

**FY 2019-20: DEPARTMENT OF CORRECTIONS**  
**Summary: Enacted with Vetoes and Ad Board Transfers**  
**Public Act 64 of 2019, House Bill 4231**



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IDG/IDT	FY 2018-19 YTD as of 3/5/19	FY 2019-20 Executive	FY 2019-20 House	FY 2019-20 Senate	FY 2019-20 Enacted	Difference: Enacted From FY 2018-19 YTD	
						Amount	%
	\$0	\$0	\$0	\$0	\$0	\$0	--
<b>Federal</b>	5,315,200	5,323,700	5,323,700	5,323,700	5,323,700	8,500	0.2
<b>Local</b>	8,960,100	11,687,200	11,687,200	11,687,200	11,687,200	2,727,100	30.4
<b>Private</b>	0	0	0	0	0	0	--
<b>Restricted</b>	40,939,600	41,112,500	57,992,400	41,112,500	59,212,500	18,272,900	44.6
<b>GF/GP</b>	1,963,841,300	1,991,874,800	1,932,500,000	1,963,841,400	1,935,085,400	(28,755,900)	(1.5)
<b>Gross</b>	<b>\$2,019,056,200</b>	<b>\$2,049,998,200</b>	<b>\$2,007,503,300</b>	<b>\$2,021,964,800</b>	<b>\$2,011,308,800</b>	<b>(\$7,747,400)</b>	<b>(0.4)</b>
<b>FTEs</b>	13,979.2	13,809.8	13,794.3	13,794.3	13,794.3	(184.9)	(1.3)

Notes: (1) FY 2018-19 year-to-date figures include mid-year budget adjustments through March 5, 2019. (2) Appropriation figures for all years include all proposed appropriation amounts, including amounts designated as "one-time."

**Overview**

The Michigan Department of Corrections (MDOC) is responsible for operation and maintenance of the state's 29 correctional facilities that house felony offenders sentenced to prison. This includes provision of physical and mental health care, education, food service, transportation, and reintegration programming. Also, the department is responsible for supervision of all parolees and probationers under department jurisdiction and has oversight over community corrections programs and other programs designed to encourage alternatives to prison placement for appropriate offenders. As of September 1, 2019, the department was responsible for 93,880 Michigan offenders: 38,155 prisoners, 42,192 probationers, and 13,533 parolees.

**Major Budget Changes From FY 2018-19 YTD Appropriations**

**1. One-Time Funding for Training New Custody Staff – VETOED**  
Executive includes a one-time appropriation of \$10.5 million GF/GP to train an additional 408 corrections officers to meet projected attrition needs. Funding supports salary and payroll costs of new officers while they participate in training, as well as costs for uniforms, training materials, certifications, food, travel, and lodging. (Travel and lodging are paid during training if participants live away from the facilities to which they are assigned.) Between 50 and 55 custody staff are projected to retire each month in the next year. With the additional funding added to the FY 2018-19 base of \$9.5 million, the department would be able to train roughly 779 new officers in FY 2019-20. House does not include a line-item appropriation, but includes boilerplate section 226 that directs the department to expend \$7.4 million of unexpended work project appropriations for training new custody staff. Senate concurs with Executive. Conference concurs with House. Veto deletes section 226, so there is no funding included for training new custody staff.

	FY 2018-19 Year-to-Date (as of 3/5/19)	FY 2019-20 Enacted Change
<b>Gross</b>	NA	<b>\$0</b>
GF/GP	NA	\$0

**2. Savings from Closure of Ojibway Correctional Facility**  
Executive reflects a savings of \$6.8 million GF/GP and a reduction of 217.9 FTE positions resulting from closure of the Ojibway Correctional Facility. Partial-year savings of \$19.2 million GF/GP were taken in the FY 2018-19 budget. The \$6.8 million represents the remaining balance of full-year savings. House concurs with Executive. Senate concurs with Executive. Conference concurs with Executive.

FTE	NA	(217.9)
<b>Gross</b>	<b>NA</b>	<b>(\$6,805,700)</b>
GF/GP	NA	(\$6,805,700)

