

FY 2023-24: CORRECTIONS
Summary: First Conference Report
Article 2, House Bill 4437 (H-1) CR-1



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IDG/IDT	FY 2022-23 YTD as of 2/8/23	FY 2023-24 Executive	FY 2023-24 House	FY 2023-24 Senate	FY 2023-24 Conference	Difference: Conference From FY 2022-23 YTD	
						Amount	%
	\$0	\$0	\$0	\$0	\$0	\$0	--
Federal	5,148,400	5,143,500	5,143,500	705,143,500	17,143,500	11,995,100	233.0
Local	9,879,500	9,805,100	9,793,900	9,793,900	9,805,100	(74,400)	(0.8)
Private	0	0	0	0	0	0	--
Restricted	29,831,800	29,805,500	29,805,500	29,805,500	29,805,500	(26,300)	(0.1)
GF/GP	2,080,108,300	2,024,084,700	2,029,014,800	1,320,116,800	2,029,495,900	(50,612,400)	(2.4)
Gross	\$2,124,968,000	\$2,068,838,800	\$2,073,757,700	\$2,064,859,700	\$2,086,250,000	(\$38,718,000)	(1.8)
FTEs	13,514.4	13,196.0	13,195.0	13,189.0	13,206.0	(308.4)	(2.3)

Notes: (1) FY 2022-23 year-to-date figures include mid-year budget adjustments through February 8, 2023. (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 27 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 the department's jurisdiction and has oversight over community corrections programs and other programs designed to encourage alternatives to prison placement for appropriate offenders. As of June 1, 2023, the department was responsible for 75,145 offenders: 32,750 prisoners; 33,250 probationers; and 9,145 parolees. From 1 year prior, the total number of offenders increased by a net 1,442, or by 2.0%. The number of prisoners increased by 537, or 1.7%. The number of probationers increased by 1,963, or 6.3%. The number of parolees decreased by 1,058, or 10.4%.

Budget Changes from FY 2022-23 YTD Appropriations

1. Savings from Prison Closures

Executive reflects a total savings of \$48.9 million GF/GP and reduces FTE position authorization by 427.4 as a result of the closure of the Michigan Reformatory (\$33.2 million; 281.8 FTE positions) and closure of the south side of the Gus Harrison Correctional Facility (\$15.7 million; 145.6 FTE positions). Closure for both facilities was completed in November 2022. There were no staff layoffs resulting from the closures. Partial funding will be retained to cover costs of utilities and maintenance of closed sites. House concurs. Senate concurs. Conference concurs.

	FY 2022-23 Year-to-Date (as of 2/8/23)	FY 2023-24 Conference Change
FTE	753.7	(427.4)
Gross	\$92,228,000	(\$48,846,400)
GF/GP	\$92,228,000	(\$48,846,400)

2. Medication Assisted Treatment

Executive includes \$15.6 million GF/GP and authorization for 78.0 FTE positions to enable the department to treat up to 1,600 additional prisoners with opioid use disorder using Medication Assisted Treatment. Funding would be used to establish treatment clinics at 4 prison sites. Clinics would operate 5 days a week and would have the capacity to treat up to 400 prisoners each. Staff would include nurses, qualified mental health professionals, recovery coaches, and corrections officers. Participating prisoners would be treated while incarcerated and would also be provided with one shot of medication immediately before release from prison into the community. House concurs. Senate concurs. Conference includes 57.0 FTE positions and \$11.2 million to establish at least 3 clinics, enabling the department to treat up to 1,200 additional prisoners.

