.</b> Revise language to be consistent with House appropriations.</p>	
<p><i>Specifies that act's appropriations are subject to the Management and Budget Act.</i></p> <p><b>Sec. 202.</b> The appropriations authorized under this act are subject to the management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594.</p>	<p>Moved to Article 20, section 20-202.</p>	<p><b>Sec. 202.</b> Retain current law.</p>	



# DEPARTMENT OF CORRECTIONS FY 2011-2012 BOILERPLATE

FY 2010-2011 CURRENT LAW	FY 2011-2012		
	EXECUTIVE	HOUSE	SENATE
<p><i>Defines various acronyms used in the act.</i></p> <p><b>Sec. 203.</b> As used in this act:</p> <p>(a) "Administrative segregation" means confinement for maintenance of order or discipline to a cell or room apart from accommodations provided for inmates who are participating in programs of the facility.</p> <p>(b) "Cost per prisoner" means the sum total of the funds appropriated under part 1 for the following, divided by the projected prisoner population in fiscal year 2010-2011:</p> <p>(i) Northern and southern region correctional facilities.</p> <p>(ii) Northern and southern region administration and support.</p> <p>(iii) Northern and southern region clinical complexes.</p> <p>(iv) Prisoner health care services.</p> <p>(v) Health care administration.</p> <p>(vi) Vaccination program.</p> <p>(vii) Prison food service and federal school lunch program.</p> <p>(viii) Transportation.</p> <p>(ix) Inmate legal services.</p> <p>(x) Correctional facilities administration.</p> <p>(xi) Central records.</p> <p>(xii) DOJ psychiatric plan.</p> <p>(xiii) Worker's compensation.</p> <p>(xiv) New custody staff training.</p> <p>(xv) Prison store operations.</p> <p>(xvi) Education services and federal education grants.</p> <p>(xvii) Education program.</p> <p>(c) "DAG" means the United States department of agriculture.</p> <p>(d) "DAG-FNS" means the DAG food and nutrition service.</p> <p>(e) "DED" means the United States department of education.</p>	<p><b>Sec. 5-202.</b> Modified list to reflect definitions used in budget. Eliminated definitions related to deleted boilerplate and fund source roll-ups:</p> <p>Maintains existing definitions for:</p> <p>(a) "Administrative segregation"</p> <p>(b) "Department"</p> <p>(d) "HIV"</p> <p>(e) "Jail"</p> <p>(f) "MDCH"</p> <p>(g) "MPRI"</p> <p>(h) "Serious mental illness"</p> <p>Adds new definition:</p> <p><b>(C) "FY" MEANS FISCAL YEAR.</b></p> <p>Other existing definitions are deleted.</p>	<p><b>Sec. 203.</b> Maintain current law.</p>	



# DEPARTMENT OF CORRECTIONS FY 2011-2012 BOILERPLATE

FY 2010-2011 CURRENT LAW	FY 2011-2012		
	EXECUTIVE	HOUSE	SENATE
<p>(f) "DED-OESE" means the DED office of elementary and secondary education.</p> <p>(g) "DED-OSERS" means the DED office of special education and rehabilitative services.</p> <p>(h) "DED-OVAE" means the DED office of vocational and adult education.</p> <p>(i) "Department" or "MDOC" means the Michigan department of corrections.</p> <p>(j) "DOJ" means the United States department of justice.</p> <p>(k) "DOJ-BOP" means the DOJ bureau of prisons.</p> <p>(l) "DOJ-OJP" means the DOJ office of justice programs.</p> <p>(m) "Evidence-based practices" or "EBP" means a decision-making process that integrates the best available research, clinician expertise, and client characteristics.</p> <p>(n) "FTE" means full-time equated.</p> <p>(o) "GED" means general educational development certificate.</p> <p>(p) "Goal" means the intended or projected result of a comprehensive corrections plan or community corrections program to reduce repeat offending, criminogenic and high-risk behaviors, prison commitment rates, to reduce the length of stay in a jail, or to improve the utilization of a jail.</p> <p>(q) "GPS" means global positioning system.</p> <p>(r) "HIV" means human immunodeficiency virus.</p> <p>(s) "IDG" means interdepartmental grant.</p> <p>(t) "IDT" means intradepartmental transfer.</p> <p>(u) "Jail" means a facility operated by a local unit of government for the physical detention and correction of persons charged with or convicted of criminal offenses.</p> <p>(v) "MDCH" means the Michigan department of community health.</p> <p>(w) "Medicaid benefit" means a benefit paid or payable under a program for medical assistance under the social welfare act, 1939 PA 280, MCL 400.1 to 400.119b.</p> <p>(x) "MDSP" means the Michigan department of state police.</p>			



# DEPARTMENT OF CORRECTIONS FY 2011-2012 BOILERPLATE

FY 2010-2011 CURRENT LAW	FY 2011-2012		
	EXECUTIVE	HOUSE	SENATE
<p>(y) "MPRI" means the Michigan prisoner reentry initiative.</p> <p>(z) "Objective risk and needs assessment" means an evaluation of an offender's criminal history; the offender's noncriminal history; and any other factors relevant to the risk the offender would present to the public safety, including, but not limited to, having demonstrated a pattern of violent behavior, and a criminal record that indicates a pattern of violent offenses.</p> <p>(aa) "Offender eligibility criteria" means particular criminal violations, state felony sentencing guidelines descriptors, and offender characteristics developed by advisory boards and approved by local units of government that identify the offenders suitable for community corrections programs funded through the office of community corrections.</p> <p>(bb) "Offender success" means that an offender has done all of the following:</p> <p>(i) Regularly reported to his or her assigned field agent.</p> <p>(ii) Is participating in or has successfully completed all required substance abuse, mental health, sex offender, or other treatment as approved by the field agent.</p> <p>(iii) Not sent or returned to prison for the conviction of a new crime or the revocation of probation or parole.</p> <p>(iv) Not been sentenced to a jail term for a new criminal offense.</p> <p>(v) Obtained employment, has enrolled or participated in a program of education or job training, or has investigated all bona fide employment opportunities.</p> <p>(vi) Obtained housing.</p> <p>(cc) "Offender target population" means felons or misdemeanants who would likely be sentenced to imprisonment in a state correctional facility or jail, who would not likely increase the risk to the public safety based on an objective risk and needs assessment that indicates that the offender can be safely treated and supervised in the community.</p>			



# DEPARTMENT OF CORRECTIONS FY 2011-2012 BOILERPLATE

FY 2010-2011 CURRENT LAW	FY 2011-2012		
	EXECUTIVE	HOUSE	SENATE
<p>(dd) "Offender who would likely be sentenced to imprisonment" means either of the following:</p> <p>(i) A felon or misdemeanor who receives a sentencing disposition that appears to be in place of incarceration in a state correctional facility or jail, according to historical local sentencing patterns.</p> <p>(ii) A currently incarcerated felon or misdemeanor who is granted early release from incarceration to a community corrections program or who is granted early release from incarceration as a result of a community corrections program.</p> <p>(ee) "Programmatic success" means that the department program or initiative has ensured that the offender has accomplished all of the following:</p> <p>(i) Obtained employment, has enrolled or participated in a program of education or job training, or has investigated all bona fide employment opportunities.</p> <p>(ii) Obtained housing.</p> <p>(iii) Obtained a state identification card.</p> <p>(ff) "Recidivism" means any of the following:</p> <p>(i) The arrest and conviction of a supervised individual for a new offense while under community supervision.</p> <p>(ii) The adjudication of a supervised individual for a violation of the conditions of supervision while under community supervision.</p> <p>(iii) A sanction resulting from a violation of terms of supervision that results in a return to prison without being adjudicated.</p> <p>(gg) "RSAT" means residential substance abuse treatment.</p> <p>(hh) "Serious emotional disturbance" means that term as defined in section 100d(2) of the mental health code, 1974 PA 328, MCL 330.1100d.</p> <p>(ii) "Serious mental illness" means that term as defined in section 100d(3) of the mental health code, 1974 PA 328, MCL 330.1100d.</p> <p>(jj) "SSA" means the United States social security administration.</p> <p>(kk) "SSA-SSI" means SSA supplemental security income.</p>			



# DEPARTMENT OF CORRECTIONS FY 2011-2012 BOILERPLATE

FY 2010-2011 CURRENT LAW	FY 2011-2012		
	EXECUTIVE	HOUSE	SENATE
<p><i>Provides for billing and payment of 1% of payroll constitutionally dedicated to Civil Service Commission expenses.</i></p> <p><b>Sec. 204.</b> The civil service commission shall bill departments and agencies at the end of the first fiscal quarter for the charges authorized by section 5 of article XI of the state constitution of 1963. Payments shall be made for the total amount of the billing by the end of the second fiscal quarter.</p>	Strike current law.	<b>Sec. 204.</b> Retain current law.	
<p><i>Requires comparison of compensation rates for health care professionals providing service within corrections system and comparable professionals in private sector with recommendations regarding any changes needed to compensation plan.</i></p> <p><b>Sec. 204a.</b> (1) The department shall collaborate with the civil service commission and the department of civil service to review the compensation rates for health care professionals who provide direct health care services to prisoners within the corrections system, including, but not limited to, doctors, all nursing professionals, pharmacists, pharmacy technicians, and psychologists. The review shall include health care professionals employed by the state as well as those employed through state contractors. These rates shall be compared to available data on compensation rates for comparable medical professionals in the private sectors who provide services to the general public to estimate any disparity in compensation.</p>	Strike current law.	<b>Sec. 204a.</b> (1) Retain current law.	



# DEPARTMENT OF CORRECTIONS FY 2011-2012 BOILERPLATE

FY 2010-2011 CURRENT LAW	FY 2011-2012		
	EXECUTIVE	HOUSE	SENATE
<p>(2) Following the review, the department shall make recommendations on changes needed to the state compensation plan for health care professional positions and to department contracts with health care providers so that compensation levels are sufficient to ensure that needed health care professional positions with vacancies are filled, that the department experiences adequate retention levels for these positions, and that necessary health care services are delivered in a timely manner to the prisoner population. A report outlining these recommendations shall be submitted to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, and the state budget office by May 1, 2011.</p>	Strike current law.	(2) Retain current law with update to report due date.	
<p><b><i>Specifies hiring freeze, with exceptions, for state civil service.</i></b></p> <p><b>Sec. 205.</b> (1) A hiring freeze is imposed on the state classified civil service. State departments and agencies are prohibited from hiring any new full-time state classified civil service employees and prohibited from filling any vacant state classified civil service positions. This hiring freeze does not apply to internal transfers of classified employees from 1 position to another within a department.</p>	Strike current law.	<b>Sec. 205.</b> Retain current law.	
<p>(2) The state budget director may grant exceptions to the hiring freeze when the state budget director believes that this hiring freeze will result in rendering a state department or agency unable to deliver basic services, cause loss of revenue to the state, result in the inability of the state to receive federal funds, or necessitate additional expenditures that exceed any savings from maintaining a vacancy. The state budget director shall report quarterly to the chairpersons of the senate and house standing committees on appropriations the number of exceptions to the hiring freeze approved during the previous quarter and the reasons to justify the exception.</p>			



# DEPARTMENT OF CORRECTIONS FY 2011-2012 BOILERPLATE

FY 2010-2011 CURRENT LAW	FY 2011-2012		
	EXECUTIVE	HOUSE	SENATE
<p><b><i>Forbids disciplinary action against an employee for communicating with a legislator or staffer.</i></b></p> <p><b>Sec. 206.</b> The department shall not engage in intimidation or take disciplinary action against an employee for communicating with a member of the legislature or his or her staff.</p>	Strike current law.	<p><b>Sec. 206.</b> The department shall not <del>engage in intimidation or</del> take disciplinary action against an employee for communicating with a member of the legislature or his or her staff.</p>	
<p><b><i>Requires submitting project plan to House and Senate appropriations subcommittees at least 120 days before beginning any effort to privatize.</i></b></p> <p><b>Sec. 207.</b> At least 90 days before beginning any effort to privatize, except for the current effort to privatize and contract for prisoner mental health services that is necessitated by the critical need for prisoner mental health treatment staff, the department shall submit a complete project plan to the appropriate senate and house appropriations subcommittees and the senate and house fiscal agencies. The plan shall include the criteria under which the privatization initiative will be evaluated. The evaluation shall be completed and submitted to the appropriate senate and house appropriations subcommittees and the senate and house fiscal agencies within 30 months. In the case of the current effort to privatize and contract for prisoner mental health services, the department shall submit a complete project plan to the appropriate senate and house appropriations committee chairs and appropriate senate and house appropriations subcommittee chairs as well as the senate and house fiscal agencies and state budget office 10 days prior to beginning the effort.</p>	Strike current law.	Strike current law.	



## DEPARTMENT OF CORRECTIONS FY 2011-2012 BOILERPLATE

FY 2010-2011 CURRENT LAW	FY 2011-2012		
	EXECUTIVE	HOUSE	SENATE
<p><b><i>Requires cost-benefit analyses and legislative approval prior to privatizing services provided by state employees.</i></b></p> <p><b>Sec. 207a.</b> (1) Before privatizing any services or activities currently provided by state employees in the department, except for the privatization of prisoner mental health services that is necessitated by a critical shortage of mental health professional staff, the department shall submit to the senate and house appropriations committees a preprivatization cost-benefit analysis. This analysis shall utilize accurate, reliable, and objective data. Included in this analysis shall be a comparative estimate of the costs that will be incurred by this state over the life of the contract if 1 or both of the following occur:</p> <p>(a) The service or activity continues to be provided by state employees.</p> <p>(b) The service or activity is privatized. The costs of privatizing these services shall include the costs of all necessary monitoring and oversight of the private entity by this state.</p>	<p>Strike current law.</p>	<p>Strike current law.</p>	



# DEPARTMENT OF CORRECTIONS FY 2011-2012 BOILERPLATE

FY 2010-2011 CURRENT LAW	FY 2011-2012		
	EXECUTIVE	HOUSE	SENATE
(2) The department shall not commence any efforts to privatize the services or activities currently provided by state employees under part 1, except for prisoner mental health services, until the cost-benefit analysis prescribed by subsection (1) has been sent to both the senate and house appropriations committees 14 days prior to the efforts to privatize, and proves a cost savings equivalent to the savings specified in civil service rules for disbursement for personal services outside the civil service. Before awarding a contract for the provision of prisoner mental health treatment services, a cost-benefit analysis shall be completed as specified in subsection (1) and submitted to the appropriate senate and house appropriations committee chairs and appropriate senate and house appropriations subcommittee chairs as well as the senate and house fiscal agencies and state budget office not less than 7 days prior to awarding a contract.	Strike current law.	Strike current law.	
(3) In all cases in which a service or activity is privatized, including the provision of prisoner mental health services, the private entity shall be adequately bonded, so as not to expose the state to any potential future liability or legal causes of action.			
(4) A private contractor with a contract with this state that expends state or federal tax dollars shall have all records pertinent to state contracts, including all records detailing compliance with section 209, be subject to disclosure to the department or the department of management and budget.			
(5) State employees shall be given the opportunity to bid on contracts that privatize services that are or were provided by state employees. If the contract is awarded to any state employee, he or she ceases being an employee of the state.			



# DEPARTMENT OF CORRECTIONS FY 2011-2012 BOILERPLATE

FY 2010-2011 CURRENT LAW	FY 2011-2012		
	EXECUTIVE	HOUSE	SENATE
<p><i>Requires MDOC generally to use the Internet to fulfill the reporting requirements of the act.</i></p> <p><b>Sec. 208.</b> The department shall use the Internet to fulfill the reporting requirements of this act. This requirement may include transmission of reports via electronic mail to the recipients identified for each reporting requirement or it may include placement of reports on an Internet or Intranet site. There shall be at least 1 separate and distinct electronic file for each section that includes a reporting requirement.</p>	<p>Moved to article 20, section 20-203: <b>SEC. 20-203. THE DEPARTMENTS AND AGENCIES RECEIVING APPROPRIATIONS IN PART 1 SHALL USE THE INTERNET TO FULFILL THE REPORTING REQUIREMENTS OF THIS ACT. THE REQUIREMENT MAY INCLUDE THE TRANSMISSION OF REPORTS VIA ELECTRONIC MAIL TO THE RECIPIENTS IDENTIFIED FOR EACH REPORTING REQUIREMENT, OR IT MAY INCLUDE PLACEMENT OF REPORTS ON AN INTERNET OR INTRANET SITE.</b></p>	<p><b>Sec. 208. UNLESS OTHERWISE SPECIFIED,</b> the departments shall use the Internet to fulfill the reporting requirements of this act. This requirement may include transmission of reports via electronic mail to the recipients identified for each reporting requirement or it may include placement of reports on an Internet or Intranet site. There shall be at least 1 separate and distinct electronic file for each section that includes a reporting requirement.</p>	
<p><i>Encourages MDOC to Buy American, with preference for Buy Michigan.</i></p> <p><b>Sec. 209.</b> Funds appropriated in part 1 shall not be used for the purchase of foreign goods or services, or both, if comparable quality American goods or services, or both, that do not cost more than 5% greater than foreign goods or services are available. Preference shall be given to produce, goods or services, or both, grown, processed, manufactured, or provided by Michigan businesses if they are of comparable quality and do not cost more than 5% greater than non-Michigan manufactured or provided goods or services. In addition, preference shall be given to goods or services, or both, that are manufactured or provided by Michigan businesses owned and operated by veterans, if they are competitively priced and of comparable quality.</p>	<p>Strike current law.</p>	<p><b>Sec. 209.</b> Funds appropriated in part 1 shall not be used for the purchase of foreign goods or services, or both, if <b>COMPETITIVELY PRICED AND OF</b> comparable quality American goods or services, or both, <del>that do not cost more than 5% greater than foreign goods or services</del> are available. Preference shall be given to <del>produce,</del> goods or services, or both, <del>grown,</del> <del>processed,</del> manufactured or provided by Michigan businesses if they are <b>COMPETITIVELY PRICED AND</b> of comparable quality <del>and do not cost more than 5% greater than non-Michigan manufactured or provided goods or services</del>. In addition, preference shall be given to goods or services, or both, that are manufactured or provided by Michigan businesses owned and operated by veterans, if they are competitively priced and of comparable quality.</p>	
<p><i>Requires MDOC employees to submit to controlled substances tests.</i></p> <p><b>Sec. 210.</b> (1) Individuals seeking employment with the department shall submit to a controlled substance test administered by the department under civil service rules and regulations and applicable collective bargaining agreements.</p>	<p>Strike current law.</p>	<p>Strike current law.</p>	



# DEPARTMENT OF CORRECTIONS FY 2011-2012 BOILERPLATE

FY 2010-2011 CURRENT LAW	FY 2011-2012		
	EXECUTIVE	HOUSE	SENATE
(2) The department shall deny employment to individuals seeking employment with the department who violate subsection (1) or who submit to testing under subsection (1) but test positive for the illicit use of a controlled substance.	Strike current law.	Strike current law.	
<p><b>Authorizes MDOC to collect various reimbursements to cover associated expenses.</b></p> <p><b>Sec. 211.</b> (1) The department may charge fees and collect revenues in excess of appropriations in part 1 not to exceed the cost of offender services and programming, employee meals, parolee loans, academic/vocational services, custody escorts, compassionate visits, and union steward activities. The revenues and fees collected are appropriated for all expenses associated with these services and activities.</p>	<p><b>Sec. 5-203.</b> Revise current law: The department may charge fees and collect revenues in excess of appropriations in part 1 not to exceed the cost of offender services and programming, employee meals, parolee loans, academic/vocational services, custody escorts, compassionate visits, and union steward activities, <b>AND PUBLIC WORKS PROGRAMS AND SERVICES PROVIDED TO LOCAL UNITS OF GOVERNMENT.</b> The revenues and fees collected are appropriated for all expenses associated with these services and activities.</p>	<p><b>Sec. 211.</b> Concur with Executive.</p>	
(2) If a parolee or probationer has been ordered to pay restitution, the department shall ensure that payment is a condition of his or her community supervision. Restitution payments shall be made as provided in section 22 of chapter XV of the code of criminal procedure, 1927 PA 175, MCL 775.22. The department shall collect not more than 50% of all money collected from parolees and probationers for payments other than victim payments, as that term is defined in section 22 of chapter XV of the code of criminal procedure, 1927 PA 175, MCL 775.22.	(2) Strike current law.	(2) Retain current law.	