	FY 2018-19 Year-to-Date (as of 3/5/19)	FY 2019-20 Enacted Change
<b>Major Budget Changes From FY 2018-19 YTD Appropriations</b>		
<b>3. Hepatitis C Treatment</b>	<b>Gross</b>	<b>\$6,735,500</b>
<u>Executive</u> includes \$7.0 million GF/GP for the department to continue treatment of roughly 780 prisoners per year. Settlement of a recent lawsuit requires Medicaid to cover Hepatitis C treatment for patients with metavir scores of F1, beginning October 1, 2018, and to cover treatment for patients with metavir scores of F0 beginning October 1, 2019. Medicaid is seen as the standard of care for the department. Funding would be used to begin treating prisoners identified with metavir scores of F1 and F0. <u>House</u> includes an additional \$100. <u>Senate</u> does not include additional funding. <u>Conference</u> concurs with Executive.	GF/GP	\$6,735,500
		<b>\$6,965,200</b>
		\$6,965,200
<b>4. Corizon Health Care Contract Adjustment</b>	<b>Gross</b>	<b>\$86,717,900</b>
<u>Executive</u> includes \$5.4 million GF/GP to cover costs of required inflationary adjustments. The contract requires an annual increase in the base per prisoner per month cost for physical and mental health care services, including pharmaceuticals. <u>House</u> does not include additional funding. <u>Senate</u> does not include additional funding. <u>Conference</u> includes \$2.7 million GF/GP.	GF/GP	\$86,717,900
		<b>\$2,723,200</b>
		\$2,723,200
<b>5. One-Time Funding for Replacing Electronic Tether Equipment – VETOED</b>	<b>Gross</b>	<b>NA</b>
<u>Executive</u> includes a one-time appropriation of \$4.6 million GF/GP for the department to purchase 6,619 GPS devices. The department's current contract utilizes Verizon's 3G network, which will be deactivated by December 31, 2019. Deactivation will force the department to switch to LTE or 4G devices in order to maintain coverage for electronic tether units. <u>House</u> does not include a line-item appropriation, but includes boilerplate section 226 that directs the department to expend \$4.6 million of unexpended work project appropriations for replacing electronic tethers. <u>Senate</u> includes a \$100 placeholder. <u>Conference</u> concurs with House. <u>Veto</u> deletes section 226, so there is no funding included for replacing electronic tethers.	GF/GP	NA
		<b>\$0</b>
		\$0
<b>6. Managing the Older Prison Population</b>	FTE	NA
<u>Executive</u> includes \$2.1 million GF/GP (\$350,000 one-time, \$1.8 million ongoing) and authorization for 15.5 FTE positions for the department to convert a 240-bed housing unit at the Thumb Correctional Facility to specifically house elderly prisoners who have intense treatment needs. The \$350,000 in one-time funding would be used to cover costs of physical plant changes and medical equipment. The ongoing \$1.8 million would be used to cover ongoing staffing costs. <u>House</u> does not include additional funding or authorization for additional FTE positions. <u>Senate</u> does not include additional funding or authorization for additional FTE positions. <u>Conference</u> concurs with House/Senate.	<b>Gross</b>	<b>NA</b>
	GF/GP	NA
		<b>\$0</b>
		\$0
<b>7. Removal of Current Year One-Time Funding</b>	<b>Gross</b>	<b>\$13,627,700</b>
<u>Executive</u> reduces the budget by \$13.6 million GF/GP to reflect removal of one-time funding included in the FY 2018-19 budget. Funding removed includes: \$9.2 million for new custody staff training, \$2.4 million for higher custody level programming, and \$2.0 million included in 2018 PA 618 (SB 601) for expansion of the Vocational Village program. <u>House</u> concurs with Executive. <u>Senate</u> concurs with Executive. <u>Conference</u> concurs with Executive.	GF/GP	\$13,627,700
		<b>(\$13,627,700)</b>
		(\$13,627,700)

		FY 2018-19 Year-to-Date (as of 3/5/19)	FY 2019-20 Enacted Change
<b>Major Budget Changes From FY 2018-19 YTD Appropriations</b>			
<b>8. Detroit Detention Center Contract Adjustment</b>			
<u>Executive</u> includes authorization to receive an additional \$2.6 million of local revenue from the City of Detroit and an additional 3.0 FTE positions for continued operation of the Detroit Detention Center. The current contract between the department and the city expires on July 31, 2019. A new agreement will be negotiated, and \$2.6 million is an estimate of what increased costs would be, including one-time costs for physical plant upgrades. <u>House</u> concurs with Executive. <u>Senate</u> concurs with Executive. <u>Conference</u> concurs with Executive.	FTE	66.1	3.0
	<b>Gross</b>	<b>\$8,685,100</b>	<b>\$2,623,600</b>
	Local	8,685,100	2,623,600
	GF/GP	\$0	\$0
<b>9. Program Eliminations – PARTIALLY VETOED</b>			
<u>Executive</u> reflects a savings of \$4.7 million GF/GP due to the following program eliminations:	<b>Gross</b>	<b>\$4,740,000</b>	<b>(\$3,240,000)</b>
	GF/GP	\$4,740,000	(\$3,240,000)
<ul style="list-style-type: none"> <li>• Goodwill Flip the Script (\$1.5 million) – funding was first included in the FY 2014-15 budget for Goodwill Industries of Greater Detroit in Wayne County to provide education, job training, and mentoring to troubled 16-39 year-olds, who have entered into the criminal justice system for the first or second time, in an effort to keep them out of prison.</li> <li>• Substance Abuse Parole Certain Sanction Program (\$1.4 million) – funding was first included in the FY 2015-16 budget for distribution to accredited rehabilitation organizations offering services to parole violators.</li> <li>• Supervising Region Incentive Program (\$1.0 million) – funding was first included in the FY 2016-17 budget to provide incentives to field operations administration regions that implement supervision practices, procedures, and sanctions directed at parole and probation revocation reduction.</li> <li>• Online High School Equivalency Pilot Program (\$500,000) – funding was first included in the FY 2017-18 budget to serve up to 400 prisoners through a regionally accredited public or private school district that offers career-based online high school diplomas.</li> <li>• Federally Qualified Health Center Pilot Program (\$250,000) – funding was first included in the FY 2017-18 budget for the department to work with the organization that represents federally qualified health centers to implement a pilot project to ensure that behavioral and physical health needs of parolees and probationers are met.</li> <li>• Kitchen Inspections (\$50,000) – funding was first included in the FY 2018-19 budget for the department to pay for annual kitchen inspections at all correctional facilities.</li> </ul>			
<p><u>House</u> concurs with Executive on eliminating all of the programs, but includes a \$100 placeholder for the Federally Qualified Health Center Pilot Program. <u>Senate</u> includes a \$100 placeholder for Goodwill Flip the Script, retains current year funding for the Substance Abuse Parole Certain Sanction Program, and eliminates funding for the remaining programs. <u>Conference</u> concurs with Executive on eliminating funding for the Supervising Region Incentive Program, the Online High School Equivalency Pilot Program, the Federally Qualified Health Center Pilot Program, and for kitchen inspections. Conference retains current-year funding for Goodwill Flip the Script and includes boilerplate section 226 that directs the department to expend \$1.0 million of unexpended work project appropriations to continue the Substance Abuse Parole Certain Sanction Program for one more year. <u>Veto</u> deletes section 226, so there is no funding included for the Substance Abuse Parole Certain Sanction Program.</p>			