FTE	NA	57.0
Gross	NA	\$11,211,200
GF/GP	NA	\$11,211,200

<u>Budget Changes from FY 2022-23 YTD Appropriations</u>		<u>FY 2022-23 Year-to-Date (as of 2/8/23)</u>	<u>FY 2023-24 Conference Change</u>
3. Prisoner Healthcare Services Contract Adjustment	Gross	NA	\$10,738,000
<u>Executive</u> includes \$10.7 million GF/GP to cover increased costs of the prisoner healthcare services contract with Grand Prairie. In addition to standard inflationary adjustments, the contract will be renegotiated due to recently increased medical costs. The contract covers onsite medical and behavioral health care, specialty care, and pharmaceutical services. <u>House</u> concurs. <u>Senate</u> concurs. <u>Conference</u> concurs.	GF/GP	NA	\$10,738,000
4. Body-Worn Cameras	FTE	NA	8.0
<u>Executive</u> includes a total of \$7.1 million GF/GP (\$3.8 million ongoing; \$3.3 million one-time) and authorization for 8.0 FTE positions to develop and implement policies and training plans for purchasing and utilizing body-worn cameras for frontline staff in correctional facilities. One-time funding would be used for hardware, licensing, storage, and warranty costs. <u>House</u> includes a \$100 placeholder for the ongoing line item and a \$100 placeholder for the one-time line item, but does not include authorization for additional FTE positions. <u>Senate</u> does not include funding or FTE positions. <u>Conference</u> concurs with executive.	Gross GF/GP	NA NA	\$7,067,600 \$7,067,600
5. Increased Compensation Rates	Gross	NA	\$4,679,100
<u>Revised executive</u> includes \$4.7 million GF/GP to cover costs associated with compensation increases granted for certain Civil Service classifications, including healthcare, skilled trades, and transportation. Increases in compensation rates were approved primarily to enhance recruitment and retention efforts. <u>Conference</u> concurs with executive.	Local GF/GP	NA NA	11,200 \$4,667,900
6. PREA and Harassment Investigations Division	FTE	NA	23.0
<u>Executive</u> includes \$3.3 million GF/GP and authorization for 23.0 FTE positions for the department to create a Prison Rape Elimination Act (PREA) and Harassment Investigations Division within the department to investigate all reported allegations of sexual abuse of prisoners and allegations of discriminatory harassment and retaliation in the workplace. The total number of investigations has averaged 1,674 per year for the last four years. Investigations take roughly 15 hours of staff time per case and currently are conducted by facility staff including inspectors and front-line supervisors. <u>House</u> includes a \$100 placeholder, but does not include authorization for additional FTE positions. <u>Senate</u> concurs with executive. <u>Conference</u> concurs with executive.	Gross GF/GP	NA NA	\$3,288,400 \$3,288,400
7. Hepatitis C Treatment for Prisoners	Gross	\$8,810,700	\$1,688,400
<u>Executive</u> includes \$1.7 million GF/GP to cover increased costs of providing Hepatitis C treatment for prisoners. The department currently treats 10 cases per week with the existing appropriation of \$8.8 million. The department has experienced an increase in the number of prisoners requiring treatment each week and has a backlog of prisoners needing treatment. Funding would allow the department to treat an additional 104 cases at an average treatment cost of \$16,235 per prisoner. <u>House</u> concurs. <u>Senate</u> concurs. <u>Conference</u> concurs.	GF/GP	\$8,810,700	\$1,688,400
8. Rebidding of Offender Success Contracts	Gross	NA	\$975,000
<u>Executive</u> includes \$725,000 GF/GP to cover the anticipated increase in contract costs for offender success services provided by community partners. Contracts will be rebid and costs are expected to increase due to inflation. Services provided include housing for returning offenders, job placement, social supports, and behavioral and mental health supports. <u>House</u> concurs. <u>Senate</u> concurs. <u>Conference</u> includes \$975,000 for offender success contracts.	GF/GP	NA	\$975,000

<u>Budget Changes from FY 2022-23 YTD Appropriations</u>	FY 2022-23 Year-to-Date (as of 2/8/23)	FY 2023-24 Conference Change	
9. Reallocation of Probation Programs	Gross	\$44,273,600	\$0
<u>Executive</u> reflects the transfer of \$2.0 million GF/GP from the former Residential Probation Diversions line item (renamed Probation Residential Services) - \$1.0 million to the Offender Success Services Community Partners line item and \$1.0 million to the Community Corrections Comprehensive Plans and Services line item. Funding would be transferred to support two pilot programs targeted at strengthening support services for probationers in an effort to make services for probationers more similar to services received by parolees. Internal transfers net to \$0 change. <u>House</u> concurs. <u>Senate</u> concurs. <u>Conference</u> concurs.	GF/GP	\$44,273,600	\$0
10. Technical Adjustments	FTE	NA	0.0
<u>Executive</u> makes internal FTE adjustments, funding adjustments, and transfers throughout the budget, which have no overall impact on Gross, GF/GP, or FTE position authorization. Adjustments are made to reflect employee counts more accurately and to align funding authorization with revenue received and department operations and activities. <u>House</u> concurs. <u>Senate</u> concurs. <u>Conference</u> concurs.	Gross	NA	\$0
	GF/GP	NA	\$0
11. Eliminate Current Year One-Time Funding	Gross	\$40,000,000	(\$40,000,000)
<u>Executive</u> reduces the budget by \$40.0 million GF/GP to reflect elimination of one-time funding included in the FY 2022-23 budget. Eliminated funding includes: \$4.5 million for body scanners, \$500,000 for Chance for Life, \$1.0 million for COVID-19 suspended intake payments, \$15.0 million for electronic prisoner/staff communication, \$750,000 for Goodwill Flip the Script, \$2.5 million for improvements to staff areas in correctional facilities, \$15.0 million for the last payment of the <i>John Does v. MDOC</i> settlement agreement, \$500,000 for officer uniforms, \$1.0 million for a page alert system, \$500,000 for the Prosperity Region 8 pilot program, \$3.8 million in savings from reduced populations, and \$2.5 million for Vocational Village expansion. <u>House</u> concurs. <u>Senate</u> concurs. <u>Conference</u> concurs.	GF/GP	\$40,000,000	(\$40,000,000)
12. Economic Adjustments	Gross	NA	(\$11,069,300)
<u>Executive</u> reflects a net savings of \$11.1 million Gross (\$11.0 million GF/GP) for negotiated salary and wage increases (2.0% on October 1, 2023), actuarially required retirement contributions, worker's compensation, building occupancy charges, rent, food, fuel and utilities, and other economic adjustments. <u>House</u> concurs. <u>Senate</u> concurs. <u>Conference</u> concurs.	Federal	NA	(4,900)
	Local	NA	(85,600)
	Restricted	NA	(26,300)
	GF/GP	NA	(\$10,952,500)
13. Corrections Officer Signing and Retention Bonuses	Gross	NA	\$12,000,000
<u>House</u> includes \$16.0 million in one-time GF/GP for the department to grant signing and retention bonuses for new and existing corrections officers. Bonuses must be agreed to by the Office of State Employer and the Michigan Corrections Organization, and approved by the Civil Service Commission. <u>Senate</u> does not include funding. <u>Conference</u> includes \$12.0 million of one-time federal Coronavirus State Fiscal Recovery Funds to support signing and retention bonuses.	Federal	NA	12,000,000
	GF/GP	NA	\$0
14. Intelligence Operations Unit	FTE	NA	30.0
<u>House</u> includes \$3.3 million GF/GP and authorization for 30.0 FTE positions for the department to establish an Intelligence Unit. The unit would be responsible for providing investigatory and intelligence operations, which would include intelligence operations for prisoner phone services. Transferring intelligence operations for prisoner phone services from contractual to in-house would enable the department to negotiate lower phone call rates for prisoners and their families in future contracts. <u>Senate</u> does not include funding or FTE positions. <u>Conference</u> concurs with House, but includes \$3.9 million.	Gross	NA	\$3,900,000
	GF/GP	NA	\$3,900,000