# DEPARTMENT OF CORRECTIONS FY 2011-2012 BOILERPLATE

FY 2010-2011 CURRENT LAW	FY 2011-2012		
	EXECUTIVE	HOUSE	SENATE
New Subsection (3).		(3) BY APRIL 1 OF THE CURRENT FISCAL YEAR, THE DEPARTMENT SHALL PROVIDE THE MEMBERS OF THE HOUSE AND SENATE APPROPRIATIONS SUBCOMMITTEES ON CORRECTIONS, THE HOUSE AND SENATE FISCAL AGENCIES, AND THE STATE BUDGET DIRECTOR WITH A REPORT DETAILING THE COLLECTION OF FEES UNDER THIS SECTION. AT MINIMUM, THIS REPORT SHALL INCLUDE A CATEGORICAL ACCOUNTING OF ALL FEES COLLECTED UNDER THIS SECTION.	
<p><i>Requires quarterly report on number of full-time equated positions in pay status, and requires MDOC to develop and maintain expenditures information on a publicly-accessible Internet site.</i></p> <p><b>Sec. 212.</b> (1) On a quarterly basis, each executive branch department and agency receiving appropriations in part 1 shall report on the number of full-time equated positions in pay status by civil service classification to the senate and house appropriations subcommittees on corrections and the senate and house fiscal agencies.</p>	Strike current law.	<p><b>Sec. 212.</b> (1) On a quarterly basis, each executive branch department and agency receiving appropriations in part 1 shall report on the number of full-time equated positions in pay status by civil service classification to the senate and house appropriations subcommittees on corrections and the senate and house fiscal agencies. <b>THIS REPORT SHALL INCLUDE A DETAILED ACCOUNTING OF THE LONG-TERM VACANCIES THAT EXIST WITHIN EACH DEPARTMENT. AS USED IN THIS SECTION, "LONG-TERM VACANCY" MEANS ANY FULL-TIME EQUATED POSITION THAT HAS NOT BEEN FILLED AT ANY TIME DURING THE PAST 24 CALENDAR MONTHS.</b></p>	



# DEPARTMENT OF CORRECTIONS FY 2011-2012 BOILERPLATE

FY 2010-2011 CURRENT LAW	FY 2011-2012		
	EXECUTIVE	HOUSE	SENATE
<p>(2) From the funds appropriated in part 1, each executive branch department and agency shall develop, post, and maintain on a user-friendly and publicly accessible Internet site all expenditures made by the departments and agencies within a fiscal year. The posting shall include the purpose for which each expenditure is made. Funds appropriated in part 1 from the federal American recovery and reinvestment act of 2009, Public Law 111-5, shall also be included on a publicly accessible website maintained by the Michigan economic recovery office. Departments and agencies shall not provide financial information on their websites under this section if doing so would violate a federal or state law, rule, regulation, or guideline that establishes privacy or security standards applicable to that section.</p>		<p>Moved to Section 207: <b>Sec. 207.</b> From the funds appropriated in part 1, <del>each executive branch</del> <b>THE</b> department <del>and agency</del> shall develop, post, and maintain on a user-friendly and publicly accessible Internet site all expenditures made by the departments <del>and agencies</del> within a fiscal year. The posting shall include the purpose for which each expenditure is made. <del>Funds appropriated in part 1 from the federal American recovery and reinvestment act of 2009, Public Law 111-5, shall also be included on a publicly accessible website maintained by the Michigan economic recovery office.</del> <b>THE</b> departments <del>and agencies</del> shall not provide financial information on <del>their</del> <b>ITS</b> websites under this section if doing so would violate a federal or state law, rule, regulation, or guideline that establishes privacy or security standards applicable to that section.</p>	



# DEPARTMENT OF CORRECTIONS FY 2011-2012 BOILERPLATE

FY 2010-2011 CURRENT LAW	FY 2011-2012		
	EXECUTIVE	HOUSE	SENATE
<p><b><i>Requires report on non-GF/GP revenue sources, including revenue/expenditures for prior and current fiscal years.</i></b></p> <p><b>Sec. 213.</b> By February 15, 2011, the department shall provide the members of the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, and the state budget director with a report detailing non-general fund/general purpose sources of revenue, including, but not limited to, federal revenues, state restricted revenues, local and private revenues, offender reimbursements and other payments, revolving funds, and 1-time sources of revenue, whether or not those revenues were appropriated. The report shall include statements detailing for each account the total amount of revenue received during fiscal year 2009-2010, the amount by which the revenue exceeded any applicable appropriated fund source, the amount spent during fiscal year 2009-2010, the account balance at the close of fiscal year 2009-2010, and the projected revenues and expenditures for fiscal year 2010-2011.</p>	Strike current law.	<b>Sec. 213.</b> Retain current law with update to report due date and fiscal year references.	
<p><b><i>Requires that IT appropriation pay DIT for IT-related services/projects, subject to interagency agreement.</i></b></p> <p><b>Sec. 214.</b> From the funds appropriated in part 1 for information technology, the department shall pay user fees to the department of technology, management, and budget for technology-related services and projects. These user fees shall be subject to provisions of an interagency agreement between the department and the department of technology, management, and budget.</p>	Strike current law.	<b>Sec. 214.</b> Retain current law.	



# DEPARTMENT OF CORRECTIONS FY 2011-2012 BOILERPLATE

FY 2010-2011 CURRENT LAW	FY 2011-2012		
	EXECUTIVE	HOUSE	SENATE
<p><b><i>Allows IT appropriation to be designated as work project, subject to approval under Management and Budget Act.</i></b></p> <p><b>Sec. 215.</b> Amounts appropriated in part 1 for information technology may be designated as work projects and carried forward to support department of corrections technology projects under the direction of the department of information technology. Funds designated in this manner are not available for expenditure until approved as work projects under section 451a of the management and budget act, 1984 PA 431, MCL 18.1451a.</p>	Strike current law.	<p><b>Sec. 211.</b> Amounts appropriated in part 1 for information technology may be designated as work projects and carried forward to support <del>department of corrections</del> technology projects under the direction of the department of information technology. Funds designated in this manner are not available for expenditure until approved as work projects under section 451a of the management and budget act, 1984 PA 431, MCL 18.1451a.</p>	
<p><b><i>Restricts out-of-state travel for MDOC employees.</i></b></p> <p><b>Sec. 216.</b> (1) Due to the current budgetary problems of this state, out-of-state travel for the fiscal year ending September 30, 2011 shall be limited to situations in which 1 or more of the following conditions apply:</p> <p>(a) The travel is required by legal mandate or court order or for law enforcement purposes.</p> <p>(b) The travel is necessary to protect the health or safety of Michigan citizens or visitors or to assist other states for similar reasons.</p> <p>(c) The travel is necessary to produce budgetary savings or to increase state revenues, or both, including protecting existing federal funds or securing additional federal funds.</p> <p>(d) The travel is necessary to comply with federal requirements.</p> <p>(e) The travel is necessary to secure specialized training for staff that is not available within this state.</p> <p>(f) The travel is financed entirely by federal or nonstate funds.</p>	Strike current law.	<p><b>Sec. 216.</b> (1) Retain current law, updating fiscal year reference to 2012.</p>	



# DEPARTMENT OF CORRECTIONS FY 2011-2012 BOILERPLATE

FY 2010-2011 CURRENT LAW	FY 2011-2012		
	EXECUTIVE	HOUSE	SENATE
<p>(2) Not later than January 1, 2011, each department shall prepare a travel report listing all travel by classified and unclassified employees outside this state in the immediately preceding fiscal year that was funded in whole or in part with funds appropriated in the department's budget. The report shall be submitted to the senate and house standing committees on appropriations, the senate and house fiscal agencies, and the state budget director. The report shall include the following information:</p> <p>(a) The name of each person receiving reimbursement for travel outside this state or whose travel costs were paid by this state.</p> <p>(b) The destination of each travel occurrence.</p> <p>(c) The dates of each travel occurrence.</p> <p>(d) A brief statement of the reason for each travel occurrence.</p> <p>(e) The transportation and related costs of each travel occurrence, including the proportion funded with state general fund/general purpose revenues, the proportion funded with state restricted revenues, the proportion funded with federal revenues, and the proportion funded with other revenues.</p> <p>(f) A total of all out-of-state travel funded for the immediately preceding fiscal year.</p>	<p>Strike current law.</p>	<p>Strike current law and replace with new subsection (2):</p> <p><b>(2) IF OUT-OF-STATE TRAVEL IS NECESSARY BUT DOES NOT MEET 1 OR MORE OF THE CONDITIONS IN SUBSECTION (1), THE STATE BUDGET DIRECTOR MAY GRANT AN EXCEPTION TO ALLOW THE TRAVEL. ANY EXCEPTIONS GRANTED BY THE STATE BUDGET DIRECTOR SHALL BE REPORTED ON A MONTHLY BASIS TO THE SENATE AND HOUSE OF REPRESENTATIVES STANDING COMMITTEES ON APPROPRIATIONS.</b></p>	



# DEPARTMENT OF CORRECTIONS FY 2011-2012 BOILERPLATE

FY 2010-2011 CURRENT LAW	FY 2011-2012		
	EXECUTIVE	HOUSE	SENATE
<p><i>Requires MDOC to ensure businesses in deprived and depressed communities compete for and perform contracts and sub-contracts with department and to encourage these firms to assist with parolee and probationer progress.</i></p> <p><b>Sec. 217.</b> The director shall take all reasonable steps to ensure businesses in deprived and depressed communities compete for and perform contracts to provide services or supplies, or both. The director shall strongly encourage firms with which the department contracts to subcontract with certified businesses in deprived and depressed communities for services, supplies, or both. The director of the department shall strongly encourage certified firms with which the department contracts to provide services or supplies, or both, in deprived and depressed communities to help parolees or probationers progress to success by hiring, participating with MPRI training programs, or assisting with other community involvement opportunities.</p>	Strike current law.	<p><b>Sec. 217.</b> The director shall take all reasonable steps to ensure businesses in deprived and depressed communities compete for and perform contracts to provide services or supplies, or both. The director shall strongly encourage firms with which the department contracts to subcontract with certified businesses in deprived and depressed communities for services, supplies, or both. <del>The director of the department shall strongly encourage certified firms with which the department contracts to provide services or supplies, or both, in deprived and depressed communities to help parolees or probationers progress to success by hiring, participating with MPRI training programs, or assisting with other community involvement opportunities.</del></p>	
<p><b>Sec. 218.</b> New House language.</p>		<p><b>SEC. 218. THE DEPARTMENT AND AGENCIES RECEIVING APPROPRIATIONS IN PART 1 SHALL RECEIVE AND RETAIN COPIES OF ALL REPORTS FUNDED FROM APPROPRIATIONS IN PART 1. FEDERAL AND STATE GUIDELINES FOR SHORT-TERM AND LONG-TERM RETENTION OF RECORDS SHALL BE FOLLOWED. THE DEPARTMENT MAY ELECTRONICALLY RETAIN COPIES OF REPORTS UNLESS OTHERWISE REQUIRED BY FEDERAL AND STATE GUIDELINES.</b></p>	



# DEPARTMENT OF CORRECTIONS FY 2011-2012 BOILERPLATE

FY 2010-2011 CURRENT LAW	FY 2011-2012		
	EXECUTIVE	HOUSE	SENATE
<p><i>Expresses legislative intent for prisoner telephone charges to be the same as those applying outside of institutions.</i></p> <p><b>Sec. 219.</b> Any contract for prisoner telephone services entered into after the effective date of this act shall include a condition that fee schedules for prisoner telephone calls, including rates and any surcharges other than those necessary to meet special equipment costs, be the same as fee schedules for calls placed from outside of correctional facilities.</p>	<p>Strike current law.</p>	<p><b>Sec. 219.</b> Retain current law.</p>	
<p><b>Sec. 220.</b> New House language.</p>		<p><b>SEC. 220.</b> NOT LATER THAN OCTOBER 15, THE DEPARTMENT SHALL PREPARE AND TRANSMIT A REPORT THAT PROVIDES FOR ESTIMATES OF THE TOTAL GENERAL FUND/GENERAL PURPOSE APPROPRIATION LAPSES AT THE CLOSE OF THE FISCAL YEAR. THE REPORT SHALL SUMMARIZE THE PROJECTED YEAR-END GENERAL FUND/GENERAL PURPOSE APPROPRIATION LAPSES BY MAJOR DEPARTMENTAL PROGRAM OR PROGRAM AREAS. THE REPORT SHALL BE TRANSMITTED TO THE OFFICE OF THE STATE BUDGET, THE CHAIRPERSONS OF THE SENATE AND HOUSE OF REPRESENTATIVES STANDING COMMITTEES ON APPROPRIATIONS, AND THE SENATE AND HOUSE FISCAL AGENCIES.</p>	



# DEPARTMENT OF CORRECTIONS FY 2011-2012 BOILERPLATE

FY 2010-2011 CURRENT LAW	FY 2011-2012		
	EXECUTIVE	HOUSE	SENATE
<p><b><i>Bars spending on outside legal services that are the responsibility of the attorney general with listed exceptions</i></b></p> <p><b>Sec. 222.</b> Funds appropriated in part 1 shall not be used by a principal executive department, state agency, or authority to hire a person to provide legal services that are the responsibility of the attorney general. This prohibition does not apply to legal services for bonding activities and for those activities that the attorney general authorizes. If outside counsel is utilized, the department shall provide a detailed report to the legislature specifying expenditures incurred.</p>	Strike current law.	<p><b>Sec. 222.</b> Funds appropriated in part 1 shall not be used by a principal executive department, state agency, or authority to hire a person to provide legal services that are the responsibility of the attorney general. This prohibition does not apply to legal services for bonding activities and for those activities that the attorney general authorizes. <del>If outside counsel is utilized, the department shall provide a detailed report to the legislature specifying expenditures incurred.</del></p>	
<p><b><i>Appropriates federal, state restricted, local, and private contingency funds. Expenditure of contingency appropriation is contingent upon approval of legislative transfer by House and Senate Appropriations Committees.</i></b></p> <p><b>Sec. 223.</b> (1) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed \$10,000,000.00 for federal contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this act under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.</p>	<b>Sec. 5-204.</b> (1) Retain current law.	<b>Sec. 223.</b> (1) Retain current law.	
<p>(2) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed \$5,000,000.00 for state restricted contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this act under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.</p>	(2) Retain current law.	(2) Retain current law.	
<p>(3) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed \$2,000,000.00 for local contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this act under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.</p>	(3) Retain current law.	(3) Retain current law.	



# DEPARTMENT OF CORRECTIONS FY 2011-2012 BOILERPLATE

FY 2010-2011 CURRENT LAW	FY 2011-2012		
	EXECUTIVE	HOUSE	SENATE
<p>(4) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed \$2,000,000.00 for private contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this act under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.</p>	<p>(4) Retain current law.</p>	<p>(4) Retain current law.</p>	
<p><b><i>Requires report to alert Legislature to litigation awards of \$250,000 or more against MDOC.</i></b></p> <p><b>Sec. 224.</b> By March 1, 2011, the department shall provide a litigation report to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, and the state budget director. The report shall identify all lawsuits adjudicated through the trial court phase in which the department or an employee acting on behalf of the department was a defendant and in which trial court proceedings resulted in a decision of \$250,000.00 or more against the department.</p>	<p>Strike current law.</p>	<p><b>Sec. 224.</b> Retain current law with update to report due date.</p>	
<p><b><i>Requires efforts to place employees who are displaced by any reductions in force within other positions; establishes legislative intent to give displaced employees priority in state retraining and education programs.</i></b></p> <p><b>Sec. 225.</b> (1) The department shall make every effort to place employees displaced by any reductions in force within other positions in the department.</p>	<p>Strike current law.</p>	<p><b>Sec. 225.</b> Retain current law.</p>	
<p>(2) It is the intent of the legislature that all employees displaced by any reductions in force who are not placed within other positions in the department be given priority in state programs for job retraining or education, such as the no worker left behind program.</p>			



# DEPARTMENT OF CORRECTIONS FY 2011-2012 BOILERPLATE

FY 2010-2011 CURRENT LAW	FY 2011-2012		
	EXECUTIVE	HOUSE	SENATE
<p><i>Requires completion of study on mental health status of county jail inmates.</i></p> <p><b>Sec. 230.</b> (1) From the funds appropriated in part 1, the department shall complete the study required by section 230 of 2008 PA 245. The study shall cover at least 1 county jail in each of the department's 3 administrative regions within the state and at a minimum shall be based on a representative random sample of county jail inmates. To the extent that such information would not conflict with state law on confidentiality for inmates included in the study, at a minimum, the study shall be sufficient to provide all of the information required by subsection (2). In the process of study design, development, and implementation, the department shall assure involvement of and consultation from counties, sheriffs, prosecutors, victims, and consumer, family, advocacy, provider, and professional groups concerned with mental health and justice issues. The methodological basis for the study shall include all of the following:</p> <p>(a) Diagnostic clinical interviews with all of the inmates in the study.</p> <p>(b) Reviews of the criminal history records of all of the inmates in the study.</p> <p>(c) Reviews of the medical and mental health records of all of the inmates in the study, as available.</p>	<p>Strike current law.</p>	<p>Strike current law.</p>	



# DEPARTMENT OF CORRECTIONS FY 2011-2012 BOILERPLATE

FY 2010-2011 CURRENT LAW	FY 2011-2012		
	EXECUTIVE	HOUSE	SENATE
<p>(2) By September 1, 2011, the department shall report to the senate and house appropriations subcommittees on corrections, the senate and house appropriations subcommittees on community health, the senate and house fiscal agencies, and the state budget director on the results and findings of the study, including, at a minimum, information on all of the following, to the extent that the information does not conflict with state law on confidentiality for the inmates included in the study:</p> <p>(a) Study methodology, including information on the sample size and counties sampled.</p> <p>(b) The proportion of county jail inmates with a primary diagnosis of mental illness, the proportion of inmates with a primary diagnosis of addiction disorder, and the proportion of inmates with a dual diagnosis of mental illness and addiction disorder.</p> <p>(c) For each category of inmates listed in subdivision (b), all of the following information:</p> <p>(i) The proportion considered to currently require treatment and the percentage in need of treatment who are currently receiving it. Information on inmates currently receiving treatment shall identify whether the inmates are receiving inpatient, residential, or outpatient treatment. Treatment information on inmates with a dual diagnosis shall identify whether inmates are receiving mental health inpatient, mental health residential, mental health outpatient, substance abuse residential, or substance abuse outpatient treatment.</p> <p>(ii) Data indicating how many inmates previously had been hospitalized in a state or private psychiatric hospital for persons with mental illness.</p> <p>(iii) Data indicating whether and with what frequency inmates previously had been incarcerated in a jail or committed to the department of corrections.</p> <p>(iv) Data indicating whether inmates previously had received services managed by a community mental health program or substance abuse coordinating agency.</p>	<p>Strike current law.</p>	<p>Strike current law.</p>	



## DEPARTMENT OF CORRECTIONS FY 2011-2012 BOILERPLATE

FY 2010-2011 CURRENT LAW	FY 2011-2012		
	EXECUTIVE	HOUSE	SENATE
<p><i>Requires report on vendors whose contracts were canceled or reduced in favor of single-source contracts with out-of-state vendors.</i></p> <p><b>Sec. 232.</b> By April 1, 2011, the department shall report to the senate and house of representatives appropriations subcommittees on corrections, the senate and house fiscal agencies, and the state budget director with a listing of Michigan vendors whose contracts were canceled or reduced in favor of single-source contracts from vendors based outside of Michigan. The report shall provide information for fiscal years 2008-2009 and 2009-2010 and shall include pertinent contract amounts.</p>	Strike current law.	Strike current law.	