		FY 2018-19 Year-to-Date (as of 3/5/19)	FY 2019-20 Enacted Change
<b>Major Budget Changes From FY 2018-19 YTD Appropriations</b>			
<b>10. In-Sourcing Substance Abuse Services</b>	FTE	6.0	30.0
<u>Executive</u> includes authorization for 30.0 FTE positions to provide consistent clinical support of both mental health and substance abuse treatment services throughout a prisoner's sentence, rather than just prior to parole. Currently, prison- and non-prison-based substance abuse services are performed by contractors, and \$21.4 million is appropriated in a single line item titled Substance Abuse Treatment and Services. The department proposes in-sourcing prison-based substance abuse services and transferring \$4.5 million of the \$21.4 million to the Mental Health Services line item. The current Substance Abuse Treatment and Services line item would be eliminated, and the balance of \$16.9 million would be transferred to the Offender Success Services line item, through which non-prison-based substance abuse services would continue to be provided contractually. The net fiscal impact is \$0. <u>House</u> concurs with <u>Executive</u> . <u>Senate</u> concurs with <u>Executive</u> . <u>Conference</u> concurs with <u>Executive</u> .	<b>Gross</b>	<b>\$21,398,100</b>	<b>\$0</b>
	GF/GP	\$21,398,100	\$0
<b>11. Mileage Rate Increases</b>	<b>Gross</b>	<b>NA</b>	<b>\$324,100</b>
<u>Executive</u> includes \$324,100 GF/GP to cover costs of per mile rate increases, issued by DTMB Vehicle Transportation Services, for use of state-owned vehicles. <u>House</u> concurs with <u>Executive</u> . <u>Senate</u> does not include additional funding. <u>Conference</u> concurs with <u>Executive</u> .	GF/GP	NA	\$324,100
<b>12. Vehicle Lease Cost Increase</b>	<b>Gross</b>	<b>NA</b>	<b>\$102,300</b>
<u>Executive</u> includes \$102,300 GF/GP to cover increased lease costs for prisoner transportation vans. <u>House</u> concurs with <u>Executive</u> . <u>Senate</u> does not include additional funding. <u>Conference</u> concurs with <u>Executive</u> .	GF/GP	NA	\$102,300
<b>13. Water and Sewer Rate Increase</b>	<b>Gross</b>	<b>NA</b>	<b>\$97,000</b>
<u>Executive</u> includes \$97,000 GF/GP to cover costs of a sewage rate increase at the St. Louis Correctional Facility. The City of St. Louis increased the combined water and sewer rates charged to the facility by 12%. <u>House</u> concurs with <u>Executive</u> . <u>Senate</u> includes \$96,900 GF/GP. <u>Conference</u> concurs with <u>Executive</u> .	GF/GP	NA	\$97,000
<b>14. Grandview Plaza Security Upgrade</b>	<b>Gross</b>	<b>NA</b>	<b>\$42,000</b>
<u>Executive</u> includes \$42,000 GF/GP to cover costs associated with converting existing unarmed security guard contractual services at Grandview Plaza to armed security guard contractual services. The increase in contract costs is \$6.22 per hour for services that are utilized 130 hours per week. <u>House</u> concurs with <u>Executive</u> . <u>Senate</u> does not include additional funding. <u>Conference</u> concurs with <u>Executive</u> .	GF/GP	NA	\$42,000
<b>15. Transportation Costs for Prison Industries</b>	<b>Gross</b>	<b>NA</b>	<b>\$10,000</b>
<u>Executive</u> includes an additional \$10,000 in state restricted funding authorization for Prison Industries Operations to cover increased transportation costs resulting from moving more of their goods sold to correctional facilities. <u>House</u> concurs with <u>Executive</u> . <u>Senate</u> concurs with <u>Executive</u> . <u>Conference</u> concurs with <u>Executive</u> .	Restricted	NA	10,000
	GF/GP	NA	\$0
<b>16. Technical Adjustments</b>	<b>Gross</b>	<b>NA</b>	<b>\$0</b>
<u>Executive</u> makes internal FTE adjustments, funding adjustments, and transfers throughout the budget, which have no overall Gross or GF/GP impact. Adjustments are made to more accurately reflect employee counts and where expenditures occur, primarily as a result of reorganizations within the department. <u>House</u> concurs with <u>Executive</u> . <u>Senate</u> concurs with <u>Executive</u> . <u>Conference</u> concurs with <u>Executive</u> .	GF/GP	NA	\$0