<u>Budget Changes from FY 2022-23 YTD Appropriations</u>		<u>FY 2022-23 Year-to-Date (as of 2/8/23)</u>	<u>FY 2023-24 Conference Change</u>
15. Higher Education in Prison	Gross	NA	\$1,500,000
<u>House</u> includes \$2.3 million in one-time GF/GP for the department to collaborate with state 4-year universities and colleges to provide prisoners with the opportunity to participate in comprehensive bachelor's degree programs. Funding would be used for eligible expenses including staffing, supplies, and tuition. <u>Senate</u> includes funding but less than the House. Senate limits the program to Eastern Michigan University. <u>Conference</u> includes a total of \$1.5 million. Of the total, \$1.3 million would be ongoing funding allocated to universities or colleges that want to participate, and \$250,000 would be one-time funding allocated to EMU.	GF/GP	NA	\$1,500,000
16. Public Safety Initiative	Gross	\$4,000,000	(\$2,000,000)
<u>House</u> reduces funding by \$2.0 million GF/GP for the Public Safety Initiative program. The program assists Genesee County and the City of Flint with jail beds, Flint City Lock-Up, and electronic tether services. <u>Senate</u> does not reduce funding for this line item. <u>Conference</u> concurs with House.	GF/GP	\$4,000,000	(\$2,000,000)
17. Come Out Stay Out	Gross	NA	\$400,000
<u>House</u> includes \$400,000 in one-time GF/GP for Come Out Stay Out to provide education, employment, and housing services to offenders upon release from prison. <u>Senate</u> does not include funding. <u>Conference</u> concurs with House.	GF/GP	NA	\$400,000
18. Chance for Life	Gross	NA	\$0
<u>House</u> includes a \$100 placeholder for the Chance for Life program. <u>Senate</u> includes \$500,000 in one-time GF/GP. <u>Conference</u> does not include funding for this program.	GF/GP	NA	\$0
19. Goodwill Flip the Script	Gross	NA	\$1,350,000
<u>Senate</u> includes \$1.8 million in one-time GF/GP for the Goodwill Flip the Script program. <u>Conference</u> includes \$1.4 million in one-time GF/GP.	GF/GP	NA	\$1,350,000
20. Improve Staff Areas in Facilities	Gross	NA	\$0
<u>Senate</u> includes \$1.5 million in one-time GF/GP for continued improvements to staff areas in correctional facilities. <u>Conference</u> does not include additional funding for this purpose.	GF/GP	NA	\$0
21. Employee Wellness Programming	Gross	NA	\$0
<u>Senate</u> includes \$567,600 in one-time GF/GP for employee wellness programming. <u>Conference</u> does not include additional funding for this purpose.	GF/GP	NA	\$0
22. Nation Outside	Gross	NA	\$2,000,000
<u>Senate</u> includes \$2.0 million in ongoing GF/GP to create a statewide peer-led reentry program that would assist parolees with housing, education, employment, and access to healthcare and insurance. <u>Conference</u> includes \$2.0 million in one-time GF/GP for this purpose.	GF/GP	NA	\$2,000,000
23. Breast Milk Program	FTE	NA	1.0
<u>Senate</u> includes \$1.2 million in ongoing GF/GP and 1.0 FTE position for the department to collaborate with the Mama's Mobile Milk program to transport post-partum prisoner's breast milk to their newborn infants. <u>Conference</u> includes \$1.0 million in one-time GF/GP and 1.0 FTE for this purpose.	Gross GF/GP	NA NA	\$1,000,000 \$1,000,000

<u>Budget Changes from FY 2022-23 YTD Appropriations</u>		<u>FY 2022-23 Year-to-Date (as of 2/8/23)</u>	<u>FY 2023-24 Conference Change</u>
24. Coronavirus Relief Funds for Payroll	Gross	NA	\$0
<u>Senate</u> includes \$700.0 million in federal Coronavirus State Fiscal Recovery Funds and reduces GF/GP by a like amount. Funding would be allocated to support payroll costs for frontline workers throughout the department, but primarily at correctional facilities. <u>Conference</u> does not include federal funding to support payroll costs in the FY 2023-24 budget.	Federal	NA	0
	GF/GP	NA	\$0
25. Contraband Prevention	Gross	NA	\$1,000,000
<u>Conference</u> includes \$1.0 million GF/GP for the department to increase its ability to detect and confiscate contraband more quickly in an effort to reduce and prevent drug abuse, violence, and other criminal activity from occurring in facilities. Contraband includes illegal items such as drugs, weapons, and cell phones.	GF/GP	NA	\$1,000,000
26. Silent Cry	Gross	NA	\$400,000
<u>Conference</u> includes \$400,000 in one-time GF/GP for Silent Cry to establish the Harvesting Hope Healing Trauma pilot project. The pilot project would offer disadvantaged offenders a direct solution to assistance with ongoing mental health issues upon release from prison.	GF/GP	NA	\$400,000

