

**Summary: Executive Budget Recommendation
for Fiscal Year 2020-21
DEPARTMENT OF CORRECTIONS**



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	FY 2019-20 Year-to-Date as of 2/6/20	FY 2020-21 Executive	Difference: FY 2020-21 Vs. FY 2019-20	
			Amount	%
IDG/IDT	\$0	\$0	\$0	--
Federal	5,323,700	5,370,900	47,200	0.9
Local	11,687,200	9,680,600	(2,006,600)	(17.2)
Private	0	0	0	--
Restricted	45,112,500	45,478,500	366,000	0.8
GF/GP	1,980,137,900	2,020,721,700	40,583,800	2.0
Gross	\$2,042,261,300	\$2,081,251,700	\$38,990,400	1.9
FTEs	13,794.3	13,702.8	(91.5)	(0.7)

Notes: (1) FY 2019-20 year-to-date figures include mid-year budget adjustments through February 6, 2020. (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. The department is also 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 February 1, 2020, the department was responsible for 92,694 Michigan offenders: 37,989 prisoners, 41,526 probationers, and 13,179 parolees.

Major Budget Changes from FY 2019-20 Year-to-Date (YTD) Appropriations	FY 2019-20 YTD (as of 2/6/20)	Executive Change from YTD
1. Funding for Training New Custody Staff Includes \$8.5 million GF/GP to train an additional 330 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. At least 50 custody staff are projected to retire each month in the next year. With the additional funding added to the FY 2019-20 base of \$9.5 million, the department will be able to train about 700 new officers in FY 2020-21.	Gross \$9,491,100 GF/GP \$9,491,100	\$8,465,800 \$8,465,800
2. Corizon Health Care Contract Adjustment Includes \$4.2 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. FY 2020-21 will be the last year of the 5-year contract.	Gross NA GF/GP NA	\$4,239,500 \$4,239,500
3. City of Jackson Water Rate Increase Includes \$575,500 GF/GP to cover costs of a water rate increase in the City of Jackson. The water rate increase is a result of changes in the state's lead and copper rules and will impact the four correctional facilities located in the Jackson area.	Gross NA GF/GP NA	\$575,500 \$575,500
4. Employee Wellness Enhancements Includes \$500,000 GF/GP for additional employee wellness resources and support services for department employees.	Gross NA GF/GP NA	\$500,000 \$500,000

<u>Major Budget Changes from FY 2019-20 Year-to-Date (YTD) Appropriations</u>		<u>FY 2019-20 YTD (as of 2/6/20)</u>	<u>Executive Change from YTD</u>
5. Green Oaks Training Facility	FTE	NA	1.0
Reflects the transfer of \$109,200 GF/GP and 1.0 FTE position from DHHS to MDOC to provide continued maintenance services at the Green Oaks facility in Whitmore Lake. MDOC is taking over operations of the facility, which will be refurbished and utilized as the new Corrections Officer Training Academy.	Gross	NA	\$109,200
	GF/GP	NA	\$109,200
6. Relocation of the Special Alternative Incarceration Program	FTE	120.0	(92.5)
Reflects full-year savings of \$10.0 million GF/GP and a reduction of 92.5 FTE positions from relocation of the Special Alternative Incarceration program from Camp Cassidy Lake in Chelsea to the Cooper Street Correctional Facility in Jackson.	Gross	\$14,325,300	(\$10,046,700)
	Restricted	102,100	0
	GF/GP	\$14,223,200	(\$10,046,700)
7. Detroit Detention Center Adjustment for New Contract	Gross	\$11,412,200	(\$2,287,700)
Reflects a reduction of \$2.3 million of local revenue from the City of Detroit for operation of the Detroit Detention Center. MDOC operates the facility for the city and the city pays MDOC. The reduction from the current year base of \$11.4 million reflects estimated costs for FY 2020-21 under the new contract agreement.	Local	11,412,200	(2,287,700)
	GF/GP	\$0	\$0
8. Removal of Current Year One-Time Funding	Gross	\$15,033,900	(\$15,033,900)
Reduces the budget by \$15.0 million GF/GP to reflect removal of one-time funding included in the FY 2019-20 budget. Funding removed includes: \$10.5 million for new custody staff training and \$4.6 million for electronic tether replacement.	GF/GP	\$15,033,900	(\$15,033,900)
9. Technical Adjustments	Gross	NA	\$0
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.	GF/GP	NA	\$0
10. Economic Adjustments	Gross	NA	\$52,468,700
Reflects a net increase in costs of \$52.5 million Gross (\$51.8 million GF/GP) for negotiated salary and wage increases (2.0% on October 1, 2020 and 1.0% on April 4, 2021), actuarially required retirement contributions, worker's compensation premium costs, building occupancy charges, and food, fuel, and utility costs. Note: \$5.6 million of the increase will cover employee-related costs resulting from pre-shift staff line-up meetings, which will be reinstated starting October 1, 2020, according to a new agreement between the state and the Michigan Corrections Organization.	Federal	NA	47,200
	Local	NA	281,100
	Restricted	NA	366,000
	GF/GP	NA	\$51,774,400