		FY 2018-19 Year-to-Date (as of 3/5/19)	FY 2019-20 Enacted Change
<b>Major Budget Changes From FY 2018-19 YTD Appropriations</b>			
<b>17. Economic Adjustments</b>	<b>Gross</b>	<b>NA</b>	<b>\$23,370,800</b>
<u>Executive</u> reflects increased costs of \$23.4 million Gross (\$23.1 million GF/GP) for negotiated salary and wage increases (2.0% ongoing, 2.0% lump sum), insurance rate increases, actuarially required retirement contributions, worker's compensation premium costs, building occupancy charges, food, fuel, and utility costs. <u>House</u> concurs with Executive. <u>Senate</u> concurs with Executive. <u>Conference</u> concurs with Executive.	Federal	NA	8,500
	Local	NA	103,500
	Restricted	NA	162,900
	GF/GP	NA	\$23,095,900
<b>18. Information Technology Reduction</b>	<b>Gross</b>	<b>\$30,583,400</b>	<b>\$0</b>
<u>Executive</u> does not make a recommendation. <u>House</u> reduces funding for information technology services and projects by \$7.4 million GF/GP, or 25%. <u>Senate</u> does not reduce funding for IT. <u>Conference</u> concurs with Senate.	Restricted	1,323,600	0
	GF/GP	\$29,259,800	\$0
<b>19. Administrative Efficiencies</b>	<b>Gross</b>	<b>NA</b>	<b>(\$1,917,600)</b>
<u>Executive</u> does not make a recommendation. <u>House</u> reduces the Budget and Operations Administration line item by \$1.8 million GF/GP and the Property Management line item by \$200,000 GF/GP. Savings are to be achieved through administrative efficiencies. <u>Senate</u> reduces operational funding from various line items throughout the budget, by a total of \$9.9 million GF/GP, reflecting a 2.17% reduction, to be achieved through administrative efficiencies. <u>Conference</u> reduces the Budget and Operations Administration line item by \$1.8 million GF/GP and reduces the Field Operations line item by \$136,900 GF/GP.	GF/GP	NA	(\$1,917,600)
<b>20. Savings from Historical Lapses</b>	<b>Gross</b>	<b>NA</b>	<b>(\$3,350,000)</b>
<u>Executive</u> does not make a recommendation. <u>House</u> reflects a savings of \$3.4 million GF/GP from reducing appropriations for the following line items based on a history of year-end lapses:	GF/GP	NA	(\$3,350,000)
<ul style="list-style-type: none"> <li>• Unclassified Positions (\$200,000)</li> <li>• Administrative Hearings Officers (\$200,000)</li> <li>• Prosecutorial and Detainer Expenses (\$100,000)</li> <li>• Community Corrections Plans and Services (\$400,000)</li> <li>• Offender Success Services (\$500,000)</li> <li>• Offender Success Services/Substance Abuse Treatment (\$1,000,000)</li> <li>• Field Operations (\$300,000)</li> <li>• Housing Inmates in Federal Institutions (\$100,000)</li> <li>• Inmate Legal Services (\$200,000)</li> <li>• Transportation (\$200,000)</li> <li>• Healthy Michigan Plan Administration (\$150,000)</li> </ul>			
<u>Senate</u> does not reduce appropriations based on historical lapses. <u>Conference</u> concurs with House reductions.			
<b>21. Program and Special Equipment Fund Source Adjustment</b>	<b>Gross</b>	<b>NA</b>	<b>\$0</b>
<u>Executive</u> does not make a recommendation. <u>House</u> reduces GF/GP funding used to support the Education/Skilled Trades/Career Readiness line item by \$16.9 million and replaces the GF/GP with state restricted Program and Special Equipment Fund (SEF) revenue. SEF revenue is collected from prisoners for their use of telephone services. <u>Senate</u> does not include this fund source adjustment. <u>Conference</u> concurs with the House, but reduces GF/GP by \$24.0 million.	Restricted	NA	24,000,000
	GF/GP	NA	(\$24,000,000)

<b><u>Major Budget Changes From FY 2018-19 YTD Appropriations</u></b>		<b><u>FY 2018-19 Year-to-Date (as of 3/5/19)</u></b>	<b><u>FY 2019-20 Enacted Change</u></b>
<b>22. Re-Appropriation of Unexpended Work Project Appropriations – VETOED</b>	<b>Gross</b>	<b>NA</b>	<b>\$0</b>
	GF/GP	NA	\$0

Executive does not make a recommendation. House does not include line-item appropriations, but includes boilerplate section 226 that directs the department to expend unexpended work project appropriations on the following (in addition to funding mentioned in items #1 and #5 above):

- \$950,000 for providing PTSD training and wellness support for department employees
- \$750,000 for demolition of the former Deerfield Correctional Facility
- \$500,000 for replacing corrections officer training binders with electronic equipment
- \$200,000 for requalifying corrections officers in handgun training
- \$100,000 for conducting a study on the most suitable location for a corrections officer training academy

Senate does not repurpose unexpended work project appropriations. Conference concurs with the House on funding all but one of the items with repurposed unexpended work project appropriations. Conference does not include \$100,000 for conducting the study on a location for a corrections officer training academy. Also, Conference adds that the Substance Abuse Parole Certain Sanction Program be funded with \$1.0 million from repurposed unexpended work project appropriations. Veto deletes section 226, so there is no funding included for any of the purposes described above.

**23. County Jail Reimbursement Program – VETOED**

Executive does not make a recommendation. House reduces the appropriation for the County Jail Reimbursement Program by \$250,000 GF/GP based on a history of year-end lapses. Senate does not reduce appropriation. Conference concurs with House reduction. Veto eliminates all funding for the County Jail Reimbursement Program.

<b>Gross</b>	<b>\$15,064,600</b>	<b>(\$15,064,600)</b>
Restricted	5,900,000	(5,900,000)
GF/GP	\$9,164,600	(\$9,164,600)

**Boilerplate Changes From FY 2018-19**

**Sec. 206. Disciplinary Action Against State Employees and Prisoners – RETAINED (UNENFORCEABLE)**

Prohibits MDOC from taking disciplinary action against employees or prisoners for communicating with legislators or their staff. Executive deletes. House retains. Senate retains. Conference retains. (*Signing letter states this section is unenforceable.*)

**Sec. 206. Businesses in Deprived and Depressed Communities – NOT INCLUDED**

Requires the director to take all reasonable steps to ensure businesses in deprived and depressed communities compete for and perform contracts to provide services or supplies, or both; requires the director to encourage firms the department contracts with to subcontract with certified businesses in deprived and depressed communities. Executive includes new language. House does not include new language. Senate does not include new language. Conference does not include new language.

**Sec. 210. Contingency Funding – REVISED**

Appropriates up to \$10.0 million in federal, \$10.0 million in state restricted, \$2.0 million in local, and \$2.0 million in private contingency funds; authorizes expenditure of funds after legislative transfers to specific line items. Executive retains. House retains. Senate deletes. Conference revises language to include authorization for up to \$2.5 million in federal contingency funds, but does not include authorization for state restricted, local, or private contingency funds.

**Sec. 216. FTE Positions and Long-Term Vacancies – REVISED**

Requires MDOC to report on the number of FTE positions in pay status by civil service classification, to include an accounting of long-term vacancies. Executive deletes. House revises to include an accounting of all vacant positions, all vacant and filled corrections officer positions by facility, all vacant healthcare-related positions, and all positions that are being held open for temporarily non-active employees. Senate retains current language. Conference concurs with House revisions.