Major Boilerplate Changes from FY 2022-23

Note: Section numbers listed for retained/revised/new sections are as they appear in the conference report. Section numbers may be different from section numbers listed in current law and in the House and Senate passed versions of the Corrections bill.

Sec. 207. Disciplinary Action Against State Employees and Prisoners – RETAINED

Prohibits MDOC from taking disciplinary action against classified civil service employees or prisoners for communicating with legislators or their staff unless the communication is prohibited by law and MDOC is exercising its authority. (Governor deemed this section unenforceable in FY 2022-23.) Executive deletes. House retains. Senate retains. Conference retains.

Sec. 211. Contingency Authorization – REVISED

Authorizes up to \$2.5 million in federal contingency funds to be appropriated; authorizes expenditure of funds after legislative transfer to specific line items. Executive revises to authorize up to \$10.0 million in federal, \$10.0 million in state restricted, \$2.0 in million local, and \$2.0 million in private contingency funds to be appropriated. House retains authorization for up to \$2.5 million in federal contingency funds and includes new authorization for up to \$1.0 million in local contingency funds. Senate concurs with executive revisions. Conference concurs with House revisions.

Sec. 212. Transparency Website – RETAINED

Requires MDOC to maintain a searchable website accessible by the public at no cost that includes expenditures made by MDOC, payments to vendors, number of active employees by job classification, job specifications, and wage rates. Executive deletes. House retains. Senate retains. Conference retains.

Sec. 213. Report on State Restricted Funds – RETAINED

Requires MDOC to work with SBO to report on estimated state restricted fund balances, state restricted fund projected revenues, and state restricted fund expenditures. Executive deletes. House retains. Senate retains. Conference retains.

Sec. 214. Website for Performance Information – REVISED

Requires MDOC to maintain, on a publicly accessible website, a scorecard that identifies, tracks, and regularly updates key metrics used to monitor and improve the department's performance. Executive deletes. House retains. Senate retains. Conference revises "scorecard" to "information".

Sec. 215. Legacy Costs – DELETED

States that the total amount of funding estimated to be expended on legacy costs in FY 2022-23 is \$270.9 million (\$164.4 million on pension-related legacy costs; \$106.4 million on health care-related legacy costs). Executive deletes. House deletes. Senate deletes. Conference deletes.

Major Boilerplate Changes from FY 2022-23

Sec. 215. Diversity, Equity, and Inclusion – NEW

Prohibits appropriations from being used to restrict or interfere with actions related to diversity, equity, and inclusion, to restrict or impede community access to government programs, or to restrict an individual's ability to exercise the right to reproductive freedom; requires local governments to report on actions that attempt to restrict duties of local health officers. Executive includes new language. House includes new language. Senate does not include new language. Conference revises language to prohibit appropriations from being used to restrict or impede a marginalized community's access to government resources, programs, or facilities; requires local governments to report on actions that attempt to restrict or interfere with duties of local health officers.

Sec. 217. FTE Positions, Long-Term Vacancies, and Remote Work – REVISED

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 vacant positions being held open for temporarily non-active employees; requires report on number of full-time positions authorized compared to actual number employed by line item, number of employees authorized to work remotely and number of employees working remotely, estimated cost savings achieved by remote work, and reduced use of office space associated with remote work. Executive deletes current year language and instead includes a requirement that MDOC report on a comparison by line item of the number of FTEs authorized to the actual number of FTEs employed. House revises to delete all provisions related to remote work. Senate retains current law. Conference revises to delete all provisions related to remote work.

Sec. 218. In-Person Work Priority – RETAINED

Expresses legislative intent that MDOC maximize efficiency of the state workforce, and where possible, prioritize in-person work; requires MDOC to post its in-person, remote, or hybrid work policy on its website. Executive deletes. House retains. Senate retains. Conference retains.

Sec. 220. Receipt and Retention of Reports – RETAINED

Requires MDOC to follow federal and state guidelines for short- 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 retains. Senate retains. Conference retains.

Sec. 221. Report on Policy Changes Made to Implement Public Acts – RETAINED

Requires MDOC to report on each specific policy change made by the department to implement a public act affecting the department. Executive deletes. House retains. Senate retains. Conference retains.

Sec. 222. Severance Pay for Department Officials – REVISED

Requires MDOC to report on any amounts of severance pay agreed to for a department director, deputy director, or other high-ranking department official; requires report to include name of official and amount of severance pay; requires MDOC to maintain an internet site that posts any severance pay in excess of 6 weeks of wages for any former department employee receiving severance pay; requires report on total amount of severance pay remitted and total number of former employees that were remitted severance pay during the prior fiscal year; defines "severance pay" to mean compensation that is both payable or paid upon the termination of employment and in addition to either wages or benefits earned during the course of employment or generally applicable retirement benefits. Executive deletes. House revises to delete requirement that an internet site that posts severance pay in excess of 6 weeks of wages for any former department employee receiving severance pay be maintained. Senate retains current law. Conference concurs with House revisions.