Major Boilerplate Changes from FY 2019-20

GENERAL SECTIONS

Sec. 206. Disciplinary Action Against State Employees and Prisoners – DELETED

Prohibits MDOC from taking disciplinary action against employees or prisoners for communicating with legislators or their staff.

Sec. 210. Contingency Funding – REVISED

Appropriates up to \$2.5 million in federal contingency funds; authorizes expenditure of funds after legislative transfers to specific line items. Executive revises to include authorization for 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.

Sec. 216. FTE Positions and Long-Term Vacancies – DELETED

Requires MDOC to report on the number of FTE positions in pay status by civil service classification, including 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.

Major Boilerplate Changes from FY 2019-20

Sec. 225. Expending Available Work Project Authorization – DELETED

Prohibits line item appropriations that have unexpended work project authorization associated with them from being expended until all existing work project authorization is exhausted.

Sec. 239. Management-to-Staff Ratio – DELETED

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 the northern and southern region administration offices.

Sec. 248. Consensus Revenue Estimating Conference (CREC) – DELETED

Requires Senate and House Fiscal Agencies and State Budget Director, or State Treasurer, to establish a projected prisoner population, and a projected number of available beds based on prisoner population, at the May 2020 CREC.

DEPARTMENTAL ADMINISTRATION AND SUPPORT

Sec. 302. Staff Retention Strategies – REVISED

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, metrics used by MDOC to measure success of employee wellness programming, 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 deletes information currently required in the report; requires a report on staff retention strategies.

Sec. 304. Staff Suggestions – DELETED

Requires MDOC to maintain a staff savings initiative program for employees to submit suggestions for efficiencies for the department; requires MDOC to consider suggestions in a timely manner; requires a report on process improvements made based on suggestions.

Sec. 309. Maintenance and Utility Costs at Facilities – DELETED

Requires MDOC to report on maintenance and utility costs and plans for capital improvement costs for each correctional facility; for facilities closed prior to November 1, 2018, requires a list of costs associated with maintenance and upkeep of closed facilities, by facility, and estimated costs of demolition of closed facilities.

Sec. 310. Strategic Plan Reporting – DELETED

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.

Sec. 312. PTSD Outreach and Employee Wellness – REVISED

Requires \$50,000 from the 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 and goals, prevalence of PTSD and other psychological issues among corrections officers that are exacerbated by the environment, and expenditures. Executive deletes most of this section, leaving only the requirement to maintain employee wellness programming, including programming focused on post-traumatic stress disorder outreach.