# DEPARTMENT OF CORRECTIONS FY 2011-2012 BOILERPLATE

FY 2010-2011 CURRENT LAW	FY 2011-2012		
	EXECUTIVE	HOUSE	SENATE
<p><i>Expresses intent that MDOC reduce expenditures by following specified Auditor General recommendations and by continuing the supply chain transformation process.</i></p> <p><b>Sec. 235.</b> It is the intent of the legislature that the department reduce expenditures using the following strategies:</p> <p>(a) Following the recommendations outlined in audit report 471-0130-08 of June 2009 issued by the Michigan office of the auditor general, which found \$7,534,039.00 in known savings that would have been achieved through cost-neutral operation of the bureau of correctional industries, as follows:</p> <p>(i) Finding 1 indicates that the bureau of correctional industries has consistently failed to maintain profitable or cost-neutral operations.</p> <p>(ii) Finding 2 indicates that the bureau of correctional industries had not developed or implemented a comprehensive business plan.</p> <p>(iii) Finding 3 indicates that the bureau of correctional industries did not efficiently schedule and utilize its trucks and drivers for delivery of products and services.</p> <p>(iv) Finding 4 indicates that the bureau of correctional industries had not established comprehensive policies and procedures for setting prices and discounts for products and services.</p>	<p>Strike current law.</p>	<p><b>Sec. 235.</b> Retain current law with new subpart (e):</p> <p><b>(E) FOLLOWING THE RECOMMENDATIONS OUTLINED IN AUDIT REPORT 471-0325-09L OF MARCH 2011 ISSUED BY THE MICHIGAN OFFICE OF THE AUDITOR GENERAL, WHICH FOUND POTENTIAL SAVINGS COULD BE ACHIEVED THROUGH BETTER MANAGEMENT OF PRISONER PHARMACEUTICAL COSTS AND BETTER EFFORTS TO CONTROL AND SAFEGUARD PRISONER PHARMACEUTICALS, AS FOLLOWS:</b></p> <p style="padding-left: 20px;"><b>(I) FINDING 1 INDICATES THE DEPARTMENT NEEDS TO IMPLEMENT MEASURES TO CONTAIN THE PRESCRIBING OF HIGH-COST ATYPICAL ANTIPSYCHOTIC MEDICATIONS.</b></p> <p style="padding-left: 20px;"><b>(II) FINDING 2 INDICATES THE DEPARTMENT HAD NOT ESTABLISHED SUFFICIENT PROCEDURES AND CONTRACT LANGUAGE TO ENSURE THE MINIMIZATION OF PHARMACEUTICAL WASTE AND THE MAXIMIZATION OF SAVINGS FROM RETURNING UNUSED MEDICATIONS</b></p> <p style="padding-left: 20px;"><b>(III) FINDING 3 INDICATES THE DEPARTMENT HAD NOT IMPLEMENTED CONTROLS OVER THE MEDICATION REFILL PROCESS.</b></p> <p style="padding-left: 20px;"><b>(IV) FINDING 10 SUGGESTS THE DEPARTMENT HAD NOT ESTABLISHED SUFFICIENT CONTROLS OVER RECEIVING, MAINTAINING, AND DISTRIBUTING PRISONER MEDICATIONS.</b></p>	



# DEPARTMENT OF CORRECTIONS FY 2011-2012 BOILERPLATE

FY 2010-2011 CURRENT LAW	FY 2011-2012		
	EXECUTIVE	HOUSE	SENATE
<p>(b) Continuing the supply chain transformation (SCT) with the new fiscal year beginning October 1, 2010. The SCT shall address all goods and services delivered into the department, with special focus in the following areas: food service, offender transport, warehousing, prisoner stores, laundries, textiles, transportation, reverse logistics, Michigan state industries manufacturing and related material, and capital and service purchase contracts under development or due to expire. The department shall continually detail its supply chain strategy and implementation plan including tasks, timing, resources, costs, and benefits to be achieved. The department shall provide quarterly cost and benefit savings report information. The department shall contract with a world-class supply chain external resource with the following capabilities: demonstrated success working in a department of corrections environment in the targeted supply chain areas of focus; demonstrated expertise in defining, developing, and implementing cross-functional infrastructures; continuous quality improvement teams; stakeholder and communications outreach programs; six sigma/lean tools and templates; hands-on supply chain; continuous quality improvement and six sigma tool training; and positive working relations and measurable, documented client satisfaction results.</p>	<p>Strike current law.</p>	<p>Retain subpart (b).</p>	





## DEPARTMENT OF CORRECTIONS FY 2011-2012 BOILERPLATE

FY 2010-2011 CURRENT LAW	FY 2011-2012		
	EXECUTIVE	HOUSE	SENATE
<p><i>Establishes intent that from revenue resulting from the sale of the Scott Correctional Facility be used to reimburse Michigan State Industries for costs related to the construction of the Industries Building.</i></p> <p><b>Sec. 236.</b> It is the intent of the legislature that from the revenue resulting from the sale of the former Scott correctional facility sufficient funds shall be appropriated to the department to reimburse Michigan state industries for costs related to the construction of the Industries Building, which was operated by Michigan state industries on the site of the Scott correctional facility.</p>	Strike current law.	<b>Sec. 236.</b> Retain current law.	



# DEPARTMENT OF CORRECTIONS FY 2011-2012 BOILERPLATE

FY 2010-2011 CURRENT LAW	FY 2011-2012		
	EXECUTIVE	HOUSE	SENATE
<p>Sec. 237. New House language.</p>		<p><b>SEC. 237. THE DEPARTMENT SHALL OBSERVE ALL REQUIREMENTS SET FORTH IN STATUTE AND ADMINISTRATIVE RULES RELATED TO PROCUREMENT REQUESTS AND SHALL ENSURE THAT PROPER COMMUNICATION IS MAINTAINED WITH THE DEPARTMENT OF TECHNOLOGY, MANAGEMENT AND BUDGET REGARDING THE USE OF DELEGATED PURCHASING AUTHORITY GRANTED BY THE DEPARTMENT OF TECHNOLOGY, MANAGEMENT AND BUDGET. THE DEPARTMENT SHALL NOT PURSUE THE PROCUREMENT OF ANY GOOD OR SERVICE ON ITS OWN THAT FALLS OUTSIDE ITS DELEGATED AUTHORITY FROM THE DEPARTMENT OF TECHNOLOGY, MANAGEMENT AND BUDGET. IF ANY REQUESTS FOR PROPOSAL OR REQUESTS FOR QUALIFICATIONS ARE DELAYED DUE TO THE DEPARTMENT'S IMPROPER USE OF PURCHASING AUTHORITY UNDER STATUTE AND ADMINISTRATIVE RULES, THE DEPARTMENT SHALL REPORT ON THE IMPROPER USE TO THE HOUSE AND SENATE APPROPRIATIONS SUBCOMMITTEES ON CORRECTIONS WITHIN 15 DAYS OF DETERMINING THAT THE IMPROPER USE OCCURRED. THE REPORT SHALL REVIEW THE PURPOSE OF THE RELEVANT PROCUREMENT EFFORT, EXPLAIN WHY THE IMPROPER USE OF DELEGATED AUTHORITY OCCURRED, AND OUTLINE STEPS BEING TAKEN TO ENSURE THAT IMPROPER USE OF DELEGATED AUTHORITY DOES NOT OCCUR AGAIN IN THE FUTURE.</b></p>	



# DEPARTMENT OF CORRECTIONS FY 2011-2012 BOILERPLATE

FY 2010-2011 CURRENT LAW	FY 2011-2012		
	EXECUTIVE	HOUSE	SENATE
Sec. 238. New House language.		SEC. 238. IT IS THE INTENT OF THE LEGISLATURE THAT THE DEPARTMENT MAKE ADDITIONAL EFFORTS TO SELL, RENT, OR OTHERWISE REPURPOSE CLOSED CORRECTIONAL FACILITIES.	
<p><b>EXECUTIVE</b></p> <p><i>Requires felony offender files generally to be maintained and publicly accessible for three years after the offender is released from MDOC jurisdiction, and requires fee-based access to older files.</i></p> <p><b>Sec. 301.</b> (1) For 3 years after a felony offender is released from the department's jurisdiction, the department shall maintain the offender's file on the offender tracking information system and make it publicly accessible in the same manner as the file of the current offender. However, the department shall immediately remove the offender's file from the offender tracking information system upon determination that the offender was wrongfully convicted and the offender's file is not otherwise required to be maintained on the offender tracking information system.</p>	Strike current law.	<p><b>Sec. 301.</b> (1) Retain current law.</p>	



# DEPARTMENT OF CORRECTIONS FY 2011-2012 BOILERPLATE

FY 2010-2011 CURRENT LAW	FY 2011-2012		
	EXECUTIVE	HOUSE	SENATE
<p>(2) Information removed from the offender tracking information system due to the expiration of 3 years following release of an offender from the department's jurisdiction shall be retained by the department and maintained in a password-protected archive. Effective October 1, 2009, information in the archive shall be made available upon payment of a fee as determined by the department. Revenue collected under this section is appropriated for the costs of the offender tracking information system, and any revenue collected in excess of the costs of maintaining the offender tracking information system is appropriated for information technology costs. The department shall report on March 1, 2011 to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, and the state budget director on the fees charged and revenue collected under this section.</p>	Strike current law.	(2) Retain current law.	
<p><b><i>Requires report on implementation of recommendations from prisoner mental health study funded in FY 2007-08.</i></b></p> <p><b>Sec. 302.</b> The department shall provide a report to the members of the senate and house appropriations subcommittees on corrections and community health, the senate and house fiscal agencies, MDCH, and the state budget director by May 1, 2011 reviewing actions taken to implement the recommendations of the mental health study required under section 302 of 2007 PA 124 with which it agrees and an explanation of any disagreements with recommendations. It is the intent of the legislature to review the department's implementation plan and, in coordination with the department, to identify funds with which to implement the plan, as appropriate.</p>	Strike current law.	<b>Sec. 302.</b> Retain current law with updated report due date.	



# DEPARTMENT OF CORRECTIONS FY 2011-2012 BOILERPLATE

FY 2010-2011 CURRENT LAW	FY 2011-2012		
	EXECUTIVE	HOUSE	SENATE
<p><i>Expresses intent that MDOC database systems be optimal for efficient data usage and communications, and requires plan for Internet-based systems that can communicate with each other and other law-enforcement-related databases.</i></p> <p><b>Sec. 303.</b> It is the intent of the legislature that the quantity of database systems in use by the department be optimal for efficient data usage and communications. By March 1, 2011, the department shall report to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, and the state budget director on the status of the plan to implement secure, encrypted, Internet-based database systems that can electronically communicate with each other and with other law-enforcement-related databases by September 30, 2011.</p>	Strike current law.	Strike current law.	
<p><i>Directs MDOC to invite staff to suggest cost savings, and requires report on MDOC responses.</i></p> <p><b>Sec. 304.</b> The director of the department shall maintain a staff savings initiative program to invite employees to submit suggestions for saving costs for the department. The department shall report semiannually to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, and the state budget director on the suggestions submitted under this section, the implementation plan for those suggestions with which the department agrees, and an explanation of any disagreements with suggestions.</p>	Strike current law.	<b>Sec. 304.</b> Retain current law.	



# DEPARTMENT OF CORRECTIONS FY 2011-2012 BOILERPLATE

FY 2010-2011 CURRENT LAW	FY 2011-2012		
	EXECUTIVE	HOUSE	SENATE
<p><i>Requires report on prisoner suicides, including information on circumstances of each suicide and department's response.</i></p> <p><b>Sec. 305.</b> By March 1, 2011, the department shall report to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, and the state budget director on the number of prisoners who committed suicide during the previous calendar year. To the extent permitted by law, the report shall include all of the following information:</p> <p>(a) The prisoner's age, offense, sentence, and admission date.</p> <p>(b) Each prisoner's facility and unit.</p> <p>(c) A description of the circumstances of the suicide.</p> <p>(d) The date of the suicide.</p> <p>(e) Whether the suicide occurred in a housing unit, a segregation unit, a mental health unit, or elsewhere on the grounds of the facility.</p> <p>(f) Whether the prisoner had been denied parole and the date of any denial.</p> <p>(g) Whether the prisoner had received a mental health evaluation or assessment.</p> <p>(h) Details on the department's responses to each suicide, including immediate on-site responses and subsequent internal investigations.</p> <p>(i) A description of any monitoring and psychiatric interventions that had been undertaken prior to the prisoner's suicide, including any changes in placement or mental health care.</p> <p>(j) Whether the prisoner had previously attempted suicide.</p>	<p>Strike current law.</p>	<p><b>Sec. 305.</b> Retain current law with updated report due date.</p>	



# DEPARTMENT OF CORRECTIONS FY 2011-2012 BOILERPLATE

FY 2010-2011 CURRENT LAW	FY 2011-2012		
	EXECUTIVE	HOUSE	SENATE
<p><b>PLANNING AND COMMUNITY SUPPORT</b></p> <p><i>Requires MDOC to issue three- and five-year prison population projections.</i></p> <p><b>Sec. 401.</b> The department shall submit 3-year and 5-year prison population projection updates concurrent with submission of the executive budget to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, and the state budget director. The report shall include explanations of the methodology and assumptions used in developing the projection updates.</p>	<p><b>Sec. 5-205.</b> Retain current law.</p>	<p><b>Sec. 401.</b> Retain current law.</p>	
<p><i>Expresses legislative intent that MPRI appropriations be expended for reducing victimization by reducing offender recidivism through specified programs and services.</i></p> <p><b>Sec. 402.</b> It is the intent of the legislature that the funds appropriated in part 1 for prisoner reintegration programs be expended for the purpose of reducing victimization by reducing repeat offending through the following prisoner reintegration programming:</p> <p>(a) The provision of employment or employment services and job training.            (b) The provision of housing assistance.            (c) Referral to mental health services.            (d) Referral to substance abuse services.            (e) Referral to public health services.            (f) Referral to education.            (g) Referral to any other services necessary for successful reintegration.</p>	<p>Strike current law.</p>	<p><b>Sec. 402.</b> Retain current law.</p>	



# DEPARTMENT OF CORRECTIONS FY 2011-2012 BOILERPLATE

FY 2010-2011 CURRENT LAW	FY 2011-2012		
	EXECUTIVE	HOUSE	SENATE
<p><b><i>Requires reports on actual prior-year and planned current-year MPRI expenditures and allocations.</i></b></p> <p><b>Sec. 403.</b> By March 1, 2011, the department shall provide a report on MPRI expenditures and allocations to the members of the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, and the state budget director. At a minimum, the report shall include information on both of the following:</p> <p>(a) Details on prior-year expenditures, including amounts spent on each project funded, itemized by service provided and service provider.</p> <p>(b) Allocations and projected expenditures for each project funded and for each project to be funded, itemized by service to be provided and service provider.</p>	Strike current law.	<b>Sec. 403.</b> Retain current law with updated report due date.	
<p><b><i>Requires development and utilization of "dashboard" indicators of offender success or failure; requires report.</i></b></p> <p><b>Sec. 403a.</b> (1) In collaboration with a technical committee composed of representatives from the department, designees of the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, and the justice center of the council of state governments, the department shall develop a performance-based dashboard tracking and reporting system that establishes key indicators of the success and failure of offenders. Indicators shall reflect the status of and trends in key program elements, behavior improvements on the part of offenders, and whether targeted goals are being met.</p>	Strike current law.	<b>Sec. 403a.</b> Retain current law with updated report due date.	
<p>(2) By April 1, 2011, the department shall report dashboard data to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, and the state budget director.</p>			

## DEPARTMENT OF CORRECTIONS FY 2011-2012 BOILERPLATE

FY 2010-2011 CURRENT LAW	FY 2011-2012		
	EXECUTIVE	HOUSE	SENATE
<p><i>Requires MDOC to screen and assess each prisoner for substance abuse treatment needs, and to provide treatment subject to availability of funding resources with priority given to those most in need of treatment.</i></p> <p><b>Sec. 404.</b> (1) The department shall screen and assess each prisoner for alcohol and other drug involvement to determine the need for further treatment. The assessment process shall be designed to identify the severity of alcohol and other drug addiction and determine the treatment plan, if appropriate.</p>	Strike current law.	<b>Sec. 404.</b> Retain current law.	
<p>(2) The department shall provide substance abuse treatment to prisoners with priority given to those prisoners who are most in need of treatment and who can best benefit from program intervention based on the screening and assessment provided under subsection (1).</p>			
<p><i>Requires report on expenditure of testing and treatment line item and allocates additional \$5.0 million; urges statewide availability of residential substance abuse treatment services; requires report on program details and results.</i></p> <p><b>Sec. 405.</b> (1) In expending residential substance abuse treatment services funds appropriated under this act, the department shall ensure to the maximum extent possible that residential substance abuse treatment services are available statewide.</p>	Strike current law.	<b>Sec. 405.</b> (1) Retain current law.	
<p>(2) Of the funds appropriated in part 1 for substance abuse testing and treatment services, at least \$5,000,000.00 shall be utilized to operate residential substance abuse treatment programs around the state.</p>		Strike current law.	



# DEPARTMENT OF CORRECTIONS FY 2011-2012 BOILERPLATE

FY 2010-2011 CURRENT LAW	FY 2011-2012		
	EXECUTIVE	HOUSE	SENATE
<p>(3) By March 1, 2011, the department shall report to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, and the state budget director on the allocation, distribution, and expenditure of all funds appropriated by the substance abuse testing and treatment line item during fiscal year 2009-2010 and projected for fiscal year 2010-2011. The report shall include, but not be limited to, an explanation of an anticipated year-end balance, the number of participants in substance abuse programs, and the number of offenders on waiting lists for residential substance abuse programs. Information required under this subsection shall, where possible, be separated by MDOC administrative region and by offender type, including, but not limited to, a distinction between prisoners, parolees, and probationers.</p>	Strike current law.	<p>Re-number as subsection (2) and retain current law with updated report due date.</p>	
<p>(4) By March 1, 2011, the department shall report to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, and the state budget director on substance abuse testing and treatment program objectives, outcome measures, and results, including program impact on offender success and programmatic success as those terms are defined in section 203.</p>		<p>Re-number as subsection (3) and retain current law with updated report due date.</p>	
<p><b><i>Expresses legislative intent for MDOC to work cooperatively with DCH and substance abuse coordinating agencies in referring offenders to intensive substance abuse services.</i></b></p> <p><b>Sec. 405a.</b> The department shall work cooperatively with MDCH and substance abuse coordinating agencies in referring offenders as appropriate to intensive substance abuse services, including residential services.</p>	Strike current law.	<p><b>Sec. 405a.</b> Retain current law.</p>	



# DEPARTMENT OF CORRECTIONS FY 2011-2012 BOILERPLATE

FY 2010-2011 CURRENT LAW	FY 2011-2012		
	EXECUTIVE	HOUSE	SENATE
Sec. 406. New House language.		SEC. 406. AS A CONDITION FOR EXPENDING ANY MONEY APPROPRIATED IN PART 1 FOR REINVESTMENT IN PRISONER RE-ENTRY PROGRAMS, THE DEPARTMENT SHALL ESTABLISH A PILOT PROGRAM WITH AN ALLOCATION OF AT LEAST \$2,000,000.00 FROM THE FUNDING APPROPRIATED TO PRISONER RE-INTEGRATION PROGRAMS TO CONTRACT WITH FAITH-BASED NON-PROFIT AGENCIES WITH ESTABLISHED PROGRAMS THAT ASSIST PRISONERS EXITING THE PRISON SYSTEM TO REINTEGRATE INTO THE COMMUNITY. THE DEPARTMENT SHALL REPORT TO THE HOUSE AND SENATE APPROPRIATIONS SUBCOMMITTEES ON CORRECTIONS, THE HOUSE AND SENATE FISCAL AGENCIES, AND THE STATE BUDGET DIRECTOR BY DECEMBER 1, 2011 ON THE CONTRACTS AWARDED UNDER THE PILOT PROGRAM, INCLUDING THE FAITH-BASED, NON-PROFIT AGENCIES SELECTED AND THE CONTRACT AMOUNTS AWARDED TO EACH AGENCY. THE DEPARTMENT SHALL ANALYZE AND COMPARE THE SUCCESS AND FAILURE RATES OF PRISONERS SERVED UNDER THE PILOT PROGRAM AND THOSE SERVED THROUGH OTHER DEPARTMENT REINTEGRATION PROGRAMS AND SHALL REPORT THIS INFORMATION TO THE LEGISLATURE DURING BUDGET HEARINGS ON THE FY 2012-13 BUDGET.	

# DEPARTMENT OF CORRECTIONS FY 2011-2012 BOILERPLATE

FY 2010-2011 CURRENT LAW	FY 2011-2012		
	EXECUTIVE	HOUSE	SENATE
<p><b><i>Requires annual statistical reports with court disposition, prison commitment, prison population and other corrections data and information to be placed online.</i></b></p> <p><b>Sec. 407.</b> (1) By June 30, 2011, the department shall place the 2010 statistical report on an Internet site. The statistical report shall include, but not be limited to, the information as provided in the 2004 statistical report.</p>	Strike current law.	<b>Sec. 407.</b> Retain current law.	
<p>(2) It is the intent of the legislature that starting with calendar year 2010, the statistical report be placed on an Internet site within 6 months after the end of each calendar year.</p>			
<p><b><i>Requires recidivism to be measured using a follow-up period of at least three years.</i></b></p> <p><b>Sec. 408.</b> The department shall measure the recidivism rates of offenders using at least a 3-year period following their release from prison.</p>	<b>Sec. 5-206.</b> Retain current law.	<b>Sec. 408.</b> Retain current law.	
<p><b><i>Specifies duties for office of community corrections and purposes of community corrections funding; outlines community corrections programs and services.</i></b></p> <p><b>Sec. 409.</b> The office of community corrections shall provide and coordinate the delivery and implementation of services in communities to facilitate successful offender reintegration into the community. Programs and services to be offered shall include, but are not limited to, technical assistance for comprehensive corrections plan development, new program start-up funding, program funding for those programs delivering services for eligible offenders in geographic areas identified by the office of community corrections as having a shortage of available services, technical assistance, referral services for education, employment services, and substance abuse and family counseling.</p>	Strike current law.	Strike current law.	