Sec. 223. State Administrative Board Transfers – RETAINED

Authorizes the legislature, by a concurrent resolution adopted by a majority of members elected to and serving in each house, to inter-transfer funds if the State Administrative Board transfers funds. (*Governor deemed this section unenforceable in FY 2022-23.*) Executive deletes. House deletes. Senate deletes. Conference retains.

Sec. 224. Expending Available Work Project Authorization – RETAINED

Prohibits appropriations that have unexpended work project authorization associated with them, to the extent possible, from being expended until all existing work project authorization for the same purpose is exhausted. (*Governor deemed this section unenforceable in FY 2022-23.*) Executive deletes. House retains. Senate retains. Conference retains.

Major Boilerplate Changes from FY 2022-23

Sec. 224. COVID-19 Vaccine Protocol – DELETED

Prohibits any department, agency, board, commission, or public officer that receives funding from doing the following: requiring an individual to provide proof of receiving a COVID-19 vaccine as a condition of accessing state services or facilities, except as provided by federal law or as a condition of receiving federal Medicare or Medicaid funding; producing, developing, or issuing a COVID-19 vaccine passport; developing a database or making any existing database publicly available to access an individual's COVID-19 vaccine status by any person, company, or governmental entity; requiring as a condition of employment that an employee or official provide proof that he or she has received a COVID-19 vaccine; subjecting any individual to negative employment consequences, retaliation, or retribution because of their vaccine status; authorizes transmittal of proof of vaccine status if affirmative consent is provided; requires exemptions to be provided to the following individuals if a vaccine policy is required due to a federal mandate: individual for whom a physician certifies that a vaccine is or may be detrimental to the individual's health and individual who provides a written statement to the effect that the requirements of the vaccine policy cannot be met because of religious convictions or other consistently held objections to immunization. Executive deletes. House deletes. Senate deletes. Conference deletes.

Sec. 225. Management-to-Staff Ratio – RETAINED

Expresses legislative intent that MDOC maintain a management-to-staff ratio of not more than 1 supervisor for each 8 employees at the central office in Lansing and at northern and southern region administration offices. Executive deletes. House retains. Senate retains. Conference retains.

Sec. 302. Feasibility Study on Allowing Staff to Reach Highest Pay Levels in Shorter Amount of Time – NEW

Requires MDOC to conduct a feasibility study to assess all aspects of allowing corrections officers and corrections medical officers to reach their highest level of pay within 3 years of service instead of reaching it within 5 years of service. Executive does not include new language. House includes new language. Senate does not include new language. Conference includes new language.

Sec. 303. Staff Retention Strategies – RETAINED

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 MDOC considers suggestions made by employees, and steps taken and future plans MDOC has for retention and improving employee wellness. Executive revises to delete all specific information that is required to be reported; retains only the requirement to report on staff retention strategies. House retains current law. Senate concurs with executive revisions. Conference retains current law.

Sec. 305. Staff Savings Initiative Program – 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 report on process improvements made based on suggestions received; requires MDOC to give noncompensatory recognition to employees whose suggestions are implemented. (*Governor deemed this section unenforceable in FY 2022-23.*) Executive deletes. House retains. Senate deletes. Conference deletes.

Sec. 308. Prisoner Phone Service Contract – REVISED

Requires MDOC to ensure the prisoner phone system provider establishes a new per minute phone charge; requires phone rates to reflect the complete elimination of the phone contract as a revenue source for the Program and Special Equipment Fund; requires MDOC to negotiate the lowest per minute rate while meeting operational needs; requires MDOC to provide notice of any change in the per minute cost of phone calls within 15 days of the change. Executive revises to require MDOC to ensure that a prisoner telephone system is maintained, that the system meet ongoing operational needs, and that it maintain a low per-minute rate. House revises to require MDOC to ensure that a prisoner telephone system is maintained, that the system meet ongoing operational needs while maintaining the lowest per-minute rate possible, and that MDOC notify the legislature in advance of any changes to the telephone contract, changes to call rates, extensions of the contract, and rebidding the contract. Senate concurs with executive revisions. Conference concurs with House revisions except does not include requirement that MDOC notify the legislature in advance of any changes to the telephone contract.

Sec. 310. Maintenance and Utility Costs at Facilities – RETAINED

Requires MDOC to report on maintenance and utility costs, plans for capital improvement and associated costs, status of capital outlay project accounts, and expected future useful life for each correctional facility. Executive deletes. House retains. Senate retains. Conference retains.

Sec. 311. Tolerance and Cultural Diversity and Sensitivity Training – NOT INCLUDED

Requires MDOC to provide diversity, equity, and inclusion training for all department staff; requires training to emphasize tolerance and cultural diversity and sensitivity. Executive does not include new language. House includes new language. Senate does not include new language. Conference does not include new language.