## **Boilerplate Changes From FY 2018-19**

### **Sec. 217. Receipt and Retention of Required Reports – DELETED**

Requires MDOC to receive and retain copies of all reports required; requires federal and state guidelines to be followed for short-term and long-term retention of records; authorizes MDOC to electronically retain copies of reports unless otherwise required by federal and state guidelines. Executive deletes. House deletes. Senate deletes. Conference deletes.

### **Sec. 225. Expending Available Work Project Authorization – NEW (UNENFORCEABLE)**

Prohibits line-item appropriations that have unexpended work project authorization associated with them from being expended until all existing work project authorization is exhausted. Executive does not include. House includes new language. Senate does not include. Conference includes new language. (*Signing letter states this section is unenforceable.*)

### **Sec. 226. Re-Appropriation of Unexpended Work Project Appropriations – NEW (VETOED)**

Directs MDOC to expend unexpended work project appropriations on the following: \$7.4 million for training new custody staff; \$4.6 million for replacing electronic tethers; \$950,000 for providing PTSD training and wellness support for department employees; \$750,000 for demolition of the former Deerfield Correctional Facility; \$500,000 for replacing corrections officer training binders with electronic equipment; \$200,000 for requalifying corrections officers in handgun training; and \$100,000 for conducting a study on the most suitable location for a corrections officer training academy. Executive does not include. House includes new language. Senate does not include. Conference includes new language, but revises it to not include \$100,000 for conducting a study on the most suitable location for a corrections officer training academy and to include \$1.0 million for the Substance Abuse Parole Certain Sanction Program.

### **Sec. 227. Study on Location for Corrections Officer Training Academy – NEW**

Requires \$100,000 of unexpended work project appropriations to be used by MDOC, in cooperation with DTMB, to conduct a study to find a suitable location for a corrections officer training academy; requires a minimum of four locations to be studied, including the former Riverside and Ojibway Correctional Facilities; requires the new academy to have classrooms, offices, a gymnasium, a cafeteria, lodging facilities, an outdoor training area, and a firearm range; requires a report on results of the study, including projected costs. Executive does not include. House includes new language. Senate does not include. Conference includes new language as Sec. 317, but revises it to not include the appropriation for conducting the study.

### **Sec. 228. Demolition of Former Deerfield Correctional Facility – NEW (VETOED)**

Requires \$750,000 of unexpended work project appropriations to be used for demolition of the former Deerfield Correctional Facility; requires MDOC to work with DTMB on awarding a contract to the most responsive and responsible best value bidder for demolition; requires MDOC to transfer the \$750,000 to DTMB for costs associated with the demolition. Executive does not include. House includes new language. Senate does not include. Conference includes new language.

### **Sec. 239. Management-to-Staff Ratio – RETAINED**

Expresses legislative intent that MDOC maintain a management-to-staff ratio of 1 supervisor to 8 employees at the central office in Lansing and at northern and southern regional administration offices. Executive deletes. House retains. Senate retains. Conference retains.

### **Sec. 248. Consensus Revenue Estimating Conference (CREC) – RETAINED (UNENFORCEABLE)**

Requires Senate and House Fiscal Agencies and the State Budget Director, or the State Treasurer, to establish a projected prisoner population, and a projected number of available beds based on prisoner population, at the May CREC. Executive deletes. House retains. Senate retains. Conference retains. (*Signing letter states this section is unenforceable.*)

### **Sec. 302. Staff Retention Strategies – NEW**

Requires MDOC to report on staff retention strategies, including how to improve employee engagement, how to improve employee wellness, how to offer additional training and professional development, mechanisms by which to receive employee feedback, how to consider suggestions made by employees, and steps taken and future plans for retention and improving employee wellness. Executive does not include. House includes new language. Senate does not include. Conference includes new language, but revises it to require the report to include metrics used by the department to measure the success of employee wellness programming and to require the department to also report to the House and Senate Committees on Oversight.

### **Sec. 303. Staff Departures – NEW**

Requires MDOC to report on employee departures, including the number of corrections officers and the number of years they worked for the department. Executive does not include. House includes new language. Senate does not include. Conference includes new language, but revises it to require the department to also report to the House and Senate Committees on Oversight.

## **Boilerplate Changes From FY 2018-19**

### **Sec. 304. Staff Suggestions – RETAINED**

Requires MDOC to maintain a staff savings initiative program for employees to submit suggestions for efficiencies; requires MDOC to consider suggestions in a timely manner; requires a report on process improvements made based on suggestions. Executive deletes. House retains. Senate retains. Conference retains.

### **Sec. 308. Mental Health Awareness Training – RETAINED**

Requires MDOC to provide training for all custody staff who handle prisoners with mental illness; requires mental health awareness training to be incorporated into training of new custody staff. Executive deletes. House retains. Senate retains. Conference retains.

### **Sec. 309. Maintenance and Utility Costs at Facilities – REVISED**

Requires MDOC to report on maintenance and utility costs and plans for capital improvement costs for each correctional facility. Executive deletes. House revises to include reporting on costs associated with maintenance and upkeep of all closed facilities, and estimated costs of demolition of closed facilities. Senate retains current language. Conference revises to include reporting on costs associated with maintenance and upkeep of all closed facilities, and estimated costs of demolition of closed facilities, for facilities closed prior to November 1, 2018.

### **Sec. 310. Strategic Plan Reporting – RETAINED**

Requires MDOC to report on strategies to decrease recidivism rates, strategies to increase rehabilitative function of correctional facilities, metrics to track and ensure prisoner readiness to reenter society, and constructive actions for providing prisoners with life skills development. Executive deletes. House retains. Senate retains. Conference retains.