# DEPARTMENT OF CORRECTIONS FY 2011-2012 BOILERPLATE

FY 2010-2011 CURRENT LAW	FY 2011-2012		
	EXECUTIVE	HOUSE	SENATE
<p><i>Specifies purpose and requirements for local comprehensive corrections plans, and limits residential services per diems to \$47.50 for non-accredited and \$48.50 for accredited providers.</i></p> <p><b>Sec. 410.</b> (1) The funds included in part 1 for community corrections comprehensive plans and services are to encourage the development through technical assistance grants, implementation, and operation of community corrections programs that enhance offender success and that also may serve as an alternative to incarceration in a state facility or jail. The comprehensive corrections plans shall include an explanation of how the public safety will be maintained, the goals for the local jurisdiction, offender target populations intended to be affected, offender eligibility criteria for purposes outlined in the plan, and how the plans will meet the following objectives, consistent with section 8(4) of the community corrections act, 1988 PA 511, MCL 791.408:</p> <p>(a) Reduce admissions to prison of offenders who would likely be sentenced to imprisonment, including probation violators.</p> <p>(b) Improve the appropriate utilization of jail facilities, the first priority of which is to open jail beds intended to house otherwise prison-bound felons, and the second priority being to appropriately utilize jail beds so that jail crowding does not occur.</p> <p>(c) Open jail beds through the increase of pretrial release options.</p> <p>(d) Reduce the readmission to prison of parole violators.</p> <p>(e) Reduce the admission or readmission to prison of offenders, including probation violators and parole violators, for substance abuse violations.</p> <p>(f) Contribute to offender success, as that term is defined in section 203.</p>	<p>Strike current law.</p>	<p><b>Sec. 410.</b> (1) Retain current law.</p>	



## DEPARTMENT OF CORRECTIONS FY 2011-2012 BOILERPLATE

FY 2010-2011 CURRENT LAW	FY 2011-2012		
	EXECUTIVE	HOUSE	SENATE
(2) The award of community corrections comprehensive plans and residential services funds shall be based on criteria that include, but are not limited to, the prison commitment rate by category of offenders, trends in prison commitment rates and jail utilization, historical trends in community corrections program capacity and program utilization, and the projected impact and outcome of annual policies and procedures of programs on offender success, prison commitment rates, and jail utilization.	Strike current law.	(2) Retain current law.	
(3) Funds awarded for residential services in part 1 shall provide for a per diem reimbursement of not more than \$47.50 for nonaccredited facilities, or of not more than \$48.50 for facilities that have been accredited by the American corrections association or a similar organization as approved by the department.		(3) Funds awarded for residential services in part 1 shall provide for a per diem reimbursement of not more than \$47.50 <del>for nonaccredited facilities, or of not more than \$48.50 for facilities that have been accredited by the American corrections association or a similar organization as approved by the department.</del>	



# DEPARTMENT OF CORRECTIONS FY 2011-2012 BOILERPLATE

FY 2010-2011 CURRENT LAW	FY 2011-2012		
	EXECUTIVE	HOUSE	SENATE
<p><i>Specifies details to be included in March biannual report required by Community Corrections Act (1988 PA 511).</i></p> <p><b>Sec. 411.</b> The comprehensive corrections plans shall also include, where appropriate, descriptive information on the full range of sanctions and services that are available and utilized within the local jurisdiction and an explanation of how jail beds, residential services, the special alternative incarceration program, probation detention centers, the electronic monitoring program for probationers, and treatment and rehabilitative services will be utilized to support the objectives and priorities of the comprehensive corrections plans and the purposes and priorities of section 8(4) of the community corrections act, 1988 PA 511, MCL 791.408, that contribute to the success of offenders. The plans shall also include, where appropriate, provisions that detail how the local communities plan to respond to sentencing guidelines found in chapter XVII of the code of criminal procedure, 1927 PA 175, MCL 777.1 to 777.69, and use the county jail reimbursement program under section 414. The state community corrections board shall encourage local community corrections advisory boards to include in their comprehensive corrections plans strategies to collaborate with local alcohol and drug treatment agencies of the MDCH for the provision of alcohol and drug screening, assessment, case management planning, and delivery of treatment to alcohol- and drug-involved offenders.</p>	<p>Strike current law.</p>	<p><b>Sec. 411.</b> Retain current law.</p>	



# DEPARTMENT OF CORRECTIONS FY 2011-2012 BOILERPLATE

FY 2010-2011 CURRENT LAW	FY 2011-2012		
	EXECUTIVE	HOUSE	SENATE
<p><i>Specifies details to be included in March biannual report required by Community Corrections Act (1988 PA 511).</i></p> <p><b>Sec. 412.</b> (1) As part of the March biannual report specified in section 12(2) of the community corrections act, 1988 PA 511, MCL 791.412, that requires an analysis of the impact of that act on prison admissions and jail utilization, the department shall submit to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, and the state budget director the following information for each county and counties consolidated for comprehensive corrections plans:</p> <p>(a) Approved technical assistance grants and comprehensive corrections plans including each program and level of funding, the utilization level of each program, and profile information of enrolled offenders.</p> <p>(b) If federal funds are made available, the number of participants funded, the number served, the number successfully completing the program, and a summary of the program activity.</p> <p>(c) Status of the community corrections information system and the jail population information system.</p> <p>(d) Data on residential services, including participant data, participant sentencing guideline scores, program expenditures, average length of stay, and bed utilization data.</p> <p>(e) Offender disposition data by sentencing guideline range, by disposition type, by prior record variable score, by number and percent statewide and by county, current year, and comparisons to the previous 3 years.</p> <p>(f) Data on the use of funding made available under the felony drunk driver jail reduction and community treatment program.</p>	<p>Strike current law.</p>	<p><b>Sec. 412.</b> (1) Retain current law.</p>	



# DEPARTMENT OF CORRECTIONS FY 2011-2012 BOILERPLATE

FY 2010-2011 CURRENT LAW	FY 2011-2012		
	EXECUTIVE	HOUSE	SENATE
(2) The report required under subsection (1) shall include the total funding allocated, program expenditures, required program data, and year-to-date totals.	Strike current law.	(2) Retain current law.	
<b><i>Requires development of certain databases on local correctional trends and jail utilization.</i></b>  <b>Sec. 413.</b> (1) The department shall identify and coordinate information regarding the availability of and the demand for community corrections programs, jail-based community corrections programs, jail-based probation violation sanctions, and all state-required jail data.	Strike current law.	<b>Sec. 413.</b> Retain current law.	
(2) The department is responsible for the collection, analysis, and reporting of all state-required jail data.			
(3) As a prerequisite to participation in the programs and services offered through the department, counties shall provide necessary jail data to the department.			
<b><i>Provides for reimbursements under the County Jail Reimbursement Program, which offers counties per diem payments for housing certain offenders in jail, and allows counties to choose between two sets of reimbursement criteria and rates.</i></b>  <b>Sec. 414.</b> (1) The department shall administer a county jail reimbursement program from the funds appropriated in part 1 for the purpose of reimbursing counties for housing in jails certain felons who otherwise would have been sentenced to prison.	<b>Sec. 5-207.</b> (1) Retain current law.	<b>Sec. 414.</b> (1) Retain current law.	

# DEPARTMENT OF CORRECTIONS FY 2011-2012 BOILERPLATE

FY 2010-2011 CURRENT LAW	FY 2011-2012		
	EXECUTIVE	HOUSE	SENATE
<p>(2) Counties shall be given the option of choosing from 1 of 2 eligibility and reimbursement standards as described in this subsection for the county jail reimbursement program. The department shall submit to each county a county jail reimbursement application form by October 1, 2010 that explains the 2 eligibility and reimbursement standards and shall request that the county submit a decision to the department regarding the standard it elects to utilize for the operation of the county's program. Counties shall submit their decision to the department by October 15, 2010, and shall not be allowed to revise this decision after submission. A county shall not be reimbursed for any services provided after October 15, 2010 unless that county has submitted a decision on the eligibility and reimbursement standards to the department. The department shall offer counties the option to choose between the eligibility and reimbursement standards outlined below:</p> <p>(a) The standards outlined in subsections (2) and (3) of section 414 of 2008 PA 245 as outlined below:</p> <p>(i) The county jail reimbursement program shall reimburse counties for housing and custody of convicted felons if the conviction was for a crime committed on or after January 1, 1999 and 1 of the following applies:</p> <p>(A) The felon's sentencing guidelines recommended range upper limit is more than 18 months, the felon's sentencing guidelines recommended range lower limit is 12 months or less, the felon's prior record variable score is 35 or more points, and the felon's sentence is not for commission of a crime in crime class G or crime class H under chapter XVII of the code of criminal procedure, 1927 PA 175, MCL 777.1 to 777.69.</p>	<p>(2) Retain current law updating calendar year references from "2010" to "2011".</p>	<p><del>(2) Counties shall be given the option of choosing from 1 of 2 eligibility and reimbursement standards as described in this subsection for the county jail reimbursement program. The department shall submit to each county a county jail reimbursement application form by October 1, 2010 that explains the 2 eligibility and reimbursement standards and shall request that the county submit a decision to the department regarding the standard it elects to utilize for the operation of the county's program. Counties shall submit their decision to the department by October 15, 2010, and shall not be allowed to revise this decision after submission. A county shall not be reimbursed for any services provided after October 15, 2010 unless that county has submitted a decision on the eligibility and reimbursement standards to the department. The department shall offer counties the option to choose between the eligibility and reimbursement standards outlined below:</del></p> <p><del>(a) The standards outlined in subsections (2) and (3) of section 414 of 2008 PA 245 as outlined below:</del></p> <p><del>—(i) The county jail reimbursement program shall reimburse counties for housing and custody of convicted felons if the conviction was for a crime committed on or after January 1, 1999 and 1 of the following applies:</del></p> <p><del>—(A) The felon's sentencing guidelines recommended range upper limit is more than 18 months, the felon's sentencing guidelines recommended range lower limit is 12 months or less, the felon's prior record variable score is 35 or more points, and the felon's sentence is not for commission of a crime in crime class G or crime class H under chapter XVII of the code of criminal procedure, 1927 PA 175, MCL 777.1 to 777.69.</del></p>	



# DEPARTMENT OF CORRECTIONS FY 2011-2012 BOILERPLATE

FY 2010-2011 CURRENT LAW	FY 2011-2012		
	EXECUTIVE	HOUSE	SENATE
<p>(B) The felon's minimum sentencing guidelines range minimum is more than 12 months under the sentencing guidelines described in sub-subparagraph (A).</p> <p>(ii) State reimbursement under this subdivision for prisoner housing and custody expenses per diverted offender shall be \$43.50 per diem for up to a 1-year total.</p> <p>(b) The standards outlined and defined in subsections (2), (3), and (6) of section 301 of 2010 PA 89 as outlined below:  <i>(i)</i> The county jail reimbursement program shall reimburse counties for convicted felons in the custody of the sheriff if the conviction was for a crime committed on or after January 1, 1999 and 1 of the following applies:</p> <p>(A) The felon's sentencing guidelines recommended range upper limit is more than 18 months, the felon's sentencing guidelines recommended range lower limit is 12 months or less, the felon's prior record variable score is 35 or more points, and the felon's sentence is not for commission of a crime in crime class G or crime class H or a nonperson crime in crime class F under chapter XVII of the code of criminal procedure, 1927 PA 175, MCL 777.1 to 777.69.</p> <p>(B) The felon's minimum sentencing guidelines range minimum is more than 12 months under the sentencing guidelines described in sub-subparagraph (A).</p>	<p>Retain current law.</p>	<p><del>—— (B) The felon's minimum sentencing guidelines range minimum is more than 12 months under the sentencing guidelines described in sub-subparagraph (A).</del></p> <p><del>—— (ii) State reimbursement under this subdivision for prisoner housing and custody expenses per diverted offender shall be \$43.50 per diem for up to a 1-year total.</del></p> <p><del>(b) The standards outlined and defined in subsections (2), (3), and (6) of section 301 of 2010 PA 89 as outlined below:</del>  <del>—— (i) The county jail reimbursement program shall reimburse counties for convicted felons in the custody of the sheriff if the conviction was for a crime committed on or after January 1, 1999 and 1 of the following applies:</del></p> <p>(A) The felon's sentencing guidelines recommended range upper limit is more than 18 months, the felon's sentencing guidelines recommended range lower limit is 12 months or less, the felon's prior record variable score is 35 or more points, and the felon's sentence is not for commission of a crime in crime class G or crime class H or a nonperson crime in crime class F under chapter XVII of the code of criminal procedure, 1927 PA 175, MCL 777.1 to 777.69.</p> <p>(B) The felon's minimum sentencing guidelines range minimum is more than 12 months under the sentencing guidelines described in sub-subparagraph (A).</p>	



# DEPARTMENT OF CORRECTIONS FY 2011-2012 BOILERPLATE

FY 2010-2011 CURRENT LAW	FY 2011-2012		
	EXECUTIVE	HOUSE	SENATE
<p>(C) The felon was sentenced to jail for a felony committed while he or she was on parole and under the jurisdiction of the parole board and for which the sentencing guidelines recommended range for the minimum sentence has an upper limit of more than 18 months.</p> <p>(ii) State reimbursement under this subdivision shall be \$60.00 per diem per diverted offender for offenders with a presumptive prison guideline score, \$50.00 per diem per diverted offender for offenders with a straddle cell guideline for a group 1 crime, and \$35.00 per diem per diverted offender for offenders with a straddle cell guideline for a group 2 crime. Reimbursements shall be paid for sentences up to a 1-year total.</p> <p>(iii) As used in this subdivision:</p> <p>(A) "Group 1 crime" means a crime in 1 or more of the following offense categories: arson, assault, assaultive other, burglary, criminal sexual conduct, homicide or resulting in death, other sex offenses, robbery, and weapon possession as determined by the department of corrections based on specific crimes for which counties received reimbursement under the county jail reimbursement program in fiscal year 2007 and fiscal year 2008, and listed in the county jail reimbursement program document titled "FY 2007 and FY 2008 Group One Crimes Reimbursed", dated March 31, 2009.</p> <p>(B) "Group 2 crime" means a crime that is not a group 1 crime, including larceny, fraud, forgery, embezzlement, motor vehicle, malicious destruction of property, controlled substance offense, felony drunk driving, and other nonassaultive offenses.</p> <p>(C) "In the custody of the sheriff" means that the convicted felon has been sentenced to the county jail and is either housed in the county jail or has been released from jail and is being monitored through the use of the sheriff's electronic monitoring system.</p>	<p>Retain current law.</p>	<p>(C) The felon was sentenced to jail for a felony committed while he or she was on parole and under the jurisdiction of the parole board and for which the sentencing guidelines recommended range for the minimum sentence has an upper limit of more than 18 months.</p> <p>(ii) State reimbursement under this subdivision shall be <b>BASED ONE OF THREE SENTENCING GUIDELINE TIERS UNDER WHICH THE RELEVANT DIVERTED OFFENDER QUALIFIES. REIMBURSEMENT SHALL BE \$60.00 \$65.00</b> per diem per diverted offender for offenders with a presumptive prison guideline score, <del>\$50.00</del> <b>\$55.00</b> per diem per diverted offender for offenders with a straddle cell guideline for a group 1 crime, and <del>\$35.00</del> <b>\$40.00</b> per diem per diverted offender for offenders with a straddle cell guideline for a group 2 crime. Reimbursements shall be paid for sentences up to a 1-year total.</p> <p>(iii) Retain current law definitions of "Group 1 crime", "Group 2 crime", and "In the custody of the sheriff"</p>	



# DEPARTMENT OF CORRECTIONS FY 2011-2012 BOILERPLATE

FY 2010-2011 CURRENT LAW	FY 2011-2012		
	EXECUTIVE	HOUSE	SENATE
<p>(3) Except as otherwise provided in subsection (4), county jail reimbursement program expenditures shall not exceed the amount appropriated in part 1 for the county jail reimbursement program. Payments to counties under the county jail reimbursement program shall be made in the order in which properly documented requests for reimbursements are received. A request shall be considered to be properly documented if it meets MDOC requirements for documentation. By October 15, 2010, the department shall distribute the documentation requirements to all counties.</p>	<p>(3) Revise current law: <del>Except as otherwise provided in subsection (4),</del> County jail reimbursement program expenditures shall not exceed the amount appropriated in part 1 for the county jail reimbursement program. Payments to counties under the county jail reimbursement program shall be made in the order in which properly documented requests for reimbursements are received. A request shall be considered to be properly documented if it meets MDOC requirements for documentation. By October 15, <del>2010</del> <b>2011</b>, the department shall distribute the documentation requirements to all counties.</p>	<p>(3) Concur with Executive.</p>	
<p>(4) By May 1, 2011, the subcommittee chair of the chamber that sponsored the current fiscal year budget act for the department shall convene a reimbursement committee consisting of the chairs of the senate and house appropriations subcommittees on corrections, 1 representative from the department of corrections, the state budget office, the Michigan association of counties, and the Michigan sheriffs association for the purpose of reviewing payment of all eligible and properly documented reimbursement requests that comply with the reimbursement criteria in subsection (2)(b) for counties that elected that eligibility and reimbursement standard. If the committee determines that the current appropriation will not cover all eligible reimbursement costs, the state budget office shall request a legislative transfer from other appropriation line items in the department budget to the county jail reimbursement program line item to cover the additional costs.</p>	<p>Strike current law.</p>	<p>Strike current law.</p>	



# DEPARTMENT OF CORRECTIONS FY 2011-2012 BOILERPLATE

FY 2010-2011 CURRENT LAW	FY 2011-2012		
	EXECUTIVE	HOUSE	SENATE
<p><i>Establishes purposes of the felony drunk driver jail reduction and community treatment program, outlines process for development of program standards, and lists allowable program expenditures.</i></p> <p><b>Sec. 416.</b> (1) Funds included in part 1 for the felony drunk driver jail reduction and community treatment program are appropriated for and may be expended for any of the following purposes:</p> <p>(a) To increase availability of treatment options to reduce drunk driving and drunk driving-related deaths by addressing the alcohol addiction of felony drunk drivers who otherwise likely would be sentenced to jail or a combination of jail and other sanctions.</p> <p>(b) To divert from jail sentences or to reduce the length of jail sentences for felony drunk drivers who otherwise would have been sentenced to jail and whose recommended minimum sentence ranges under sentencing guidelines established under chapter XVII of the code of criminal procedure, 1927 PA 175, MCL 777.1 to 777.69, have upper limits of 18 months or less or the lower limit of the sentencing range is 1 year or less and the upper limit of the range is more than 18 months and the prior record variable is less than 35 points, through funding programs that may be used in lieu of incarceration and that increase the likelihood of rehabilitation.</p> <p>(c) To provide a policy and funding framework to make additional jail space available for housing convicted felons whose recommended minimum sentence ranges under sentencing guidelines established under chapter XVII of the code of criminal procedure, 1927 PA 175, MCL 777.1 to 777.69, have lower limits of 12 months or less and who likely otherwise would be sentenced to prison, with the aim of enabling counties to meet or exceed amounts received through the county jail reimbursement program during fiscal year 2002-2003 and reducing the numbers of felons sentenced to prison.</p>	<p>Strike current law.</p>	<p><b>Sec. 416.</b> (1) Retain current law.</p>	



## DEPARTMENT OF CORRECTIONS FY 2011-2012 BOILERPLATE

FY 2010-2011 CURRENT LAW	FY 2011-2012		
	EXECUTIVE	HOUSE	SENATE
(2) Expenditure of funds included in part 1 for the felony drunk driver jail reduction and community treatment program shall be by grant awards consistent with standards developed by a committee of the state community corrections advisory board. The chairperson of the committee shall be the board member representing county sheriffs. Remaining members of the committee shall be appointed by the chairperson of the board.	Strike current law.	(2) Retain current law.	
(3) In developing annual standards, the committee shall consult with interested agencies and associations. Standards developed by the committee shall include application criteria, performance objectives and measures, funding allocations, and allowable uses of the funds, consistent with the purposes specified in this section.	Strike current law.	(3) Retain current law.	
(4) Allowable uses of the funds shall include reimbursing counties for transportation, treatment costs, and housing felony drunk drivers during a period of assessment for treatment and case planning. Reimbursements for housing during the assessment process shall be at the rate of \$43.50 per day per offender, up to a maximum of 5 days per offender.	Strike current law.	(4) Retain current law.	
(5) The standards developed by the committee shall assign each county a maximum funding allocation based on the amount the county received under the county jail reimbursement program in fiscal year 2001-2002 for housing felony drunk drivers whose recommended minimum sentence ranges under the sentencing guidelines described in subsection (1)(c) had upper limits of 18 months or less.	Strike current law.	(5) Retain current law.	