Major Boilerplate Changes from FY 2022-23

Sec. 311. Michigan State Industries Program – RETAINED

Requires MDOC to report on Michigan State Industries program, including location of programs, number of participants, description of job duties, prisoner schedules, products produced, and how programs provide marketable skills that lead to employable outcomes once prisoners are released. Executive deletes. House retains. Senate deletes. Conference retains.

Sec. 313. New Employee Schools – REVISED

Requires MDOC to work to hire and train new corrections officers to address attrition and to decrease overtime costs; requires reports on new employee schools, including number of schools that took place and location of each, number of recruits that started, number of recruits that graduated, number of recruits that continued employment with the department, and MDOC strategies to achieve a 5% or lower target corrections officer vacancy rate; requires report on reasons for not meeting the 5% or lower target corrections officer vacancy rate, including explanation of challenges MDOC faces when trying to meet the target vacancy rate. Executive revises to delete provisions related to the 5% or lower officer vacancy rate. House revises to require quarterly reports on steps MDOC is taking to obtain the highest number of recruits possible for each new employee school. Senate concurs with executive revisions. Conference concurs with House revisions but requires only the 3rd quarter report to outline steps MDOC is taking to obtain the highest number of recruits possible.

Sec. 313. Strategic Plan Update – DELETED

Requires MDOC to report on progress being made to achieve the strategic plan of the department, including statistics and information on efforts to decrease recidivism and to promote offender success. Executive deletes. House retains. Senate deletes. Conference deletes.

Sec. 314. Staff Overtime Hours – RETAINED

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. Executive deletes. House retains. Senate retains. Conference retains.

Sec. 316. New Corrections Officer Training Academy – REVISED

Requires MDOC to report on status of new training academy, including history of appropriations, anticipated costs of the project, by phase, actual expenditures, and any other information the department considers necessary. Executive deletes. House retains. Senate deletes. Conference revises to require annual report instead of biannual report.

Sec. 317. Recruit and Promote Minority and Female Corrections Officers – NOT INCLUDED

Requires MDOC to work to promote and recruit more minority and female corrections officers to help increase the diversity of the workforce; requires reports on MDOC's efforts to recruit and on the diversity of training academies. Executive does not include new language. House includes new language. Senate does not include new language. Conference does not include new language.

Sec. 321. Professional Development and Training for Staff – DELETED

Requires MDOC to report on changes to existing professional development and training opportunities for all levels of custody supervisors and first line managers, including a review of programs available in other organizations and in other states that serve similar purposes that may be adopted to enhance departmental training. Executive deletes. House retains. Senate deletes. Conference deletes.

Sec. 321. Prison Population and Offender Data Reports – REVISED

Requires MDOC to provide monthly electronic mail reports on prisoner populations by security levels by facility, prison facility capacities, and parolee and probationer populations; requires MDOC to provide monthly electronic mail reports on end-of-the-month prisoner, probationer, and parolee populations, operating capacities at facilities, number of currently closed housing units by facility, populations in county jails, prisoner intakes, returns, and exits, prisoners classified as past their earliest release dates, and parole board activity; requires MDOC to provide notification immediately upon knowing it will not meet reporting requirements included in the section, including reasons for not meeting reporting requirements. Executive revises to delete reporting on community residential program populations, prisoner intakes, returns, and exits, prisoners classified as past their earliest release dates, and parole board activity; deletes requirement that MDOC provide notification immediately upon knowing it will not meet reporting requirements and reasons for not meeting reporting requirements. House retains current law. Senate concurs with executive revisions. Conference revises language for more efficient and less duplicative reporting.

Sec. 324. New Custody Staff Training – DELETED

Requires MDOC to target new custody staff training at hiring a minimum of 800 corrections officers to address higher than normal attrition and to decrease overtime costs. (*Governor deemed this section unenforceable in FY 2022-23.*) Executive deletes. House deletes. Senate deletes. Conference deletes.

Major Boilerplate Changes from FY 2022-23

Sec. 325. Report on Custody Positions – NOT INCLUDED

Requires MDOC to report quarterly on the number of filled and number of vacant custody positions, by facility and classification. Executive includes new language. House does not include new language because House retains current Sec. 217. Senate includes new language. Conference does not include new language because Conference retains current Sec. 217.

Sec. 401. Offender Success Expenditures and Allocations – REVISED

Requires MDOC to report on actual prior-year and planned current-year offender success expenditures and allocations; authorizes MDOC to collect cash or in-kind donations to supplement funds for prison education training, supplies, and materials necessary to complete academic- and job skills-related programs. Executive revises to delete reporting on allocations and planned expenditures for projects itemized by service and provider. House concurs with executive revisions. Senate concurs with executive revisions. Conference concurs with executive revisions.

Sec. 402. Partnering for Providing Offender Success Services – RETAINED

Requires MDOC to partner with nonprofit faith-based, business and professional, civic, and community organizations for the purpose of providing inmate offender success services, including counseling, information on housing and job placement, and money management assistance. Executive deletes. House retains. Senate retains. Conference retains.

Sec. 403. Matching Parolees with Potential Employers – RETAINED

Requires MDOC to ensure, when possible, that all prisoners have potential employer matches in communities to which they will return, prior to each prisoner's initial parole hearing. Executive deletes. House retains. Senate retains. Conference retains.