### **Sec. 312. PTSD Study – DELETED**

Requires MDOC to conduct a study of the prevalence of post-traumatic stress disorder and other psychological issues among correctional officers that are exacerbated by the corrections environment and exposure to highly stressful situations; requires a report on results of the study. Executive deletes. House deletes. Senate retains. Conference deletes.

### **Sec. 312. PTSD Outreach and Employee Wellness – NEW**

Requires \$50,000 from Budget and Operations Administration line item to be used for PTSD outreach and employee wellness programming; requires MDOC to work with the Michigan Corrections Organization and department employees to determine strategies for treating mental health issues and implementing mental health programming for employees; requires a report on strategies, programs, prevalence of PTSD and other psychological issues among corrections officers that are exacerbated by the environment, and expenditures. Executive does not include. House includes new language. Senate does not include. Conference includes new language, but revises it to require the department to report on goals, as well as strategies, and to require the department to also report to the House and Senate Committees on Oversight.

### **Sec. 313. New Employee Schools – NEW**

Requires MDOC to report on new employee schools, including the number of schools that took place, the number of recruits that started, the number of recruits that graduated, and MDOC strategies to achieve a 5% or lower corrections officer vacancy rate. Executive does not include. House includes new language. Senate does not include. Conference includes new language, but revises it to require the department to also report to the House and Senate Committees on Oversight.

### **Sec. 314. Staff Overtime Hours – NEW**

Requires MDOC to report on the number of overtime hours worked by all custody staff, by facility, including the number of mandatory overtime hours worked, the number of voluntary overtime hours worked, the reasons for overtime hours worked, and the average of overtime hours worked by active employees. Executive does not include. House includes new language. Senate does not include. Conference includes new language, but revises it to include a list of report recipients.

### **Sec. 315. 12-Hour Shifts for Corrections Officers – NEW**

Expresses intent of the legislature that once staffing vacancy rates improve to a sufficient level, corrections officers will be allowed the option of working 12-hour shifts. Executive does not include. House includes new language. Senate does not include. Conference includes new language.

### **Sec. 316. Handgun Requalification – NEW (PARTIALLY VETOED)**

Requires \$400,000 (\$200,000 from New Custody Staff Training line item and \$200,000 from unexpended work project appropriations) to be used for handgun requalification for corrections officers wanting to be requalified. Executive does not include. House includes new language. Senate does not include. Conference includes new language. (\$200,000 from unexpended work project appropriations was vetoed.)



## **Boilerplate Changes From FY 2018-19**

### **Sec. 402. Offender Success Expenditures – RETAINED**

Requires MDOC to report on actual prior-year and planned current-year offender success expenditures and allocations. Executive deletes. House retains. Senate retains. Conference retains.

### **Sec. 405. Substance Abuse Testing and Treatment – RETAINED**

Requires MDOC to report on substance abuse testing and treatment program objectives, outcome measures, and results, including impact on offender success and programmatic success. Executive deletes. House retains. Senate retains. Conference retains.

### **Sec. 406. Federally Qualified Health Centers (FQHCs) – DELETED**

Requires MDOC to work with the organization representing federally qualified health centers to implement a pilot project to ensure behavioral and physical health needs of parolees and probationers are met; requires pilot project to position FQHCs to ensure parolees and probationers are enrolled in and maintain access to benefits they qualify for, are linked to health care services they need, follow up with providers, stay on medications, are engaged in services, and have barriers to care addressed; requires MDOC to make necessary accommodations to perform transition planning to allow for direct referral to FQHC organization to patients in relevant areas; requires pilot program to operate in at least Berrien, Kent, and Macomb Counties; requires FQHC organization to submit annual reports on the number of offenders served, number of contacts with offenders, federally reimbursable expenditures, and state expenditures. Executive deletes. House retains. Senate deletes. Conference deletes.

### **Sec. 408. Recidivism Measurement – RETAINED**

Requires MDOC to measure recidivism rates of offenders. Executive revises to require MDOC to measure the reincarceration recidivism rate of offenders based on available state data. House retains current language. Senate concurs with Executive revisions. Conference retains current language.

### **Sec. 411. Community Corrections Comprehensive Plans – RETAINED**

Establishes further requirements for community corrections comprehensive plans, such as information on sanctions and services available and utilized, local communities' plans to respond to sentencing guidelines, and strategies to collaborate with state and local alcohol and drug treatment agencies. Executive deletes. House retains. Senate retains. Conference retains.

### **Sec. 412. Community Corrections Biannual Report – RETAINED**

Specifies details to be included in the biannual report required by the Community Corrections Act, 1988 PA 511 (e.g., levels of funding, program utilization levels, profile information of offenders, data on residential services, offender disposition data). Executive deletes. House retains. Senate retains. Conference retains.

### **Sec. 413. Public Safety Initiative – NEW**

Requires the Genesee County Sheriff to report on expenditures made from the \$4.0 million appropriation; requires the report to include the purpose for which expenditures were made, amounts of expenditures by purpose, specific services provided, and number of individuals served; authorizes the Senate and House Subcommittees on Corrections to request the Genesee County Sheriff to appear before the subcommittees to discuss the report. Executive does not include. House includes new language. Senate does not include. Conference includes new language.

### **Sec. 414. County Jail Reimbursement Program – RETAINED (VETOED)**

Requires MDOC to administer County Jail Reimbursement Program, which offers counties per diem payments for housing certain offenders in jail; specifies reimbursement criteria and rates; requires counties receiving funding to report on annual average jail capacity and annual average jail occupancy; requires MDOC to report on number of inmates sentenced to custody of the sheriff and eligible for the county jail reimbursement program, amount paid to counties, number of days inmates were in custody, number of inmates sentenced by specified category, amount paid by specified category of inmate, number of days inmates were in custody by specified category, and estimated cost of housing inmates sentenced to custody of the sheriff and eligible for the county jail reimbursement program as inmates of a state prison. Executive retains. House retains. Senate retains. Conference retains.