Sec. 313. New Employee Schools – REVISED

Requires MDOC to report on new employee schools, including the number of schools that took place and the location of each, the number of recruits that started, the number of recruits that graduated, and MDOC strategies to achieve a 5% or lower target corrections officer vacancy rate. Executive deletes requirement to report on strategies to achieve a 5% or lower target corrections officer vacancy rate.

Sec. 314. Staff Overtime Hours – DELETED

Requires MDOC to report on the number of overtime hours worked by all custody staff, by facility, including number of mandatory overtime hours worked, number of voluntary overtime hours worked, reasons for overtime hours worked, and average number of overtime hours worked by active employees.

Sec. 315. 12-Hour Shifts for Corrections Officers – DELETED

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.

Sec. 316. Handgun Requalification – DELETED

Requires \$200,000 from the New Custody Staff Training line item to be used for handgun requalification for corrections officers wanting to be requalified.

Major Boilerplate Changes from FY 2019-20

Sec. 317. Study on Location for Corrections Officer Training Academy – DELETED

Requires 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, an outdoor training area, and a firearm range; requires a report on results of the study, including projected costs.

OFFENDER SUCCESS ADMINISTRATION

Sec. 402. Offender Success Expenditures – REVISED

Requires MDOC to report on actual prior-year and planned current-year offender success expenditures and allocations, including itemizing by service and service provider; requires amended reports if any revisions occur. Executive deletes requirement to report on planned expenditures, itemizing by service and service provider, and requirement to submit amended reports.

Sec. 405. Substance Abuse Testing and Treatment – DELETED

Requires MDOC to report on substance abuse testing and treatment program objectives, outcome measures, and results, including the impact on offender and programmatic success.

Sec. 408. Recidivism Measurement – REVISED

Requires MDOC to measure recidivism rates of offenders. Executive revises to require MDOC to measure the re-incarceration recidivism rates of offenders based on available state data.

Sec. 409. Workforce Development Program – REVISED

Requires MDOC to work with the Department of Labor and Economic Opportunity and local entities to design services and offender success vocational education programs for prisoners in an effort to encourage employment of prisoners upon release from prison; requires MDOC to offer workforce development programming through the entire duration of prisoners' incarceration; requires a report on the results of the workforce development program. Executive deletes the requirement that MDOC offer workforce development programming through the entire duration of prisoners' incarceration and deleted the reporting requirement.

Sec. 410. Community Corrections Comprehensive Plans and Services – REVISED

Specifies purpose of and requirements for community corrections comprehensive plans (e.g., reduce admissions to prisons, improve utilization of jail facilities, contribute to offender success); lists award criteria for community corrections planning and residential services funds (e.g., trends in prison commitment rates, jail utilization, community corrections program capacity and utilization; impact and outcome of policies and procedures of programs on offender success); limits residential probation diversions per diem reimbursement rate to \$52.50. Executive deletes most of this section, leaving only the specification of a per diem reimbursement rate of not more than \$52.50.

Sec. 411. Community Corrections Comprehensive Plans – DELETED

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.

Sec. 412. Community Corrections Biannual Report – DELETED

Specifies details to be included in the biannual report that is 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).

Sec. 417. Reports on Community Programs – DELETED

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

Sec. 418. State Identification/Birth Certificates/Military Documents for Returning Prisoners – REVISED

Requires MDOC to collaborate with SCAO on facilitating changes to Michigan court rules that would require courts to collect driver's licenses, state identification cards, and other identity-related documentation at the time of sentencing; requires MDOC to work with DHHS to develop and maintain a process by which prisoners can obtain birth certificates; requires MDOC to assist prisoners in obtaining their birth certificates from other states; requires MDOC to work with DMVA to develop and maintain a process by which prisoners can obtain military documentation. Executive revises to require MDOC to maintain driver's licenses, state identification cards, and other identity-related documentation if it is provided to MDOC by the offender; revised to require MDOC to allow prisoners to obtain their birth certificates; and revised to require MDOC to ensure that prisoners can obtain military documentation if necessary.