Sec. 408. Public Safety Initiative – REVISED

Requires Genesee County law enforcement agency to report quarterly on expenditures made from appropriation; requires reports to include purposes for which expenditures were made, amounts of expenditures by purpose, specific services provided, and number of individuals served; prohibits allocation of funding to Genesee County law enforcement agency until all reports are submitted; authorizes Senate and House Subcommittees on Corrections to request Genesee County law enforcement agency to appear before subcommittees to discuss reports. Executive revises frequency of reporting from quarterly to annually, revises report recipients, and deletes authorization to request agency's appearance before subcommittees. House retains current law. Senate concurs with executive revisions. Conference revises report recipients, and deletes authorization to request agency's appearance before subcommittees

Sec. 410. Higher Education in Prison – NEW

Requires funding to be used for MDOC to collaborate with accredited universities and colleges to provide prisoners with the opportunity to participate in comprehensive bachelor's degree programs; requires funding to be used for eligible expenses including staffing, supplies, and tuition; requires report on expenditure of funds, number of participants served, enrollments by race and gender, and number of participants that complete the program. Executive does not include new language. House includes new language. Senate does not include new language. Conference includes new language.

Sec. 416. 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. 417. Criminal Justice Reinvestment – RETAINED

Requires funding for criminal justice reinvestment to be used for data collection and evidence-based programs designed to reduce recidivism among probationers and parolees; allocates \$600,000 to Muskegon County jail to provide programming and job training services to county jail inmates to prepare them for employment upon release from jail; requires MDOC to report on programs, including reincarceration recidivism rates of participants, employment rates, participants completing the program, and cost of program per participant. Executive revises to delete reporting requirement. House retains current language. Senate concurs with executive revisions. Conference retains current language.

Sec. 501. 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, descriptions of programs, comparison with prior year statistics, impact on prison admissions and jail utilization, cost effectiveness of programs). Executive deletes. House retains. Senate retains. Conference retains.

Major Boilerplate Changes from FY 2022-23

Sec. 502. 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 report on 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 that participated in reentry programs, and number of offenders that participated in substance abuse treatment programs, mental health programs, or both. Executive deletes. House retains. Senate retains. Conference retains.

Sec. 503. Prisoners Sentenced to Life with Possibility of Parole – DELETED

Requires MDOC to report on number of prisoners who have received life sentences with possibility of parole and who are currently eligible for parole. Executive deletes. House retains. Senate deletes. Conference deletes (includes in Sec. 321.)

Sec. 503. 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 West Michigan probation violator population; lists specific metric goals. Executive revises to delete specific metric goals. House retains current law. Senate revises to remove specific percentages listed in current law metrics. Conference concurs with Senate revisions.

Sec. 504. Prisoners Reviewed for Parole – RETAINED

Requires MDOC to report on outcomes of prisoners reviewed for parole, including 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; reasons for parole denial or deferment. Executive deletes. House retains. Senate deletes. Conference retains.

Sec. 601. Health Care and Pharmaceutical 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; requires report on pharmaceutical prescribing practices, including detailed accounting of expenditures on antipsychotic medications and any changes made to prescription drug formularies; requires report to include status of MDOC's efforts to develop measurable data and outcomes for physical and mental health care within the prisoner population. Executive revises to delete reporting on allocations, status of payments from contractors to vendors, and projected year end expenditures from accounts. House retains current law. Senate concurs with executive revisions. Conference retains.

Sec. 603. Health Care Utilization Reports – REVISED

Requires MDOC to report on prisoner health care utilization, including number of inpatient hospital days, outpatient visits, emergency room visits, and prisoners receiving off-site in-patient medical care. Executive deletes. House retains. Senate revises to include reporting on the 10 most common ailments and treatments received off-site. Conference revises to include reporting on the 10 most common chronic care conditions.

Sec. 605. Medicaid Utilization by Prisoners – REVISED

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 report on utilization of Medicaid benefits for prisoners. Executive revises to delete all requirements but the report on utilization of Medicaid benefits for prisoners. House retains current law. Senate revises quarterly reporting to annual reporting. Conference concurs with executive revisions and Senate revision from quarterly to annual reporting.

Sec. 607. Medication Assisted Treatment Clinics – NEW

Requires appropriation to be used for establishing 4 clinics at facilities that would allow for treatment of the highest number of prisoners; requires clinics to operate 5 days a week and to be capable of treating up to 400 prisoners at each clinic per year; requires prisoners to be treated while incarcerated and to be given an injection immediately before being released from prison; requires status reports on staffing levels, expenditures, and number of prisoners treated. Executive does not include new language. House includes new language. Senate does not include new language. Conference includes new language with revisions.

Sec. 701. Reporting on Elimination of Prisoner Programming – RETAINED

Requires MDOC to report on plans to eliminate programming for prisoners at least 30 days prior to program elimination and defines "programming for prisoners" to mean a department core program or career and technical education program. Executive deletes. House retains. Senate retains. Conference retains.

Sec. 702. Food Service Reporting – RETAINED

Requires MDOC to report, by facility, on average per-meal costs, including actual food costs, total compensation for all food service workers, including benefits and legacy costs, inspection and compliance costs, and contract and sanitation violation information. Executive deletes. House retains. Senate retains. Conference retains.