# DEPARTMENT OF CORRECTIONS FY 2011-2012 BOILERPLATE

FY 2010-2011 CURRENT LAW	FY 2011-2012		
	EXECUTIVE	HOUSE	SENATE
(6) Awards of funding under this section shall be provided consistent with the local comprehensive corrections plans developed under the community corrections act, 1988 PA 511, MCL 791.401 to 791.414. Funds awarded under this section may be used in conjunction with funds awarded under grant programs established under that act. Due to the need for felony drunk drivers to be transitioned from county jails to community treatment services, it is the intent of the legislature that local units of government utilize funds received under this section to support county sheriff departments.	Strike current law.	(6) Retain current law.	
(7) As used in this section, "felony drunk driver" means a felon convicted of operating a motor vehicle under the influence of intoxicating liquor or a controlled substance, or both, third or subsequent offense, under section 625(9)(c) of the Michigan vehicle code, 1949 PA 300, MCL 257.625, or its predecessor statute, punishable as a felony.	Strike current law.	(7) Retain current law.	
<p><b><i>Requires reports on program details and results for felony drunk driver program, county jail reimbursement program, and new initiatives aimed at controlling prison population growth.</i></b></p> <p><b>Sec. 417.</b> (1) By March 1, 2011, the department shall report to the members of the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, and the state budget director on each of the following programs from the previous fiscal year:</p> <p>(a) The county jail reimbursement program.            (b) The felony drunk driver jail reduction and community treatment program.            (c) Any new initiatives to control prison population growth funded or proposed to be funded under part 1.</p>	Strike current law.	(1) Retain current law.	



## DEPARTMENT OF CORRECTIONS FY 2011-2012 BOILERPLATE

FY 2010-2011 CURRENT LAW	FY 2011-2012		
	EXECUTIVE	HOUSE	SENATE
<p>(2) For each program listed under subsection (1), the report shall include information on each of the following:</p> <p>(a) Program objectives and outcome measures, including, but not limited to, the number of offenders who successfully completed the program, and the number of offenders who successfully remained in the community during the 3 years following termination from the program.</p> <p>(b) Expenditures by location.</p> <p>(c) The impact on jail utilization.</p> <p>(d) The impact on prison admissions.</p> <p>(e) Other information relevant to an evaluation of the program.</p>	Strike current law.	(2) Retain current law.	
<p><b><i>Requires MDOC to collaborate with other state entities to develop processes to assist prisoners in obtaining state identification and their birth certificates.</i></b></p> <p><b>Sec. 418.</b> (1) The department shall collaborate with the state court administrative office on facilitating changes to Michigan court rules that would require the court to collect at the time of sentencing the state operator's license, state identification card, or other documentation used to establish the identity of the individual to be admitted to the department. The department shall maintain those documents in the prisoner's personal file.</p>	Strike current law.	<b>Sec. 418.</b> (1) Retain current law.	
<p>(2) The department shall collaborate with the Michigan department of state to ensure that an achievable list of documents necessary to obtain a state operator's license or state identification card upon parole or release is developed and presented to the prisoner so that application for identification can begin prior to a prisoner's discharge or parole hearing. The process for prisoners to acquire this documentation shall be part of the department's operating procedure.</p>	Strike current law.	(2) Retain current law.	



## DEPARTMENT OF CORRECTIONS FY 2011-2012 BOILERPLATE

FY 2010-2011 CURRENT LAW	FY 2011-2012		
	EXECUTIVE	HOUSE	SENATE
(3) The department shall cooperate with MDCH to create and maintain a process by which prisoners can obtain their Michigan birth certificates if necessary. The department shall describe a process for obtaining birth certificates from other states, and in situations where the prisoner's effort fails, the department shall assist in obtaining the birth certificate.	Strike current law.	(3) Retain current law.	
(4) By March 1, 2011, the department shall report to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, the legislative corrections ombudsman, and the state budget director on the plan for implementing all necessary processes and policy changes in order to ensure compliance with the requirements of this section.	Strike current law.	(4) Retain current law.	
<p><b><i>Requires regular electronic mail reports on offender populations by location, facility capacities, prison intake and returns, and parole board activity.</i></b></p> <p><b>Sec. 419.</b> (1) The department shall provide weekly electronic mail reports to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, and the state budget director on prisoner, parolee, and probationer populations by facility, and prison capacities.</p>	<b>Sec. 5-208.</b> (1) Retain current law.	<b>Sec. 419.</b> (1) Retain current law.	



# DEPARTMENT OF CORRECTIONS FY 2011-2012 BOILERPLATE

FY 2010-2011 CURRENT LAW	FY 2011-2012		
	EXECUTIVE	HOUSE	SENATE
<p>(2) The department shall provide monthly electronic mail reports to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, and the state budget director. The reports shall include information on end-of-month prisoner populations in county jails, the net operating capacity according to the most recent certification report, identified by date, and end-of-month data, year-to-date data, and comparisons to the prior year for the following:</p> <p>(a) Community residential program populations, separated by centers and electronic monitoring.</p> <p>(b) Parole populations.</p> <p>(c) Probation populations, with identification of the number in special alternative incarceration.</p> <p>(d) Prison and camp populations, with separate identification of the number in special alternative incarceration and the number of lifers.</p> <p>(e) Parole board activity, including the numbers and percentages of parole grants and parole denials.</p> <p>(f) Prisoner exits, identifying transfers to community placement, paroles from prisons and camps, paroles from community placement, total movements to parole, prison intake, prisoner deaths, prisoners discharging on the maximum sentence, and other prisoner exits.</p> <p>(g) Prison intake and returns, including probation violators, new court commitments, violators with new sentences, escaper new sentences, total prison intake, returns from court with additional sentences, community placement returns, technical parole violator returns, and total returns to prison and camp.</p>	<p>(2) Retain current law with reporting requirement changed from "monthly" to <b>"QUARTERLY"</b>.</p>	<p>(2) Retain current law.</p>	



# DEPARTMENT OF CORRECTIONS FY 2011-2012 BOILERPLATE

FY 2010-2011 CURRENT LAW	FY 2011-2012		
	EXECUTIVE	HOUSE	SENATE
<p><i>Requires report on performance data and efforts to improve efficiencies relative to departmental staffing, health care services, food service, prisoner transportation, mental health care services, and pharmaceutical costs.</i></p> <p><b>Sec. 420.</b> By March 1, 2011, the department shall report to the senate and house appropriations subcommittees on corrections, the senate and house judiciary committees, the senate and house fiscal agencies, and the state budget director on performance data and efforts to improve efficiencies relative to departmental staffing, health care services, food service, prisoner transportation, mental health care services, and pharmaceutical costs.</p>	Strike current law.	<b>Sec. 420.</b> Retain current law.	
<p><i>Allocates \$100,000 to Department of State Police for use in training teams of law enforcement officers and mental health treatment providers in effective and safe ways of assisting people with mental illness during law enforcement contacts.</i></p> <p><b>Sec. 421.</b> Of the funds appropriated in part 1, \$100,000.00 is appropriated for the purpose of providing an IDG to the MDSP for the purpose of providing grants for training teams of law enforcement officers and mental health treatment providers. The teams shall be trained in effective and safe ways of assisting people with mental illness during law enforcement contacts and directing people with mental illness to treatment programs. Mental health awareness training shall be incorporated into continuing education for all law enforcement officers in the state.</p>	Strike current law.	Strike current law.	



# DEPARTMENT OF CORRECTIONS FY 2011-2012 BOILERPLATE

FY 2010-2011 CURRENT LAW	FY 2011-2012		
	EXECUTIVE	HOUSE	SENATE
<p><i>Expresses legislative intent that MPRI programs be maintained as standard operating procedure, and provides that the program focus on certain categories of prisoners.</i></p> <p><b>Sec. 422.</b> It is the intent of the legislature that MPRI programs from prisoner entry into the corrections system to reentry into the community and as measured by offender success and programmatic success as those terms are defined in section 203 shall be maintained as standard operating procedure in the department. In particular, services should be focused on moderate- to high-risk individuals. Special in-prison programming shall be directed to those prisoners who were paroled and have returned to prison and who will subsequently be eligible for parole again in the future. In addition, MPRI services provided to prisoners shall include basic computer skills training.</p>	Strike current law.	<b>Sec. 422.</b> Retain current law.	
<p><i>Provides for implementation of a high-risk probationer demonstration project, utilizing evidence-based practices for reducing criminal behavior. Specifies collaboration with the judiciary and the local community corrections advisory board.</i></p> <p><b>Sec. 424.</b> (1) From the funds appropriated in part 1 for residential services, the department shall develop and implement, in collaboration with the judiciary and as approved by the state court administrative office, a demonstration project based on evidence-based practices related to judicial and case management interventions that have been proven to increase public safety for high-risk, high-need probationers as determined by a validated risk and need assessment instrument. As used in this section, "probationer" means a circuit court probationer serving a probation sentence for a crime.</p>	Strike current law.	<b>Sec. 424.</b> (1) Retain current law.	



# DEPARTMENT OF CORRECTIONS FY 2011-2012 BOILERPLATE

FY 2010-2011 CURRENT LAW	FY 2011-2012		
	EXECUTIVE	HOUSE	SENATE
(2) The demonstration project shall be implemented in 4 areas of the state identified jointly by the department and the state court administrative office. Preference shall be given to locations that are representative of areas with high rates of violent crimes as described in the council of state governments' justice center report on analyses of crime, community corrections, and sentencing policies in this state.	Strike current law.	Retain current law.	
(3) The primary goal of the demonstration project is to reduce crime and revictimization by high-risk, high-need probationers. The secondary goal of the demonstration project is to reduce expenditures for long-term incarceration.			
(4) The demonstration project may provide up to 6 months of residential services, and treatment methods, and interventions that are evidence-based, including, but not limited to, the following:  (a) Risk/needs assessment. (b) Motivational techniques. (c) Type, intensity, and duration of treatment based on each probationer's risk and needs and delivered consistent with evidence-based practices.			
(5) The department shall implement the evidence-based practice of collaborative case management and utilize the services of the department and of local community corrections consistent with the local comprehensive corrections plan developed under the community corrections act, 1988 PA 511, MCL 791.401 to 791.414.			
(6) The department shall assign a probation officer to the demonstration project to supervise a specialized caseload for high-risk, high-need probationers. All probation officers supervising a specialized caseload under this section shall receive substantial education and training on issues of substance abuse, mental health, and drug and alcohol testing.			



## DEPARTMENT OF CORRECTIONS FY 2011-2012 BOILERPLATE

FY 2010-2011 CURRENT LAW	FY 2011-2012		
	EXECUTIVE	HOUSE	SENATE
(7) The probation officer shall work in cooperation with the local judiciary and the community corrections advisory board in a collaborative effort toward the goals of promoting probationer success and reducing crime and revictimization.	Strike current law.	Retain current law.	
(8) The probation officer assigned to the demonstration project shall comply with supervision requirements established for the demonstration project by the field operations administration deputy director.			
(9) The department shall identify and coordinate information for each local jurisdiction selected for the demonstration project regarding the rate of incarceration of high-risk, high-need probationers to ensure that appropriate probationers are targeted for the demonstration project.			
(10) From the funds appropriated in part 1 for public education and training, the department shall collaborate with the local judiciary, community corrections advisory board, and service providers to develop and provide appropriate training for all local stakeholders involved in the demonstration project described in this section.			
(11) From the funds provided to the local jurisdiction for the demonstration project, the department shall collaborate with the local judiciary and the community corrections advisory board to develop and implement an evaluation of the demonstration project that will show the impact of the project on the arrests, convictions, technical violations, and commitments to prison of the demonstration project participants. This evaluation shall be performed in accordance with department of corrections policy and procedure on evaluation design in cooperation with the office of research and planning.			



# DEPARTMENT OF CORRECTIONS FY 2011-2012 BOILERPLATE

FY 2010-2011 CURRENT LAW	FY 2011-2012		
	EXECUTIVE	HOUSE	SENATE
<p>(12) By May 1, 2011, the department shall report to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, and the state budget director on the status of the demonstration project prescribed under this section, including information on all of the following:</p> <p>(a) Demonstration project locations and participating courts. (b) The number of probationers participating in the pilot categorized by location and offense. (c) Evaluation status and methodology. (d) Preliminary results, if any.</p>	Strike current law.	Retain current law with change in report due date to March 1.	



# DEPARTMENT OF CORRECTIONS FY 2011-2012 BOILERPLATE

FY 2010-2011 CURRENT LAW	FY 2011-2012		
	EXECUTIVE	HOUSE	SENATE
<p><i>Allocates \$500,000 to non-profit agencies with established public utility asset recovery recycling programs, and requires hiring at least 45% returning citizens through the funded program.</i></p> <p><b>Sec. 426.</b> Of the money appropriated in part 1 for prisoner reintegration programs, \$500,000.00 shall be distributed to 1 or more Michigan-chartered 501(c)(3) nonprofit corporations to expand existing business models, or to create new business enterprises including capital equipment needs, that presently have established public utility asset recovery recycling programs. This nonprofit will hire new employees through the funding provided above and must include at least 45% returning citizens. The programs shall be administered by 1 or more Michigan-chartered corporations that are exempt from taxation under section 501(c)(3) of the internal revenue code, 26 USC 501(c)(3), and that have documented entrepreneurial social enterprise expertise in creating employment opportunities for parolees.</p>	<p>Strike current law.</p>	<p><b>Sec. 426.</b> <del>Of the</del> The money appropriated in part 1 for prisoner reintegration, <b>TRAINING AND EMPLOYMENT</b> programs, <del>\$500,000.00</del> shall be distributed to 1 or more Michigan-chartered 501(c)(3) nonprofit corporations to expand existing business models, <del>or to</del> create new business enterprises, <b>OR PURCHASE CAPITAL EQUIPMENT FOR EXPANSION OF CURRENT BUSINESS OPERATIONS.</b> <del>including capital equipment needs, that presently have established public utility asset recovery recycling programs.</del> This <b>QUALIFYING</b> nonprofits will <b>MUST</b> hire new employees through the funding provided above, and must include at least 45% returning citizens, <b>MUST</b> <del>The</del> programs shall be administered by 1 or more Michigan-chartered corporations that are exempt from taxation under section 501(c)(3) of the internal revenue code, 26 USC 501(c)(3), and that have documented entrepreneurial social enterprise expertise in creating employment opportunities for parolees, <b>AND MUST PRESENTLY HAVE ESTABLISHED PUBLIC UTILITY ASSET RECOVERY RECYCLING PROGRAMS. THE PROGRAMS SHALL BE ADMINISTERED BY 1 OR MORE MICHIGAN-CHARTERED CORPORATIONS THAT ARE EXEMPT FROM TAXATION UNDER SECTION 501(C)3 OF THE INTERNAL REVENUE CODE, 26 USC 501(C)3.</b></p>	



## DEPARTMENT OF CORRECTIONS FY 2011-2012 BOILERPLATE

FY 2010-2011 CURRENT LAW	FY 2011-2012		
	EXECUTIVE	HOUSE	SENATE
<p><i>Expresses legislative intent for MDOC to work with other state departments and agencies to implement the policy options identified by the Council of State Governments in January 2009.</i></p> <p><b>Sec. 429.</b> It is the intent of the legislature that the department work with other state departments and agencies to implement the policy options provided to the state by the council of state governments in January 2009.</p>	Strike current law.	<b>Sec. 429.</b> Retain current law, with additional reference to report from March 2011.	
<p><i>Requires department to ensure each prisoner has the opportunity to meet with his or her transition team prior to release from prison.</i></p> <p><b>Sec. 430.</b> The department shall ensure that each prisoner has the opportunity to meet with his or her transition team prior to release from prison. If applicable, community providers shall enter the prison to meet with the prisoner prior to release.</p>	Strike current law.	<b>Sec. 430.</b> Retain current law.	
<p><i>Requires department to ensure each exiting prisoner has documents necessary to obtain a state identification card or driver's license, and has a set of clothing suitable for job interviews.</i></p> <p><b>Sec. 431.</b> The department shall ensure that prior to release from prison, each offender has possession of all of the following:</p> <p>(a) All documents necessary to obtain a state operator's license or state identification card.            (b) A set of clothing that would be appropriate and suitable for wearing to an interview for employment.</p>	Strike current law.	<b>Sec. 431.</b> Retain current law.	



# DEPARTMENT OF CORRECTIONS FY 2011-2012 BOILERPLATE

FY 2010-2011 CURRENT LAW	FY 2011-2012		
	EXECUTIVE	HOUSE	SENATE
<p><i>Requires report on anticipated contract for re-entry initiative project for targeted groups of offenders with special needs, including youthful offenders and prisoners identified as being medically fragile, mentally ill, or developmentally disabled.</i></p> <p><b>Sec. 433.</b> The department shall report quarterly on January 1, 2011, April 1, 2011, July 1, 2011, and September 30, 2011 to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, and the state budget director on the status of any contracts entered into under the June 2009 request for proposals for the re-entry initiative project for offenders with special needs. The report shall include information on all of the following:</p> <p>(a) The number of prisoners and participating parolees in each of the target population subgroups, including medically fragile, mentally ill, developmentally disabled, and youthful offenders.</p> <p>(b) Descriptions of the key services being provided to each subgroup under the contract or contracts.</p> <p>(c) Estimates of the average per-offender costs of services for each target population subgroup under each contract, compared to the average cost of prison incarceration for those populations.</p>	<p>Strike current law.</p>	<p><b>Sec. 433.</b> Retain current law.</p>	



# DEPARTMENT OF CORRECTIONS FY 2011-2012 BOILERPLATE

FY 2010-2011 CURRENT LAW	FY 2011-2012		
	EXECUTIVE	HOUSE	SENATE
<p><i>Expresses intent that MDOC collaborate with other state and local entities to implement employment projects targeting at-risk young adults in high-crime neighborhoods and support programs for children of incarcerated parents. In signing letter, Governor indicated requirement on other non-MDOC state entities may be unconstitutional.</i></p> <p><b>Sec. 434.</b> (1) It is the intent of the legislature that the department, in coordination with the department of energy, labor, and economic growth, Michigan state housing development authority, and local government officials, implement employment-related projects targeted toward at-risk young adults who are disconnected from school and employment, and probationers and parolees in high-crime neighborhoods where the adult incarceration rate is at least 45%.</p>	Strike current law.	<p><b>Sec. 434.</b> (1) It is the intent of the legislature that the department, in coordination with the department of energy, labor, and economic growth, Michigan state housing development authority, <b>NON-PROFIT AND FAITH-BASED ORGANIZATIONS</b>, and local government officials, implement employment-related projects targeted toward at-risk young adults who are disconnected from school and employment, and probationers and parolees in high-crime neighborhoods where the adult incarceration rate is at least 45%.</p>	
<p>(2) The department shall identify high-crime neighborhoods where the adult incarceration rate is at least 45% and in coordination with the department of human services and the superintendent of public instruction shall develop programs for recommendation to the legislature that offer academic, counseling, and social support to children of incarcerated parents.</p>	Strike current law.	<p>(2) The department shall identify high-crime neighborhoods where the adult incarceration rate is at least 45% and in <del>coordination</del> <b>CONSULTATION</b> with the department of human services and the superintendent of public instruction <b>NON-PROFIT AND FAITH-BASED ORGANIZATIONS</b> shall develop programs for recommendation to the legislature that offer academic, counseling, and social support to children of incarcerated parents.</p>	



## DEPARTMENT OF CORRECTIONS FY 2011-2012 BOILERPLATE

FY 2010-2011 CURRENT LAW	FY 2011-2012		
	EXECUTIVE	HOUSE	SENATE
<p><b>OPERATIONS AND SUPPORT ADMINISTRATION</b></p> <p><i>Provides for expenditure of prosecutorial and detainer expenses line item as reimbursement to counties.</i></p> <p><b>Sec. 501.</b> From the funds appropriated in part 1 for prosecutorial and detainer expenses, the department shall reimburse counties for housing and custody of parole violators and offenders being returned by the department from community placement who are available for return to institutional status and for prisoners who volunteer for placement in a county jail.</p>	<p><b>Sec. 5-209.</b> Retain current law.</p>	<p><b>Sec. 501.</b> Retain current law.</p>	
<p><b>Outlines allowable expenditures of appropriation for sheriffs' coordinating and training office.</b></p> <p><b>Sec. 502.</b> Funds included in part 1 for the sheriffs' coordinating and training office are appropriated for and may be expended to defray costs of continuing education, certification, recertification, decertification, and training of local corrections officers, the personnel and administrative costs of the sheriffs' coordinating and training office, the local corrections officers advisory board, and the sheriffs' coordinating and training council under the local corrections officers training act, 2003 PA 125, MCL 791.531 to 791.546.</p>	<p><b>Sec. 5-210.</b> Retain current law.</p>	<p><b>Sec. 502.</b> Retain current law.</p>	



# DEPARTMENT OF CORRECTIONS FY 2011-2012 BOILERPLATE

FY 2010-2011 CURRENT LAW	FY 2011-2012		
	EXECUTIVE	HOUSE	SENATE
<p><b><i>Specifies that appropriation for administrative hearings officers be used to fund interdepartmental grant to Department of Energy, Labor, and Economic Growth.</i></b></p> <p><b>Sec. 503.</b> Funds appropriated in part 1 for administrative hearings officers are appropriated as an interdepartmental grant to the department of energy, labor, and economic growth for the purpose of funding administrative hearings officers for adjudication of grievances pertaining to the department of corrections. The department shall not expend appropriations from part 1 to satisfy charges from the department of energy, labor, and economic growth for administrative hearings officers in excess of the amount expressly appropriated by this act for the administrative hearings officers unless funding is transferred into this line under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.</p>	Strike current law.	<b>Sec. 503.</b> Retain current law.	
<p><b><i>Allocates \$50,000 for payment to Judiciary for the use of Judicial data warehouse by MDOC employees.</i></b></p> <p><b>Sec. 504.</b> Of the funds appropriated in part 1, \$50,000.00 is appropriated to provide an interdepartmental grant to the judiciary for use of the judicial data warehouse by department employees.</p>	Strike current law.	<b>Sec. 504.</b> Retain current law.	
<p><b><i>Requires mental health awareness training for custody staff and other staff having direct prisoner contact.</i></b></p> <p><b>Sec. 505.</b> (1) The department shall train all custody staff in effective and safe ways of handling prisoners with mental illness and referring prisoners to mental health treatment programs. Mental health awareness training shall be incorporated into the training of new custody staff.</p>	Strike current law.	<b>Sec. 505.</b> Retain current law subsection (1) but delete subsection (2).	