### **Sec. 414 (7). Immigration Status – NEW (VETOED)**

Disqualifies counties from receiving reimbursement under the County Jail Reimbursement Program if they enact or enforce any law, ordinance, policy, or rule that limits or prohibits a peace officer or local official, officer, or employee from communicating or cooperating with appropriate federal officials concerning the immigration status of an individual in the state. Executive does not include. House does not include. Senate includes new language. Conference includes new language.

### **Sec. 417. Reports on Community Programs – RETAINED**

Requires MDOC to report on program expenditures, program details, and program impacts and results for the Felony Drunk Driver Jail Reduction and Community Treatment Program and any new initiatives aimed at controlling prison population growth. Executive deletes. House retains. Senate retains. Conference retains.

## **Boilerplate Changes From FY 2018-19**

### **Sec. 419 (1). Offender Data Reports – RETAINED (UNENFORCEABLE)**

Requires MDOC to provide weekly electronic mail reports on prisoner populations by security levels, by facility, prison facility capacities, and parolee and probationer populations. Executive deletes. House retains. Senate retains. Conference retains. (*Signing letter states this section is unenforceable.*)

### **Sec. 421. Substance Abuse Parole Certain Sanction Program – RETAINED (VETOED)**

Requires MDOC to distribute funding to accredited rehabilitation organizations in Berrien, Calhoun, Genesee, Kalamazoo, Kent, Macomb, Muskegon, Oakland, Saginaw, and Wayne Counties for operation and administration of a pilot program to be utilized as a condition of parole for technical parole violators; requires reports from organizations on program performance measures, number of individuals participating in programs, number of individuals returning to prison after participating in programs, and outcomes of participants completing programs. Executive deletes. House deletes. Senate retains. Conference retains current language in Sec. 227, but references funding from repurposed work project appropriations.

### **Sec. 422. Prisoners Reviewed for Parole – RETAINED**

Requires MDOC to report on outcomes of prisoners reviewed for parole, to include: number of prisoners reviewed; number granted or denied parole; number of decisions deferred; number of times prisoners were reviewed before being granted or denied parole; number of paroles granted, denied, or deferred for each of the parole guideline scores of low, average, and high; and reasons for parole denial or deferment. Executive deletes. House retains. Senate retains. Conference retains.

### **Sec. 437. Goodwill Flip the Script – RETAINED**

Requires MDOC to contract with a nonprofit entity in a county with greater than 1.5 million people to provide persons aged 16-39 with education, job training, and mentoring in an effort to keep them out of prison; requires the program to target individuals entering the criminal justice system for the first or second time; requires a report on program performance measures, number of individuals diverted from incarceration, number of individuals served, and outcomes of participants completing the program. Executive deletes. House deletes. Senate retains. Conference retains.

### **Sec. 602. Supervising Region Incentive Program – DELETED**

Requires funding for Supervising Region Incentive Program to be used to provide incentives to field operations administration regions that implement supervision practices, procedures, and sanctions directed at parole and probation revocation reduction. Executive deletes. House deletes. Senate deletes. Conference deletes.

### **Sec. 604 (2). Criminal Justice Reinvestment – RETAINED**

Allocates \$600,000 of the appropriation for Criminal Justice Reinvestment to an organization that provides programming and job training services to Muskegon County jail inmates to prepare them for employment upon release from jail. Executive deletes. House retains. Senate deletes. Conference retains.

### **Sec. 611. Annual Program Reports – RETAINED**

Specifies content to be included in reports by MDOC on residential reentry, electronic monitoring, and special alternative incarceration programs (e.g., successful and unsuccessful terminations, end of month populations, length of placements, returns to prison, cost-effectiveness of programs). Executive deletes. House retains. Senate retains. Conference retains.

### **Sec. 612. Violators of Parole and Probation – RETAINED**

Requires MDOC to review and revise proposals for alternatives to prison for technical violators of parole and probation; requires a report on the number of probationers and parolees returned to or sent to prison for new crimes, the number of probationers and parolees returned to or sent to prison for technical violations, the educational history of offenders, the number of offenders who participated in reentry programs, and the number of offenders who participated in substance abuse treatment programs, mental health programs, or both. Executive deletes. House retains. Senate retains. Conference retains.

### **Sec. 613. Placement of Parolees with Chronic Technical Violations – NEW**

Requires MDOC to give priority to placing parolees with chronic technical violations in intensive detention programs that offer specific programming to address the behavioral needs of the parolees and that work on a plan to help assure success of the parolees upon their release. Executive does not include. House includes new language. Senate does not include. Conference includes new language.

### **Sec. 802. Health Care Expenditures – RETAINED**

Requires MDOC to report on expenditures, allocations, status of payments, and projected expenditures from accounts for prisoner health care, mental health care, pharmaceutical services, and durable medical equipment. Executive deletes. House retains. Senate retains. Conference retains.

## **Boilerplate Changes From FY 2018-19**

### ***Sec. 803. Standard Medical Release Form – RETAINED***

Requires MDOC to give all prisoners the opportunity to sign a medical release of information form, effective for one year, designating a family member or other individual to whom MDOC is authorized to release information; requires MDOC to assure forms follow prisoners if and when they are transferred to other facilities or released from prison. Executive deletes. House retains. Senate retains. Conference retains.

### ***Sec. 812. Medicaid Utilization by Prisoners – RETAINED***

Requires MDOC and DHHS to exchange information regarding newly committed prisoners who may be Medicaid-eligible; requires MDOC to assist outgoing prisoners with Medicaid enrollment; requires a report on utilization of Medicaid benefits for prisoners. Executive deletes. House retains. Senate retains. Conference retains.