Major Boilerplate Changes from FY 2019-20

Sec. 419(1). Offender Data Reports – DELETED

Requires MDOC to provide weekly electronic mail reports on prisoner populations by security level by facility, prison facility capacities, and parolee and probationer populations.

Sec. 422. Prisoners Reviewed for Parole – DELETED

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 the reasons for parole denial or deferment.

FIELD OPERATIONS ADMINISTRATION

Sec. 602. Electronic Monitoring Contracts – DELETED

Expresses intent of the legislature that MDOC not extend any contracts for electronic monitoring devices, and that a complete review of all providers and technology be conducted to determine efficacy.

Sec. 603. Curfew Monitoring Program Costs – REVISED

Requires tether participants to reimburse MDOC for program costs; authorizes MDOC to require community service work as a means of payment; provides for a community tether program for counties to be used to reduce prison admissions and improve local jail utilization; authorizes MDOC to provide counties with tether equipment for a fee; prohibits access to the program for counties with outstanding charges over 60 days. Executive deletes the requirement that tether participants reimburse MDOC for program costs, and deleted authorization for MDOC to require community service work as a means of payment.

Sec. 604(2). Criminal Justice Reinvestment – DELETED

Allocates \$600,000 to an organization that provides programming and job training services to county jail inmates to prepare them for employment upon release from jail.

Sec. 611. Annual Program Reports – DELETED

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).

Sec. 612. Violators of Parole and Probation – DELETED

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, number of probationers and parolees returned to or sent to prison for technical violations, educational history of offenders, number of offenders who participated in reentry programs, and number of offenders who participated in substance abuse treatment programs, mental health programs, or both.

Sec. 613. Placement of Parolees with Chronic Technical Violations – DELETED

Requires MDOC to give priority to placing parolees with chronic technical violations in intensive detention programs that offer specific programming to address behavioral needs and to work on a plan to help assure success of parolees upon release.

Sec. 617. Residential Alternative to Prison Program – REVISED

Requires MDOC to provide vocational, educational, and cognitive programming in a secure environment to enhance existing alternative sentencing options, increase employment readiness and successful placement rates, and reduce new criminal behavior for the West Michigan probation violator population; requires MDOC to measure and set metric goals and lists specific goals. Executive deletes requirement for MDOC to measure and set metric goals and deleted list of specific goals.

HEALTH CARE

Sec. 802. Health Care Timeliness and Expenditures – DELETED

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.

Sec. 812. Medicaid Utilization by Prisoners – DELETED

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.

Major Boilerplate Changes from FY 2019-20

Sec. 816. Pharmaceutical Expenditures – DELETED

Requires MDOC to report on pharmaceutical expenditures and prescribing practices, including expenditures on antipsychotic medications and any changes made to prescription drug formularies.

CORRECTIONAL FACILITIES ADMINISTRATION

Sec. 901. Enhanced Food Technology Program – DELETED

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.

Sec. 913. Enrollment in and Completion of Various Programming – REVISED

Requires MDOC to focus on providing required programming to prisoners who are past their earliest release dates; 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; requires MDOC to report on enrollment and completion of sex offender, assaultive offender, violent offender, and Thinking for Change programming, and on plans to address waiting lists for these programs. Executive deletes expression of legislative intent that prisoners who are required to complete programming as a condition of parole be transferred to facilities where programming is available.

Sec. 940. Use of State-Owned Facilities – DELETED

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.

Sec. 943. Savings from Prison Closures – DELETED

Requires MDOC to report on actual and projected savings achieved by closing correctional facilities, starting with closure of Pugsley Correctional Facility.

Sec. 944. Economic Impact of Prison Closures – DELETED

Requires MDOC to consider the potential economic impact of a prison closure on the community where the facility is located.

MISCELLANEOUS

Sec. 1013. Faith-Based Reentry Programs – DELETED

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.