## DEPARTMENT OF CORRECTIONS FY 2011-2012 BOILERPLATE

FY 2010-2011 CURRENT LAW	FY 2011-2012		
	EXECUTIVE	HOUSE	SENATE
(2) All staff having direct contact with prisoners and employed within correctional facilities shall attend at least 1 mental health awareness training session.	Strike current law.	Strike current law.	
<b><i>Appropriates \$1.0 million to the Judiciary for the support of drug treatment courts.</i></b>  <b>Sec. 507.</b> Of the funds appropriated in part 1, \$1,000,000.00 is appropriated to provide an interdepartmental grant to the judiciary for operational expenses related to drug treatment courts.	Strike current law.	Strike current law.	
<b><i>VETOED - NOT CURRENT LAW</i></b> <b><i>Appropriates \$500,000 to the Office of the Auditor General for MDOC oversight activities.</i></b>  <b>Sec. 508.</b> Of the funds appropriated in part 1, \$500,000.00 is appropriated to provide an interdepartmental grant to the legislative auditor general for oversight activities pertaining to the department of corrections.	Not included.	Not included.	
<b><i>Appropriates \$250,000 to the Legislative Corrections Ombudsman for MDOC oversight activities.</i></b>  <b>Sec. 509.</b> Of the funds appropriated in part 1, \$250,000.00 is appropriated to provide an interdepartmental grant to the legislative corrections ombudsman for oversight activities.	Strike current law.	<b>Sec. 506.</b> Retain current law.	



# DEPARTMENT OF CORRECTIONS FY 2011-2012 BOILERPLATE

FY 2010-2011 CURRENT LAW	FY 2011-2012		
	EXECUTIVE	HOUSE	SENATE
<p><b>FIELD OPERATIONS ADMINISTRATION</b></p> <p><i>Requires caseload audit of field agents to evaluate their ability to complete their professional duties.</i></p> <p><b>Sec. 601.</b> (1) From the funds appropriated in part 1, the department shall conduct a statewide caseload audit of field agents. The audit shall address public protection issues and assess the ability of the field agents to complete their professional duties. The results of the audit shall be submitted to the senate and house appropriations subcommittees on corrections and the senate and house fiscal agencies, and the state budget office by March 1, 2011.</p>	Strike current law.	<p><b>Sec. 601.</b> (1) Revise current law: From the funds appropriated in part 1, the department shall conduct a statewide caseload audit of field agents. The audit shall address public protection issues and assess the ability of the field agents to complete their professional duties. The <del>results of the</del> <b>COMPLETE</b> audit shall be submitted to the senate and house appropriations subcommittees on corrections and the senate and house fiscal agencies, and the state budget office by March 1, 2011.</p>	
<p>(2) It is the intent of the legislature that the department maintain a number of field agents sufficient to meet supervision and workload standards.</p>	Strike current law.	(2) Retain current law.	
<p><i>Provides for community service work program including the costs of community service coordinators and related transportation costs.</i></p> <p><b>Sec. 602.</b> (1) Of the amount appropriated in part 1 for field operations, a sufficient amount shall be allocated for the community service work program and shall be used for salaries and wages and fringe benefit costs of community service coordinators employed by the department to supervise offenders participating in work crew assignments. Funds shall also be used to cover motor transport division rates on state vehicles used to transport offenders to community service work project sites.</p>	Strike current law.	Strike current law.	
<p>(2) The community service work program shall provide offenders with community service work of tangible benefit to a community while fulfilling court-ordered community service work sanctions and other postconviction obligations.</p>	Strike current law.	Strike current law.	



# DEPARTMENT OF CORRECTIONS FY 2011-2012 BOILERPLATE

FY 2010-2011 CURRENT LAW	FY 2011-2012		
	EXECUTIVE	HOUSE	SENATE
(3) As used in this section, "community service work" means work performed by an offender in an unpaid position with a nonprofit or tax-supported or government agency for a specified number of hours of work or service within a given time period.	Strike current law.	Strike current law.	
<p><b><i>Requires tether participants to reimburse MDOC for program costs; provides for a community tether program for counties; allows tether rentals to local units of government.</i></b></p> <p><b>Sec. 603.</b> (1) All prisoners, probationers, and parolees involved with the electronic tether program shall reimburse the department for costs associated with their participation in the program. The department may require community service work reimbursement as a means of payment for those able-bodied individuals unable to pay for the costs of the equipment.</p>	<p><b>Sec. 5-211.</b> Revise current law: (1) All prisoners, probationers, and parolees involved with the electronic tether program shall reimburse the department for costs associated with their participation in the program <b>WHERE POSSIBLE</b>. <del>The department may require community service work reimbursement as a means of payment for those able-bodied individuals unable to pay for the costs of the equipment.</del></p>	<p><b>Sec. 603.</b> (1) Retain current law.</p>	
(2) Program participant contributions and local community tether program reimbursement for the electronic tether program appropriated in part 1 are related to program expenditures and may be used to offset expenditures for this purpose.	(2) Retain current law.	(2) Retain current law.	
(3) Included in the appropriation in part 1 is adequate funding to implement the community tether program to be administered by the department. The community tether program is intended to provide sentencing judges and county sheriffs in coordination with local community corrections advisory boards access to the state's electronic tether program to reduce prison admissions and improve local jail utilization. The department shall determine the appropriate distribution of the tether units throughout the state based upon locally developed comprehensive corrections plans under the community corrections act, 1988 PA 511, MCL 791.401 to 791.414.	(3) Retain current law.	(3) Retain current law.	



# DEPARTMENT OF CORRECTIONS FY 2011-2012 BOILERPLATE

FY 2010-2011 CURRENT LAW	FY 2011-2012		
	EXECUTIVE	HOUSE	SENATE
(4) For a fee determined by the department, the department shall provide counties with the tether equipment, replacement parts, administrative oversight of the equipment's operation, notification of violators, and periodic reports regarding county program participants. Counties are responsible for tether equipment installation and service. For an additional fee as determined by the department, the department shall provide staff to install and service the equipment. Counties are responsible for the coordination and apprehension of program violators.	(4) Retain current law.	(4) Retain current law.	
(5) Any county with tether charges outstanding over 60 days shall be considered in violation of the community tether program agreement and lose access to the program.	(5) Retain current law.	(5) Retain current law.	
<b><i>Requires community placement prisoners to reimburse for program costs or perform community service.</i></b>  <b>Sec. 604.</b> Community-placement prisoners and parolees shall reimburse the department for the total costs of the program. As an alternative method of payment, the department may develop a community service work schedule for those individuals unable to meet reimbursement requirements established by the department.	Strike current law.	<b>Sec. 604.</b> Retain current law.	
<b><i>Establishes intent that MDOC maintain procedures by which parolees and probationers may contact their parole and probation agents without necessity for access to agents' home telephone numbers or other personal information.</i></b>  <b>Sec. 606.</b> It is the intent of the legislature that the department shall ensure that parolees and probationers may timely contact their parole or probation agents and maintain procedures that preclude any necessity for an offender to have access to an agent's home telephone number or other personal information pertaining to the agent.	Strike current law.	<b>Sec. 606.</b> Retain current law.	



# DEPARTMENT OF CORRECTIONS FY 2011-2012 BOILERPLATE

FY 2010-2011 CURRENT LAW	FY 2011-2012		
	EXECUTIVE	HOUSE	SENATE
<p><i>Requires report on tether program, particularly the use of global positioning system (GPS) tether.</i></p> <p><b>Sec. 608.</b> By March 1, 2011, the department shall report to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, and the state budget director on the use of electronic monitoring. At a minimum, the report shall include all of the following:</p> <p>(a) Details on the failure rate of parolees for whom GPS tether is utilized, including the number and rate of parolee technical violations, including specifying failures due to committing a new crime that is uncharged but leads to parole termination, and the number and rate of parolee violators with new sentences.</p> <p>(b) Information on the factors considered in determining whether an offender is placed on active GPS tether, passive GPS tether, radio frequency tether, or some combination of these or other types of electronic monitoring.</p> <p>(c) Monthly data on the number of offenders on active GPS tether, passive GPS tether, radio frequency tether, and any other type of tether.</p>	<p>Strike current law.</p>	<p><b>Sec. 608.</b> Retain current law.</p>	



# DEPARTMENT OF CORRECTIONS FY 2011-2012 BOILERPLATE

FY 2010-2011 CURRENT LAW	FY 2011-2012		
	EXECUTIVE	HOUSE	SENATE
<p><i>Requires report on implementation and evaluation of kiosk reporting stations for parolees and probationers.</i></p> <p><b>Sec. 609.</b> By March 1, 2011, the department shall report to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, and the state budget director on the use of kiosk reporting stations. At a minimum, the report shall include all of the following:</p> <p>(a) Factors considered in determining whether an offender is assigned to report at a kiosk.</p> <p>(b) Information on the location, costs, safety features, and other features of kiosks used for offender reporting.</p> <p>(c) Information on demonstration project outcome measures.</p> <p>(d) An evaluation of the kiosk reporting demonstration project, including any need for improvement and an assessment of the potential for expanded use of kiosk reporting stations.</p>	Strike current law.	<b>Sec. 609.</b> Retain current law.	



# DEPARTMENT OF CORRECTIONS FY 2011-2012 BOILERPLATE

FY 2010-2011 CURRENT LAW	FY 2011-2012		
	EXECUTIVE	HOUSE	SENATE
<p><i>Specifies content for annual reports on community re-entry, electronic tether, and special alternative incarceration programs.</i></p> <p><b>Sec. 611.</b> The department shall prepare by March 1, 2011 individual reports for the community re-entry program, the electronic tether program, and the special alternative to incarceration program. The reports shall be submitted to the house and senate appropriations subcommittees on corrections, the house and senate fiscal agencies, and the state budget director. Each program's report shall include information on all of the following:</p> <p>(a) Monthly new participants by type of offender. Community re-entry program participants shall be categorized by reason for placement. For technical rule violators, the report shall sort offenders by length of time since release from prison, by the most recent violation, and by the number of violations occurring since release from prison.</p> <p>(b) Monthly participant unsuccessful terminations, including cause.</p> <p>(c) Number of successful terminations.</p> <p>(d) End month population by facility/program.</p> <p>(e) Average length of placement.</p> <p>(f) Return to prison statistics.</p> <p>(g) Description of each program location or locations, capacity, and staffing.</p> <p>(h) Sentencing guideline scores and actual sentence statistics for participants, if applicable.</p> <p>(i) Comparison with prior year statistics.</p> <p>(j) Analysis of the impact on prison admissions and jail utilization and the cost effectiveness of the program.</p>	<p>Strike current law.</p>	<p><b>Sec. 611.</b> Retain current law.</p>	



# DEPARTMENT OF CORRECTIONS FY 2011-2012 BOILERPLATE

FY 2010-2011 CURRENT LAW	FY 2011-2012		
	EXECUTIVE	HOUSE	SENATE
<p><i>Requires MDOC to develop proposals for alternatives to prison for technical violators of parole and probation, and to report on certain program impacts on probationers and parolees.</i></p> <p><b>Sec. 612.</b> (1) The department shall review and revise as necessary policy proposals that provide alternatives to prison for offenders being sentenced to prison as a result of technical probation violations and technical parole violations. To the extent the department has insufficient policies or resources to affect the continued increase in prison commitments among these offender populations, the department shall explore other policy options to allow for program alternatives, including department or OCC-funded programs, local level programs, and programs available through private agencies that may be used as prison alternatives for these offenders.</p>	Strike current law.	<b>Sec. 612.</b> (1) Retain current law.	
<p>(2) To the extent policies or programs described in subsection (1) are used, developed, or contracted for, the department may request that funds appropriated in part 1 be transferred under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393, for their operation.</p>		(2) Retain current law.	
<p>(3) The department shall continue to utilize parole violator processing guidelines that require parole agents to utilize all available appropriate community-based, nonincarcerative postrelease sanctions and services when appropriate. The department shall periodically evaluate such guidelines for modification, in response to emerging information from the demonstration projects for substance abuse treatment provided under this act and applicable provisions of prior budget acts for the department.</p>		(3) Retain current law.	



# DEPARTMENT OF CORRECTIONS FY 2011-2012 BOILERPLATE

FY 2010-2011 CURRENT LAW	FY 2011-2012		
	EXECUTIVE	HOUSE	SENATE
<p>(4) The department shall provide quarterly reports to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, and the state budget director on the number of all parolees returned to prison and probationers sentenced to prison for either a technical violation or new sentence during the preceding calendar quarter. The reports shall include the following information each for probationers, parolees after their first parole, and parolees who have been paroled more than once:</p> <p>(a) The numbers of parole and probation violators returned to or sent to prison for a new crime with a comparison of original versus new offenses by major offense type: assaultive, nonassaultive, drug, and sex.</p> <p>(b) The numbers of parole and probation violators returned to or sent to prison for a technical violation and the type of violation, including, but not limited to, zero gun tolerance and substance abuse violations. For parole technical rule violators, the report shall list violations by type, by length of time since release from prison, by the most recent violation, and by the number of violations occurring since release from prison.</p> <p>(c) The educational history of those offenders, including how many had a GED or high school diploma prior to incarceration in prison, how many received a GED while in prison, and how many received a vocational certificate while in prison.</p> <p>(d) The number of offenders who participated in the MPRI versus the number of those who did not.</p> <p>(e) The unduplicated number of offenders who participated in substance abuse treatment programs, mental health treatment programs, or both, while in prison, itemized by diagnosis.</p>	<p>Strike current law.</p>	<p>(4) Retain current law.</p>	



# DEPARTMENT OF CORRECTIONS FY 2011-2012 BOILERPLATE

FY 2010-2011 CURRENT LAW	FY 2011-2012		
	EXECUTIVE	HOUSE	SENATE
<p><i>Encourages use of continuous remote alcohol monitors for certain parolees and probationers.</i></p> <p><b>Sec. 613.</b> Subject to the appropriations in part 1, the department is encouraged to expand the use of continuous remote alcohol monitors for parolees and probationers who test positive for alcohol abuse or have alcohol-abuse-related violations of their community supervision.</p>	Strike current law.	Strike current law.	
<p><i>Includes language providing for court-ordered post-conviction bonds as a condition of probation, community control, restitution payment plan, or any other court-ordered supervision.</i></p> <p><b>Sec. 614.</b> (1) As a condition of probation, community control, payment plan for the payment of a fine or restitution, or any other court-ordered supervision, the court may order the posting of a bond to secure the defendant's appearance at any subsequent court proceeding or to otherwise enforce the orders of the court. An appearance bond executed under this section shall be filed with the court or with the sheriff by a licensed professional bail agent who shall provide a copy of the bond to the clerk of court.</p>	Strike current law.	<b>Sec. 614.</b> Retain current law.	



# DEPARTMENT OF CORRECTIONS FY 2011-2012 BOILERPLATE

FY 2010-2011 CURRENT LAW	FY 2011-2012		
	EXECUTIVE	HOUSE	SENATE
<p>(2) The court may issue an order to produce the defendant sua sponte or upon notice by the clerk or the probation officer that the person has violated the terms of probation, community control, court-ordered supervision, or other applicable court order. The court or the clerk of the court shall give the bail agent not less than 72 hours to bring the defendant before the court. If the bail agent fails to produce the defendant in court or to the sheriff at the time noticed by the court or the clerk of court, the appearance bond required under subsection (1) shall be forfeited according to the procedures set forth in section 15 of chapter V of the code of criminal procedure, 1927 PA 175, MCL 765.15. The defendant's failure to appear shall be the sole grounds for forfeiture of the appearance bond.</p>	Strike current law.	(2) Retain current law.	
<p><b><i>Requires Parole and Commutations Board, after case review of all inmates sentenced to life imprisonment with the possibility of parole, to provide explanation as to why those who score "high probability of release" are not being paroled.</i></b></p> <p><b>Sec. 615.</b> After the parole and commutations board has reviewed the cases of all inmates sentenced to life with the possibility of parole who have good institutional records and pose low-risk to the community, the parole and commutations board shall provide the legislature with a detailed explanation of why an inmate who scores "high probability of release" is not being paroled.</p>	Strike current law.	<p><b>Sec. 615.</b> Retain current law with change in reference to "parole board" rather than "parole and commutations board".</p> <p>Adds January 1 due date to report.</p>	



# DEPARTMENT OF CORRECTIONS FY 2011-2012 BOILERPLATE

FY 2010-2011 CURRENT LAW	FY 2011-2012		
	EXECUTIVE	HOUSE	SENATE
<p><b>HEALTH CARE</b></p> <p><i>Forbids expenditure of funds on prisoner sex change procedures or treatment unless medically necessary.</i></p> <p><b>Sec. 801.</b> The department shall not expend funds appropriated under part 1 for any surgery, procedure, or treatment to provide or maintain a prisoner's sex change unless it is determined medically necessary by the chief medical officer of the department.</p>	Strike current law.	<b>Sec. 801.</b> Retain current law.	
<p><i>Requires reports on time elapsed between diagnosis and treatment, and on expenditures, allocations, and projected expenditures from accounts for prisoner health care.</i></p> <p><b>Sec. 802.</b> As a condition of expenditure of the funds appropriated in part 1, the department shall provide the senate and house of representatives appropriations subcommittees on corrections, the senate and house fiscal agencies, and the state budget director with all of the following:</p> <p>(a) Quarterly reports on physical and mental health care detailing the average number of days between a prisoner's diagnosis and commencement of treatment for that diagnosis, quarterly and fiscal year-to-date expenditures itemized by vendor, allocations, status of payments from contractors to vendors, and projected year-end expenditures from accounts for prisoner health care, mental health care, pharmaceutical services, and durable medical equipment.</p> <p>(b) Regular updates on progress on requests for proposals and requests for information pertaining to prisoner health care and mental health care, until the applicable contract is approved.</p>	Strike current law.	<b>Sec. 802.</b> Retain current law.	