### ***Sec. 816. Pharmaceutical Expenditures – RETAINED***

Requires MDOC to report on pharmaceutical expenditures and prescribing practices, including expenditures on antipsychotic medications and any changes made to prescription drug formularies. Executive deletes. House retains. Senate retains. Conference retains.

### ***Sec. 901. Enhanced Food Technology Program – RETAINED***

Requires MDOC to expand the food technology education program to at least 700 inmates annually; requires inmates participating in the program to complete 408 hours of on-the-job training in a prison kitchen. Executive deletes. House retains. Senate retains. Conference retains.

### ***Sec. 902. ServSafe Food Handler Certification – DELETED***

Requires inmates working in prison kitchens to complete minimum requirements for ServSafe Food Handler certification before being allowed to work in prison kitchens; authorizes certification requirements to be met by using online materials unless the department determines the program would be best served by using other materials; requires current prison kitchen workers to complete certification requirements by April 1 to maintain eligibility to work in prison kitchens. Executive deletes. House deletes. Senate retains most of current law, but deletes the requirement that current prison kitchen workers have to complete certification by April 1 in order to maintain eligibility to work in prison kitchens. Conference deletes.

### ***Sec. 903. Prison Kitchen Inspections – DELETED***

Requires MDOC-operated kitchens to be inspected annually to ensure they meet food safety standards established for food service establishments under the Food Law or for food service establishments under the 2001 Food Code published by the FDA. Executive deletes. House deletes. Senate retains. Conference deletes.

### ***Sec. 905. Leased Beds and Alternatives to Leased Beds – DELETED***

Authorizes MDOC to implement a county jail bed program to house eligible prisoners in county jails rather than in state correctional facilities; authorizes counties to volunteer to participate in the program; specifies criteria that prisoners must meet in order to be eligible to participate in the program. Executive deletes. House deletes. Senate retains. Conference deletes.

### ***Sec. 908. High School Diploma in Lieu of High School Equivalency – DELETED***

Requires MDOC to establish an online career high school education pilot program to serve up to 400 prisoners through a regionally accredited public or private school district that offers career-based online high school diplomas; authorizes MDOC to use federal funds to expand the program beyond 400 prisoners; authorizes funding to be used for certification programs related to the enhanced food technology program; requires MDOC to report on progress of prisoners in the program. Executive deletes. House deletes. Senate deletes. Conference deletes.

### ***Sec. 913 (2). Prisoner Completion of Various Programming – RETAINED***

Expresses legislative intent that prisoners who are required to complete sex offender, assaultive offender, violent offender, and Thinking for Change programming as a condition of parole be transferred to facilities where programming is available. Executive deletes. House retains. Senate deletes. Conference retains.

### ***Sec. 920. Female Prisoner Labor and Delivery – NEW***

Requires MDOC to allow a female prisoner to have one visitor present during labor and delivery; requires the visitor to be an immediate family member, legal guardian, spouse, or domestic partner; authorizes MDOC to deny access to a visitor if there is a safety concern; authorizes MDOC to conduct criminal background checks on visitors. Executive does not include. House includes new language. Senate does not include. Conference includes new language.

### ***Sec. 940. Use of State-Owned Facilities – RETAINED***

Requires for-profit entities using state-owned facilities to pay fair market value for use of facilities and to make payments in lieu of taxes to local jurisdictions equivalent to what local units would receive if facilities were privately owned. Executive deletes. House retains. Senate retains. Conference retains.

## **Boilerplate Changes From FY 2018-19**

### ***Sec. 942. Auditor General and Corrections Ombudsman Access to Contracted Facilities – RETAINED***

Requires any contract with a third party to operate a facility to house Michigan prisoners to include a provision allowing access to facilities and appropriate records by the Auditor General and Legislative Corrections Ombudsman. Executive deletes. House retains. Senate retains. Conference retains.

### ***Sec. 943. Savings from Prison Closures – RETAINED***

Requires MDOC to report on the actual and projected savings achieved by closing correctional facilities, starting with closure of the Pugsley Correctional Facility. Executive deletes. House retains. Senate retains. Conference retains.

### ***Sec. 944. Economic Impact of Prison Closures – RETAINED***

Requires MDOC to consider the potential economic impact of a prison closure on the community where the facility is located. Executive deletes. House retains. Senate retains. Conference retains.

### ***Sec. 1009. Information Packet for Prisoner Families – RETAINED***

Requires MDOC to make an information packet for families of incoming prisoners available on MDOC's website; specifies information to be included in the packet (e.g., prisoner accounts, phone calls, email accounts, visiting, filing complaints or grievances, accessing physical and mental health care, parole process); requires information packet to be updated annually. Executive deletes. House retains. Senate retains. Conference retains.

### ***Sec. 1011. Religious Cable Programming – RETAINED***

Authorizes MDOC to accept in-kind services and equipment donations to facilitate the addition of a cable network that provides religious programming for prisoners; prohibits the addition of channels from costing the state. Executive deletes. House retains. Senate retains. Conference retains.

### ***Sec. 1013. Faith-Based Reentry Programs – RETAINED***

Authorizes priority to be given to funding reentry or rehabilitation programs that have been demonstrated to reduce prison violence and recidivism, including faith-based initiatives. Executive deletes. House retains. Senate retains. Conference retains.

### ***Sec. 1100. One-Time Appropriation for New Custody Staff Training – DELETED***

Requires one-time funding appropriated for new custody staff training to be used to increase training capacity for new custody staff for the purpose of addressing higher than normal attrition and decreasing overtime costs. Executive retains. House deletes (House does not include a one-time appropriation). Senate retains. Conference deletes.

### ***Sec. 1201. Anticipated FY 2019-20 Appropriations – DELETED***

Expresses legislative intent that FY 2019-20 appropriations will be funded at the same level as FY 2018-19 appropriations, adjusting for changes in caseloads, federal fund match rates, economic factors, and available revenues. Executive deletes. House deletes. Senate deletes. Conference deletes.