# DEPARTMENT OF CORRECTIONS FY 2011-2012 BOILERPLATE

FY 2010-2011 CURRENT LAW	FY 2011-2012		
	EXECUTIVE	HOUSE	SENATE
<p><i>Requires MDOC to use recognized performance standards and measures of quality to conduct periodic performance reviews of all mental health contracts. Requires renegotiation of contracts at least once every 3 years.</i></p> <p><b>Sec. 803.</b> For mental health contracts entered into by the department, including those with the Michigan department of community health, recognized performance standards and measures of quality shall be utilized to conduct periodic performance reviews. At least once every 3 years, the department shall renegotiate all mental health contracts entered into under this section with the goals of improving care and reducing costs.</p>	Strike current law.	<b>Sec. 803.</b> Retain current law.	
<p><i>Requires quarterly reports on prisoner health care use, including emergency room visits, outpatient visits, and inpatient stays; includes information on off-site care that would have been provided on-site if beds were available.</i></p> <p><b>Sec. 804.</b> (1) The department shall report quarterly to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, and the state budget director on prisoner health care utilization. The report shall include the number of inpatient hospital days, outpatient visits, and emergency room visits in the previous quarter and since October 1, 2009, by facility.</p>	<b>Sec. 5-212.</b> (1) Retain current law, but changed start date for data reporting from "October 1, 2009" to " <b>OCTOBER 1, 2011</b> ".	<b>Sec. 804.</b> Retain current law.	



# DEPARTMENT OF CORRECTIONS FY 2011-2012 BOILERPLATE

FY 2010-2011 CURRENT LAW	FY 2011-2012		
	EXECUTIVE	HOUSE	SENATE
<p>(2) By March 1, 2011, the department shall report to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, and the state budget director on prisoners receiving off-site inpatient medical care that would have received care in a state correctional facility if beds were available. The report shall include the number of prisoners receiving off-site inpatient medical care and average length of stay in an off-site facility during the period they would have received care in a state correctional facility if beds were available, by month and correctional facilities administration region.</p>	<p>(2) Strike current law.</p>	<p>(2) Retain current law.</p>	
<p><b><i>Requires certain efforts to educate prisoners about Hepatitis C and HIV prevention and risks.</i></b></p> <p><b>Sec. 805.</b> The bureau of health care services shall develop information on hepatitis C and HIV prevention and the risks associated with exposure to hepatitis C and HIV. The health care providers shall disseminate this information verbally and in writing to each prisoner at the health screening and full health appraisal conducted at admissions, at the annual health care screening 30 days before or after a prisoner's birthday, and prior to release to the community by parole, transfer to community residential placement, or discharge on the maximum sentence.</p>	<p><b>Sec. 5-213.</b> Retain current law.</p>	<p><b>Sec. 805.</b> Retain current law.</p>	



# DEPARTMENT OF CORRECTIONS FY 2011-2012 BOILERPLATE

FY 2010-2011 CURRENT LAW	FY 2011-2012		
	EXECUTIVE	HOUSE	SENATE
<p><i>Requires Hepatitis C antibody tests for exiting prisoners, requires intake to be screened for Hepatitis C risk factors, and requires MDOC to offer antibody tests to incoming high-risk prisoners.</i></p> <p><b>Sec. 806.</b> (1) From the funds appropriated in part 1, the department shall require a hepatitis C antibody test and an HIV test for each prisoner prior to release to the community by parole, transfer to community residential placement, or discharge on the maximum sentence. The department shall require an HIV test and a hepatitis C risk factor screening for each prisoner at the health screening at admissions. If hepatitis C risk factors are identified, the department shall offer the prisoner a hepatitis C antibody test. An explanation of results of the tests shall be provided confidentially to the prisoner, and if appropriate based on the test results, the prisoner shall also be provided a recommendation to seek follow-up medical attention.</p>	<p><b>Sec. 5-214.</b> (1) Retain current law.</p>	<p><b>Sec. 806.</b> (1) Retain current law.</p>	
<p>(2) By March 1, 2011, the department shall report to the senate and house appropriations subcommittees on corrections, the senate and house appropriations subcommittees on community health, the senate and house fiscal agencies, and the state budget director on the number of offenders tested and the number of offenders testing positive for HIV, the hepatitis C antibody, or both, at prison admission and parole, transfer to community residential placement, or discharge on the maximum sentence. The department shall keep records of those offenders testing positive for HIV, the hepatitis C antibody, or both, at prison admission, parole, transfer to community residential placement, and discharge. These records shall clearly state the date each test was performed.</p>	<p>(2) Retain current law.</p>	<p>(2) Retain current law.</p>	



# DEPARTMENT OF CORRECTIONS FY 2011-2012 BOILERPLATE

FY 2010-2011 CURRENT LAW	FY 2011-2012		
	EXECUTIVE	HOUSE	SENATE
<p>(3) As a condition of expenditure of the funds appropriated in part 1, the department shall keep records of the following:</p> <p>(a) The number of offenders testing positive for the hepatitis C antibody who do not receive treatment, by reason for not participating.</p> <p>(b) The number of offenders achieving a sustained viral response from hepatitis C treatment.</p> <p>(c) Cost and duration of treatment by offender.</p>	<p>(3) Revise current law: As a condition of expenditure of the funds appropriated in part 1, the department shall keep records of the following:</p> <p>(a) The number of offenders testing positive for the hepatitis C antibody who do not receive treatment, <del>by reason for not participating</del> <b>DUE TO REFUSAL OF TREATMENT.</b></p> <p><del>(b) The number of offenders achieving a sustained viral response from hepatitis C treatment.</del></p> <p><del>(c)</del> <b>(B)</b> Cost and duration of treatment by offender <b>AS ALLOWABLE BY PRIVACY LAW.</b></p>	<p>(3) Concur with Executive.</p>	
<p><b><i>Requires medications to be transferred with a prisoner between facilities; requires 30-day supply of medications and prescription for refills be provided to prisoners upon release.</i></b></p> <p><b>Sec. 807.</b> The department shall ensure that all medications for a prisoner be transported with that prisoner when the prisoner is transferred from 1 correctional facility to another. Prisoners being released shall be provided with at least a 30-day supply of medication and a prescription for refills to allow for continuity of care in the community.</p>	<p>Strike current law.</p>	<p><b>Sec. 807.</b> Retain current law.</p>	
<p><b><i>Expresses legislative intent that sufficient nurses be hired or retained to limit the use of overtime.</i></b></p> <p><b>Sec. 808.</b> There are sufficient funds and FTEs appropriated in part 1 to provide a full complement of nurses for clinical complexes working regular pay hours, and it is the intent of the legislature that sufficient nurses be hired or retained to limit the use of overtime other-than-holiday pay.</p>	<p>Strike current law.</p>	<p><b>Sec. 808.</b> Retain current law.</p>	



# DEPARTMENT OF CORRECTIONS FY 2011-2012 BOILERPLATE

FY 2010-2011 CURRENT LAW	FY 2011-2012		
	EXECUTIVE	HOUSE	SENATE
<p><b><i>Requires MDOC to work with DCH on data and information sharing on exiting prisoners who are positive for HIV or Hepatitis C antibody.</i></b></p> <p><b>Sec. 809.</b> The department, in conjunction with efforts to implement the MPRI, shall cooperate with the MDCH to share data and information as they relate to prisoners being released who are HIV positive or positive for the hepatitis C antibody. By March 1, 2011, the department shall report to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, and the state budget director on all of the following:</p> <p>(a) Programs and the location of programs implemented as a result of the work under this section.</p> <p>(b) The number of prisoners released to the community by parole, discharge on the maximum sentence, or transfer to community residential placement who are HIV positive, positive for the hepatitis C antibody, or both.</p> <p>(c) The number of offenders referred to the local public health department, by county.</p>	<p>Revise current law:</p> <p>Update reporting date to "<b>MARCH 1, 2012</b>"</p> <p>Retain subparts (a) and (b).</p> <p>Revise subpart (c): The number of <b>PAROLING</b> offenders <b>WHO ARE HIV OR HEPATITUS C POSITIVE BY PAROLING OFFICE AS REPORTED TO THE STATE DEPARTMENT OF COMMUNITY HEALTH FOR REFERRAL</b> <del>referred</del> to the local public health department, <del>by county.</del></p>	<p>Revise Executive language in subpart (c):</p> <p>(c) The number of <b>PAROLEES AND</b> offenders <b>DISCHARGED ON THE MAXIMUM SENTENCE WHO ARE HIV OR HEPATITUS C POSITIVE BY PAROLING OFFICE AS REPORTED TO THE STATE DEPARTMENT OF COMMUNITY HEALTH FOR REFERRAL</b> <del>referred</del> to the local public health department, <del>by county.</del></p>	
<p><b><i>Requires report on status of efforts to implement continuous quality improvement in prisoner health care.</i></b></p> <p><b>Sec. 811.</b> By February 1, 2011, the department shall report to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, and the state budget director on the status of efforts to implement continuous quality improvement for prisoner health care. At a minimum, the report shall identify the processes that were in place before the start of the fiscal year, the processes undertaken since the beginning of the fiscal year, and plans for future changes.</p>	<p>Strike current law.</p>	<p>Strike current law.</p>	



# DEPARTMENT OF CORRECTIONS FY 2011-2012 BOILERPLATE

FY 2010-2011 CURRENT LAW	FY 2011-2012		
	EXECUTIVE	HOUSE	SENATE
<p><i>Requires MDOC and Department of Human Services to exchange information regarding newly-committed prisoners who may be Medicaid-eligible, and requires MDOC to assist outgoing prisoners with Medicaid enrollment.</i></p> <p><b>Sec. 812.</b> (1) The department shall provide the department of human services with a monthly list of prisoners newly committed to the department of corrections. The department and the department of human services shall enter into an interagency agreement under which the department of human services provides the department of corrections with monthly lists of newly committed prisoners who are eligible for Medicaid benefits in order to maintain the process by which Medicaid benefits are suspended rather than terminated. The department shall assist prisoners who may be eligible for Medicaid benefits after release from prison with the Medicaid enrollment process prior to release from prison.</p>	Strike current law.	<b>Sec. 812.</b> Retain current law.	
<p>(2) The department shall provide the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, and the state budget director with quarterly updates on the utilization of Medicaid benefits for prisoners.</p>			

# DEPARTMENT OF CORRECTIONS FY 2011-2012 BOILERPLATE

FY 2010-2011 CURRENT LAW	FY 2011-2012		
	EXECUTIVE	HOUSE	SENATE
<p><i>Requires MDOC to collaborate with DCH to monitor and document drug utilization for prisoner health care service and examine drug utilization patterns and cost-cutting strategies used by corrections systems in other states; requires report to Legislature on other states' efforts.</i></p> <p><b>Sec. 813.</b> The department shall work in cooperation with the department of community health to monitor and document drug utilization by department for prisoner health care services. As part of this effort, the department shall examine drug utilization patterns and cost-cutting strategies used by corrections systems in other states. By March 1, 2011, the department shall provide a report to the legislature detailing the department's drug utilizations and drug utilization statistics for corrections systems in other states.</p>	Strike current law.	<p><b>Sec. 813.</b> Retain current law but strike reference to cooperation with department of community health.</p>	
<p><i>Requires that MDOC assure that psychotropic medications are available, when deemed medically necessary by a physician to prisoners who have mental illness diagnoses but are not enrolled in the Corrections Mental Health Program.</i></p> <p><b>Sec. 814.</b> The department shall assure that psychotropic medications are available, when deemed medically necessary by a physician, to prisoners who have mental illness diagnoses but are not enrolled in the corrections mental health program.</p>	Strike current law.	Strike current law.	
<p><i>Allocates \$520,000 of appropriation for Health Care Administration to operate a Health Care Quality Assurance Unit.</i></p> <p><b>Sec. 815.</b> From the money appropriated in part 1 for health care administration, the department shall expend at least \$520,000.00 to operate a health care quality assurance unit.</p>	Strike current law.	Strike current law.	



# DEPARTMENT OF CORRECTIONS FY 2011-2012 BOILERPLATE

FY 2010-2011 CURRENT LAW	FY 2011-2012		
	EXECUTIVE	HOUSE	SENATE
<p><b>CORRECTIONAL FACILITIES ADMINISTRATION</b></p> <p><i>Requires MDOC to develop children's visitation demonstration program.</i></p> <p><b>Sec. 902.</b> From the funds appropriated in part 1, the department shall allocate sufficient funds to develop a demonstration children's visitation program. The demonstration program shall teach parenting skills and arrange for day visitation at these facilities for parents and their children, except for the families of prisoners convicted of a crime involving criminal sexual conduct in which the victim was less than 18 years of age or involving child abuse.</p>	Strike current law.	<b>Sec. 902.</b> Retain current law.	
<p><i>Generally bars prisoner access to internet, except for supervised use for education, job searches, or other purposes consistent with programming objectives and safe and efficient operations.</i></p> <p><b>Sec. 903.</b> Except as otherwise provided in this section, the department shall prohibit prisoners' access to or use of the Internet or any similar system. Under adequate supervision and with security precautions that ensure appropriate computer use by prisoners, the department may allow a prisoner access to or use of the Internet for the purposes of educational programming, employment training, job searches, or other Internet-based programs and services consistent with programming objectives, efficient operations, and the safety and security of the institution.</p>	Strike current law.	<b>Sec. 903.</b> Retain current law.	



# DEPARTMENT OF CORRECTIONS FY 2011-2012 BOILERPLATE

FY 2010-2011 CURRENT LAW	FY 2011-2012		
	EXECUTIVE	HOUSE	SENATE
<p><i>Provides for Hepatitis B vaccinations for certain employees upon request when a physician determines a potential exposure has occurred.</i></p> <p><b>Sec. 904.</b> Any department employee who, in the course of his or her job, is determined by a physician to have had a potential exposure to the hepatitis B virus, shall receive a hepatitis B vaccination upon request.</p>	Strike current law.	<b>Sec. 904.</b> Retain current law.	
<p><i>Specifies inmate housing fund to be used for custody and treatment costs not otherwise budgeted for in the act.</i></p> <p><b>Sec. 905.</b> (1) The inmate housing fund shall be used for the custody, treatment, clinical, and administrative costs associated with the housing of prisoners other than those specifically budgeted for elsewhere in this act. Funding in the inmate housing fund is appropriated into a separate control account. Funding in the control account shall be distributed as necessary into separate accounts created to separately identify costs for specific purposes.</p>	Strike current law.	<b>Sec. 905.</b> (1) Retain current law.	
<p>(2) Quarterly reports on all expenditures from the inmate housing fund shall be submitted by the department to the state budget director, the senate and house appropriations subcommittees on corrections, and the senate and house fiscal agencies.</p>		(2) Retain current law.	
<p><i>Specifies various requirements for the public works program, including fee schedules, lists of available prisoners, and prisoner pay.</i></p> <p><b>Sec. 906.</b> (1) The department shall establish a uniform rate to be paid by public and private agencies that benefit from public work services provided by special alternative incarceration participants and prisoners.</p>	Strike current law.	<b>SEC. 906.</b> (1) THE DEPARTMENT SHALL ESTABLISH RATES TO BE PAID BY PUBLIC AND PRIVATE AGENCIES THAT BENEFIT FROM PUBLIC WORK SERVICES PROVIDED BY SPECIAL ALTERNATIVE INCARCERATION PARTICIPANTS AND PRISONERS AND THAT THESE RATES BE SUFFICIENT TO FINANCE THE ENTIRE COST OF ANY SERVICES PROVIDED.	



# DEPARTMENT OF CORRECTIONS FY 2011-2012 BOILERPLATE

FY 2010-2011 CURRENT LAW	FY 2011-2012		
	EXECUTIVE	HOUSE	SENATE
(2) It is the intent of the legislature that to the degree consistent with public safety and the safety and security of the institutions, public works projects be continued at the level provided in 2006 PA 331.	Strike current law.	(2) It is the intent of the legislature that to the degree consistent with public safety and the safety and security of the institutions, public works projects be continued at the level provided in 2006 PA 331 <b>TO THE EXTENT THAT PUBLIC AND PRIVATE AGENCIES ARE WILLING TO FINANCE THE FULL COSTS OF THESE PROJECTS AND THAT PROJECTS DO NOT INTERFERE WITH THE ABILITY OF PRISONERS TO COMPLETE PROGRAMMING NEEDED TO INCREASE THEIR PROBABILITY OF BEING READY FOR PAROLE.</b>	
(3) It is the intent of the legislature that public works fee schedules be maintained at half the rates in effect on September 30, 2008.	Strike current law.	Strike current law.	
(4) The department shall maintain a list of the number of prisoners available for public works crews at each department facility, and the number of prisoners necessary to fulfill current public works contracts at each department facility. The department shall place the list on a publicly accessible Internet site and update the list weekly.	Strike current law.	(3) Renumber and retain current law.	
(5) It is the intent of the legislature that pay rates for prisoners classified to public works assignments be increased by 50 cents per day from the rates in effect on September 30, 2009.	Strike current law.	(4) Renumber and retain current law.	



# DEPARTMENT OF CORRECTIONS FY 2011-2012 BOILERPLATE

FY 2010-2011 CURRENT LAW	FY 2011-2012		
	EXECUTIVE	HOUSE	SENATE
<p><i>Requires detailed reports on MDOC's academic/vocational programs.</i></p> <p><b>Sec. 907.</b> The department shall report quarterly to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, and the state budget director on academic/vocational programs. The report shall provide information relevant to an assessment of the department's academic and vocational programs, including, but not limited to, the following:</p> <p>(a) The number of instructors and the number of instructor vacancies, by program and facility.</p> <p>(b) The number of prisoners enrolled in each program, the number of prisoners completing each program, the number of prisoners who fail each program, the number of prisoners who do not complete each program and the reason for not completing the program, the number of prisoners transferred to another facility while enrolled in a program and the reason for transfer, the number of prisoners enrolled who are repeating the program by reason, and the number of prisoners on waiting lists for each program, all itemized by facility.</p> <p>(c) The steps the department has undertaken to improve programs, track records, accommodate transfers and prisoners with health care needs, and reduce waiting lists.</p> <p>(d) The number of prisoners paroled without a high school diploma and the number of prisoners paroled without a GED.</p> <p>(e) An explanation of the value and purpose of each program, e.g., to improve employability, reduce recidivism, reduce prisoner idleness, or some combination of these and other factors.</p>	<p>Strike current law.</p>	<p><b>Sec. 907.</b> Retain current law, but change reporting from quarterly to annual on March 1.</p>	



# DEPARTMENT OF CORRECTIONS FY 2011-2012 BOILERPLATE

FY 2010-2011 CURRENT LAW	FY 2011-2012		
	EXECUTIVE	HOUSE	SENATE
<p>(f) An identification of program outcomes for each academic and vocational program.</p> <p>(g) An explanation of the department's plans for academic and vocational programs, including plans to contract with intermediate school districts for GED and high school diploma programs.</p> <p>(h) The number of prisoners not paroled at their earliest release date due to lack of a GED, and the reason those prisoners have not obtained a GED.</p>	Strike current law.		
<p><b><i>Requires report on percent of incoming prisoners with GED or high school diploma.</i></b></p> <p><b>Sec. 908.</b> By February 1, 2011, the department shall report to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, and the state budget director, the percent of offenders included in the prison population intake for fiscal years 2008-2009 and 2009-2010 who have a high school diploma or a GED.</p>	Strike current law.	Strike current law.	
<p><b><i>Conditions academic/vocational appropriations on reporting of a plan to contract with intermediate school districts for GED and high school diploma programs.</i></b></p> <p><b>Sec. 909.</b> As a condition of expending funds appropriated for academic/vocational programs under part 1, the department shall by January 31, 2011 provide a plan to contract with intermediate school districts for GED and high school diploma programs at correctional facilities to the members of the senate and house appropriations committees, the senate and house fiscal agencies, and the state budget director. The plan shall include detailed information on the development of the curriculum, how the program will be administered, how the program will improve employability, and how the program will be evaluated.</p>	Strike current law.	Strike current law.	



# DEPARTMENT OF CORRECTIONS FY 2011-2012 BOILERPLATE

FY 2010-2011 CURRENT LAW	FY 2011-2012		
	EXECUTIVE	HOUSE	SENATE
<p><b><i>Requires MDOC to maintain Michigan Braille transcribing service at its current location in Jackson complex.</i></b></p> <p><b>Sec. 910.</b> The department shall allow the Michigan Braille transcribing fund program to operate at its current location. The donation of the building by the Michigan Braille transcribing fund at the G. Robert Cotton correctional facility in Jackson is acknowledged and appreciated. The department shall continue to encourage the Michigan Braille transcribing fund to produce high-quality materials for use by the visually impaired.</p>	Strike current law.	Strike current law.	
<p><b><i>Requires MDOC to ensure sufficient number of correctional officers to maintain safety and security of the institution, to report on critical incidents and assaults, and to generally maintain October 1, 2008 custody staffing ratios.</i></b></p> <p><b>Sec. 911.</b> (1) From the appropriations in part 1, the department shall ensure that all prisoner activities shall include the presence of a sufficient number of correctional officers needed to maintain the safety and security of the institution.</p>	Strike current law.	Strike current law.	
<p>(2) By March 1, 2011, the department shall report to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, the legislative corrections ombudsman, and the state budget director the number of critical incidents occurring each month by type and the number and severity of assaults occurring each month at each facility during calendar year 2010.</p>		<p><b>Sec. 911.</b> Retain subsection (2) as its own section. Update calendar year reference.</p>	



# DEPARTMENT OF CORRECTIONS FY 2011-2012 BOILERPLATE

FY 2010-2011 CURRENT LAW	FY 2011-2012		
	EXECUTIVE	HOUSE	SENATE
<p>(3) The department shall not reduce the ratio of custody officers to prisoners at any correctional facility below the levels that existed October 1, 2008. Any correctional facility that reduces its security level after October 1, 2008 shall not have a ratio of custody officers to prisoners below that of a comparable facility. The department shall report to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, and the state budget director if it is unable to comply with this section. The report shall include all of the following:</p> <p>(a) A list of the correctional facilities that reduced their ratio of custody officers to prisoners in violation of this subsection.</p> <p>(b) An explanation of why the department is unable to comply with this subsection.</p> <p>(c) A plan to maintain the safety and security of the facilities or units.</p>	Strike current law.	Strike current law.	
<p>(4) Subsection (3) does not apply to facilities or portions of facilities that have closed.</p>	Strike current law.	Strike current law.	
<p><b><i>Requires staffing report on corrections officer-to-prisoner ratio, shift command-to-line custody staff ratio, and non-custody staff-to-prisoner ratio for each correctional institution.</i></b></p> <p><b>Sec. 912.</b> The department shall report to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, and the state budget director by March 1, 2011 on the ratio of correctional officers to prisoners for each correctional institution, the ratio of shift command staff to line custody staff, and the ratio of noncustody institutional staff to prisoners for each correctional institution.</p>	Strike current law.	<b>Sec. 912.</b> Retain current law.	



# DEPARTMENT OF CORRECTIONS FY 2011-2012 BOILERPLATE

FY 2010-2011 CURRENT LAW	FY 2011-2012		
	EXECUTIVE	HOUSE	SENATE
<p><i>Expresses legislative intent that MDOC transfer prisoners as necessary to facilitate timely participation and completion of assaultive offender, sex offender, and other mandated programs prior to parole eligibility hearings.</i></p> <p><b>Sec. 913.</b> It is the intent of the legislature that any prisoner required to complete an assaultive offender program, sexual offender program, or other program as a condition of parole shall be transferred to a facility where that program is available in order to accomplish timely completion of that program prior to the expiration of his or her minimum sentence and eligibility for parole. Nothing in this section should be deemed to make parole denial appealable in court.</p>	Strike current law.	<b>Sec. 913.</b> Retain current law.	
<p><i>Requires MDOC to issue request for proposals on converting prison law libraries to electronic form to the extent that the required feasibility study revealed that the conversion would be beneficial.</i></p> <p><b>Sec. 916.</b> The department shall issue a request for proposals by June 1, 2011 to convert the law library collections at correctional facilities to an electronic medium, if the department's feasibility study that examined similar conversions in Ohio and Pennsylvania reveals that the conversion would be beneficial.</p>	Strike current law.	Strike current law.	
<p><i>Requires MDOC to implement evidence-based pilot programs that change offenders' behaviors, values, beliefs, and attitudes toward victims and the community.</i></p> <p><b>Sec. 917.</b> From the funds appropriated in part 1, the department shall allocate sufficient funds to implement evidence-based demonstration projects that change offenders' behaviors, values, beliefs, and attitudes toward victims and the community.</p>	Strike current law.	Strike current law.	



# DEPARTMENT OF CORRECTIONS FY 2011-2012 BOILERPLATE

FY 2010-2011 CURRENT LAW	FY 2011-2012		
	EXECUTIVE	HOUSE	SENATE
<p><i>Requires MDOC to issue a request for information on the possible bidding of all prisoner transportation services, following receipt of an auditor general performance audit on offender transportation.</i></p> <p><b>Sec. 918.</b> Following receipt of an auditor general performance audit on offender transportation, the department, in conjunction with the department of management and budget, shall issue a request for information on the possible bidding of all offender transportation services. State employees shall be given the opportunity to respond to a request for information on offender transportation services. Any response to the request for information shall include an explanation of how savings of at least 5% over existing costs of offender transportation would be realized.</p>	Strike current law.	Strike current law.	



# DEPARTMENT OF CORRECTIONS FY 2011-2012 BOILERPLATE

FY 2010-2011 CURRENT LAW	FY 2011-2012		
	EXECUTIVE	HOUSE	SENATE
<p><b><i>Specifies conditions and criteria to be met prior to expenditure of funds on private food service contract.</i></b></p> <p><b>Sec. 919.</b> (1) As a condition of expending funds appropriated in part 1 for prison food service, the department shall comply with the provision of section 207, including, but not limited to, all of the following criteria:</p> <p>(a) Providing a complete project plan at least 90 days prior to issuing a request for proposals or an invitation to bid for all or a substantial portion of food service, including a contract for food procurement.</p> <p>(b) Conducting a preprivatization cost-benefit analysis as described by section 207a.</p> <p>(c) Providing a copy of the cost-benefit analysis to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, and the state budget director before the earliest of the following:</p> <p>(i) Issuance of a request for proposals or invitation to bid.</p> <p>(ii) Filing a contract change request with the state administrative board.</p> <p>(iii) Entering into a contract for all or a substantial portion of prison food service.</p>	<p>Strike current law.</p>	<p>Strike current law.</p>	



## DEPARTMENT OF CORRECTIONS FY 2011-2012 BOILERPLATE

FY 2010-2011 CURRENT LAW	FY 2011-2012		
	EXECUTIVE	HOUSE	SENATE
<p>(2) As a condition of expending funds appropriated in part 1 for prison food service, any contract for prison food service or prison food procurement shall identify all of the following:</p> <p>(a) How savings equivalent to the savings specified in civil service rules for personal services outside the civil service would be realized.</p> <p>(b) How the department will comply with the requirements of section 209.</p> <p>(c) How food quality will be maintained in conjunction with any cost savings.</p> <p>(d) The impact on local vendors, growers, and processors, identified by facility or region, as appropriate, compared to prior-year purchases.</p>	Strike current law.	Strike current law.	
<p><b><i>Requires MDOC to make efforts to operate garden or horticultural operation at each facility to provide food.</i></b></p> <p><b>Sec. 920.</b> The department shall make every effort to operate a garden or horticultural operation at each correctional facility, where practical, in order to provide food for correctional facilities and not-for-profit organizations.</p>	Strike current law.	<b>Sec. 920.</b> Retain current law.	



# DEPARTMENT OF CORRECTIONS FY 2011-2012 BOILERPLATE

FY 2010-2011 CURRENT LAW	FY 2011-2012		
	EXECUTIVE	HOUSE	SENATE
<p><i>Requires report on savings realized through prison and camp closures, and on associated costs generated for other facilities and for community-based programs and supervision.</i></p> <p><b>Sec. 921.</b> (1) By April 30, 2011, the department shall report to the chairs of the senate and house appropriations committees, the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, and the state budget director on the following:</p> <p>(a) The actual savings realized between January 1, 2009 and April 1, 2011 as a result of closing correctional facilities and correctional camps between January 1, 2009 and January 1, 2011, itemized by correctional facility or correctional camp.</p> <p>(b) The projected fiscal year 2010-2011 savings by closing correctional facilities and correctional camps between January 1, 2009 and January 1, 2011, itemized by correctional facility or correctional camp.</p>	<p>Strike current law.</p>	<p><b>Sec. 921.</b> Retain current law, but adjust report due date to March 1; update time period to include period through January 1, 2012.</p>	
<p>(2) The report in subsection (1) shall include information on all of the following:</p> <p>(a) The savings realized or projected to be realized, itemized by program or type of expenditure.</p> <p>(b) Any cost of field supervision, field operations programs, or prisoner reintegration programs related to the closure of correctional facilities and correctional camps between January 1, 2009 and January 1, 2011.</p>			



# DEPARTMENT OF CORRECTIONS FY 2011-2012 BOILERPLATE

FY 2010-2011 CURRENT LAW	FY 2011-2012		
	EXECUTIVE	HOUSE	SENATE
<p><i>Expresses legislative intent for prisoners to work a 40-hour week inclusive of GED and education programs.</i></p> <p><b>Sec. 922.</b> It is the intent of the legislature that all prisoners work 40 hours per week in the correctional facility, as part of a public works crew or in private enterprise, or participate in vocational or training programs. Prisoners may be enrolled in GED or education programs in combination with employment. Prisoners not employed shall be enrolled in GED or other educational programs for not less than 20 hours per week. This section does not apply to prisoners classified in level V or administrative segregation.</p>	Strike current law.	<b>Sec. 922.</b> Retain current law.	
<p><i>Directs MDOC to cooperate with Department of Education to evaluate feasibility of local school districts providing educational programming to targeted prisoners under age 20; requires report on plans and evaluations.</i></p> <p><b>Sec. 923.</b> The department shall cooperate with the department of education to evaluate the feasibility of local school districts providing education programming to targeted prisoners under the age of 20 who have not received a high school diploma. By June 1, 2011, the department shall report to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, and the state budget director on any plans or evaluations developed under this section.</p>	Strike current law.	Strike current law.	

# DEPARTMENT OF CORRECTIONS FY 2011-2012 BOILERPLATE

FY 2010-2011 CURRENT LAW	FY 2011-2012		
	EXECUTIVE	HOUSE	SENATE
<p><b><i>Requires prisoners to be evaluated at intake for certain disorders and serious mental illness, and generally requires therapeutic seclusion as opposed to administrative segregation for prisoners with serious mental illness.</i></b></p> <p><b>Sec. 924.</b> The department shall evaluate all prisoners at intake for substance abuse disorders, developmental disorders, serious mental illness, and other mental health disorders. Prisoners with serious mental illness shall not be confined in administrative segregation due to serious mental illness. Under the supervision of a mental health professional, a prisoner with serious mental illness may be secluded in a therapeutic environment for the safety of the prisoner or others. A prisoner in therapeutic seclusion shall be evaluated every 12 hours by a mental health professional in order to remain in therapeutic seclusion.</p>	<p><b>Sec. 5-216.</b> Revise current law: The department shall evaluate all prisoners at intake for substance abuse disorders, developmental disorders, serious mental illness, and other mental health disorders. Prisoners with serious mental illness shall not be confined in administrative segregation due to serious mental illness. Under the supervision of a mental health professional, a prisoner with serious mental illness may be secluded in a therapeutic environment for the safety of the prisoner or others. A prisoner in therapeutic seclusion shall be evaluated <del>every 12 hours</del> by a mental health professional <b>AT A FREQUENCY DEFINED IN THE MENTAL HEALTH CODE</b> <del>in order</del> to remain in therapeutic seclusion.</p>	<p><b>Sec. 924.</b> The department shall evaluate all prisoners at intake for substance abuse disorders, developmental disorders, serious mental illness, and other mental health disorders. Prisoners with serious mental illness shall not be confined in administrative segregation due to serious mental illness. Under the supervision of a mental health professional, a prisoner with serious mental illness may be secluded in a therapeutic environment for the safety of the prisoner or others. A prisoner in therapeutic seclusion shall be evaluated every <del>12</del> <b>24</b> hours by a mental health professional in order to remain in therapeutic seclusion.</p>	
<p><b><i>Requires MDOC report on use of administrative segregation for prisoners with serious mental illness or developmental disorders.</i></b></p> <p><b>Sec. 925.</b> By March 1, 2011, the department shall report to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, and the state budget director on the annual number of prisoners in administrative segregation between October 1, 2003 and September 30, 2010, and the annual number of prisoners in administrative segregation between October 1, 2003 and September 30, 2010 who at any time during the current or prior prison term were diagnosed with serious mental illness or have a developmental disorder and the number of days each of the prisoners with serious mental illness or a developmental disorder have been confined to administrative segregation.</p>	<p>Strike current law.</p>	<p><b>Sec. 925.</b> Retain current law.</p>	



# DEPARTMENT OF CORRECTIONS FY 2011-2012 BOILERPLATE

FY 2010-2011 CURRENT LAW	FY 2011-2012		
	EXECUTIVE	HOUSE	SENATE
<p><i>Requires MDOC and DHS to enter an intergovernmental agreement to place youthful offenders committed to MDOC in underutilized units of the Maxey/Woodland Center Correctional Facility.</i></p> <p><b>Sec. 927.</b> The department of corrections and the department of human services shall enter into an intergovernmental agreement to place offenders less than 19 years of age who are committed to the department of corrections in underutilized units of the Maxey/Woodland center correctional facility. The facilities shall be used to house offenders less than 19 years of age who are currently committed to the department of corrections.</p>	Strike current law.	Strike current law.	
<p><i>Provides for transfer of consent decree appropriations into associated control accounts.</i></p> <p><b>Sec. 928.</b> Funding appropriated in part 1 for consent decree line items is appropriated into separate control accounts created for each line item. Funding in each control account shall be distributed as necessary into separate accounts created for the purpose of separately identifying costs and expenditures associated with each consent decree.</p>	Strike current law.	<b>Sec. 928.</b> Retain current law.	



# DEPARTMENT OF CORRECTIONS FY 2011-2012 BOILERPLATE

FY 2010-2011 CURRENT LAW	FY 2011-2012		
	EXECUTIVE	HOUSE	SENATE
<p><i>Guides treatment of offenders less than 19 years of age by requiring specialized training for staff and separate housing, limiting administrative segregation for those with mental health issues, and requiring specialized re-entry program.</i></p> <p><b>Sec. 929.</b> From the funds appropriated in part 1, the department shall do all of the following:</p> <p>(a) Ensure that any inmate care and control staff in contact with prisoners less than 19 years of age are adequately trained with regard to the developmental and mental health needs of prisoners less than 19 years of age. By April 1, 2011, the department shall report to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, and the state budget director on the training curriculum used and the number and types of staff receiving training under such curriculum since October 2009.</p> <p>(b) Provide appropriate placement for prisoners less than 19 years of age who have serious mental illness, serious emotional disturbance, or a developmental disorder and need to be housed separately from the general population. Prisoners less than 19 years of age who have serious mental illness, serious emotional disturbance, or a developmental disorder shall not be placed in administrative segregation due to serious mental illness or serious emotional disturbance. Under the supervision of a mental health professional, a prisoner less than 19 years of age with serious mental illness or serious emotional disturbance may be secluded in a therapeutic environment for the safety of the prisoner or others. A prisoner in therapeutic seclusion shall be evaluated every 12 hours by a mental health professional in order to remain in therapeutic seclusion.</p> <p>(c) Implement a specialized re-entry program that recognizes the needs of prisoners less than 19 years old for supervised re-entry.</p>	<p>Strike current law.</p>	<p><b>Sec. 929.</b></p> <p>(a) Retain current law.</p> <p>(b) Change last sentence: A prisoner in therapeutic seclusion shall be evaluated every <del>12</del> <b>24</b> hours by a mental health professional in order to remain in therapeutic seclusion.</p> <p>(c) Retain current law.</p>	



# DEPARTMENT OF CORRECTIONS FY 2011-2012 BOILERPLATE

FY 2010-2011 CURRENT LAW	FY 2011-2012		
	EXECUTIVE	HOUSE	SENATE
<p><b><i>Forbids the department to have a shooting range at a certain location in Standish.</i></b>  <b>Sec. 930.</b> The department shall not have a shooting range located on property east of 3760 Foco Road, Standish, Michigan.</p>	Strike current law.	<b>Sec. 930.</b> Retain current law.	
<p><b><i>Allocates \$100,000 from appropriation for DOJ Psychiatric Plan to support a contract with a child and adolescent psychiatrist to serve incarcerated youthful offenders.</i></b></p> <p><b>Sec. 932.</b> From the funds appropriated in part 1 for psychiatric services, \$100,000.00 is appropriated to permit the department to contract with a board-certified child and adolescent psychiatrist to provide psychiatric services to individuals who are less than 19 years of age and are incarcerated in a department facility.</p>	Strike current law.	<b>Sec. 932.</b> Retain current law with renaming of line item to "mental health services and support".	
<p><b>VETOED - NOT CURRENT LAW</b>  <b><i>Allocates \$50,000 from Education Program appropriation to support two pilot programs in a state prison and a county jail to provide an inmate learning management tool for job skill training and education. Vetoed by Governor.</i></b></p> <p><b>Sec. 933.</b> From the funds appropriated in part 1, \$50,000.00 shall be utilized to create 2 pilot programs for a secure, scalable inmate learning management tool that enables inmates to improve job skill training and work toward achieving their GED, with the goal of reducing recidivism in concert with the council of state governments report. The pilots shall be designed to manage, track, and quantify all of the training, continuing education, development, and certification among other learning opportunities. The program shall include a wide variety of course work, including job search preparation and specialized programs to help inmates identify their current skills in relation to the job market. The pilots are to be housed on a single secure server, which cannot access the Internet, and are to be for use in 1 state prison and 1 county jail.</p>	Not included.	Not included.	

**DEPARTMENT OF CORRECTIONS**  
**FY 2011-2012 BOILERPLATE**

FY 2010-2011 CURRENT LAW	FY 2011-2012		
	EXECUTIVE	HOUSE	SENATE
<p><i>Requires MDOC to establish a pilot program for the manufacturing of textiles and clothing in at least one state prison.</i></p> <p><b>Sec. 934.</b> From the funds appropriated in part 1 for prison industries operations, the department shall establish a pilot program for the manufacturing of textiles and clothing in at least 1 state correctional facility.</p>	<p>Strike current law.</p>	<p><b>Sec. 934.</b> From the funds appropriated in part 1 for prison industries operations, the department shall <b>PROVIDE A REPORT ON THE</b> <del>establish</del> a pilot program for the manufacturing of textiles and clothing in at least 1 state correctional facility <b>UNDER SECTION 904 OF 2010 PA 188.</b></p>	
<p><b>Sec. 935.</b> New House language.</p>		<p><b>SEC. 935. WHEN THE DEPARTMENT DETERMINES THAT THE CLOSURE OF A CORRECTIONAL FACILITY IS WARRANTED AND IS DETERMINING WHICH FACILITY SHOULD BE SUBJECT TO CLOSURE, IT IS THE INTENT OF THE LEGISLATURE THAT THE DEPARTMENT FULLY CONSIDER THE POTENTIAL ECONOMIC IMPACT OF EACH PRISON CLOSURE BEING CONSIDERED ON THE COMMUNITY IN WHICH THE FACILITY RESIDES . THE DEPARTMENT SHALL MAKE IT A HIGH PRIORITY TO CLOSE A FACILITY FOR WHICH THE LOCAL ECONOMIC IMPACT IS THE MINIMIZED.</b></p>	



# DEPARTMENT OF CORRECTIONS FY 2011-2012 BOILERPLATE

FY 2010-2011 CURRENT LAW	FY 2011-2012		
	EXECUTIVE	HOUSE	SENATE
Sec. 936. New House language.		<b>SEC. 936. OF THE FUNDING APPROPRIATED IN PART 1 FOR THE COST-EFFECTIVE HOUSING INITIATIVE, \$47,906,300.00 SHALL BE UTILIZED TO ENSURE MORE COST-EFFECTIVE HOUSING OF PRISONERS. THE DEPARTMENT SHALL USE THIS FUNDING TO HOUSE PRISONERS IN THE MOST COST-EFFECTIVE MANNER POSSIBLE. THIS SHALL INCLUDE EXPLORING THE USE OF PUBLIC-PRIVATE PARTNERSHIPS, THE USE OF PRIVATELY-OWNED FACILITIES, AND THE USE OF RECENTLY CLOSED FACILITIES. THE USE OF COST-EFFECTIVE HOUSING FROM THIS INITIATIVE SHALL BE USED TO ACHIEVE AT LEAST THE \$57,487,600 IN GENERAL PRISON OPERATIONS SAVINGS BUDGETED IN THE INMATE HOUSING FUND LINE ITEM.</b>	