Major Boilerplate Changes from FY 2022-23

Sec. 706. Reporting Critical Incidents in Prisons – RETAINED

Requires MDOC to report within 72 hours of occurrence, any critical incident occurring at a correctional facility; requires MDOC to report annually on number of critical incidents occurring each month by type and severity; defines “critical incidents” to mean prisoner assaults on staff that result in serious physical injury to staff, escapes and attempted escapes, prisoner disturbances that cause facility operation concerns, and unexpected deaths of prisoners. Executive revises to delete requirement to report within 72 hours, revises annual report on monthly occurrences to quarterly report; revises definition of critical incidents to delete “an unexpected death of a prisoner” and include instead “homicide or suicide death of a prisoner”. House retains current law. Senate revises to include a list of specific report recipients. Conference retains current law.

Sec. 708. Enrollment in and Completion of Various Programming – REVISED

Requires MDOC to focus on providing required programming to prisoners who are past their earliest release date because of not having received the required programming; programming includes violence prevention, assaultive offender, sexual offender, substance abuse treatment, thinking for a change, and any other programming that is required as a condition of parole; expresses legislative intent that prisoners who are required to complete programming be transferred to facilities where programming is available; requires MDOC, to the extent feasible, to consistently provide prisoner programming with the goal of having prisoners complete recommended cognitive programming as early as possible during their sentence; requires MDOC to report on prisoner enrollment and completion of programming, and on plans to address waiting lists for programming. Executive revises to reflect program name changes and to delete legislative intent language. House revises to reflect program name changes. Senate concurs with executive revisions. Conference concurs with executive revisions.

Sec. 709. Pregnant Prisoner Labor and Delivery – REVISED

Requires MDOC to allow pregnant prisoners to have one visitor present during labor and delivery; requires visitors to be immediate family members, legal guardians, spouses, or domestic partners; authorizes MDOC to deny access to visitors if there are safety concerns; authorizes MDOC to conduct criminal background checks on visitors. Executive deletes. House revises to include a doula being present if the pregnant prisoner wants to work with a doula. Senate deletes. Conference concurs with House revisions.

Sec. 714. Report on Restricted Visiting Privileges – NEW

Requires MDOC to report on the number of prisoners that lose visiting privileges, number of prisoners that apply to have visiting privileges restored, number of prisoners that have had visiting privileges restored, and number of prisoners that have had visiting restrictions extended. Executive does not include new language. House includes new language. Senate does not include new language. Conference includes new language.

Sec. 715. Intelligence Unit – NEW

Requires MDOC to establish an intelligence unit to conduct investigatory and intelligence operations for the department; requires the intelligence unit to provide telephone intelligence activities that are currently provided by the contractor in order to achieve a savings that would be passed on to prisoners; savings would result from reducing phone call rates. Executive does not include new language. House includes new language. Senate does not include new language. Conference includes new language.

Sec. 716. Auditor General and Corrections Ombudsman Access to Contracted Facilities – DELETED

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

Sec. 716. Savings from Prison Closures – REVISED

Requires MDOC to report on actual and projected savings achieved by closing correctional facilities, starting with closure of the Pugsley Correctional Facility in September 2016. Executive deletes. House retains and consolidates current sections 716, 717, and 718 into one section that requires MDOC to notify of plans to close, consolidate, or relocate facilities, report on savings achieved, and complete an analysis of projected economic impact before closing facilities. Senate retains current law. Conference concurs with House revisions.

Sec. 721. Religious Cable Programming – DELETED

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 deletes. Conference deletes.

Major Boilerplate Changes from FY 2022-23

Sec. 801. Chance for Life Program – DELETED

Requires funding to be used to contract with an organization that provides prison-based rehabilitation programming including educational, life skills, and behavioral modification programs; requires performance-based contract that allows for payment based on the number of prisoners and parolees served according to program rules and outcomes agreed upon by MDOC and the provider; states that the objective of programming is to offer a progressive transformational program to individuals while in prison, in an effort to prepare them for successful transition back to the community; requires that the purpose of the organization be to increase community safety by reducing recidivism through providing evidence-based mentoring, employment soft skills training, job placement assistance, and critical thinking skills, mediation, and conflict resolution training; requires the organization to have experience offering programs to male and female prisoners, offering programs that include the family in the reentry process, and offering programs that utilize techniques to address post-prison adjustment disorders. Executive deletes. House retains. Senate revises to include requirement that data collected in connection with programming be shared with an accredited state university for research purposes. Conference deletes.

Sec. 801. Breast Milk Program – NEW

Requires funding to be used for a program that provides breast milk to the newborns of post-partum prisoners; requires MDOC to collaborate with Mama's Mobile Milk to ensure prisoners who have given birth within the last 12 months have the opportunity to breastfeed, including expressing milk and providing necessary supplies; designates unexpended funding as a work project appropriation. Executive does not include new language. House does not include new language. Senate includes new language. Conference includes new language with revisions.

Sec. 802. Reimburse Counties for Housing Offenders – DELETED

Requires MDOC to reimburse counties for housing in jails felons who otherwise would have been transported to state correctional facilities if not for COVID-19 control plans; prohibits reimbursement to counties that lack appropriate COVID safeguards or that are experiencing a COVID breakout in their county jail operations; prohibits reimbursement to counties for the County Jail Reimbursement Program for days reimbursed under this section; requires MDOC to reimburse counties at a rate of \$80.00 per offender per day; requires counties to submit proper documentation. Executive deletes. House deletes. Senate deletes. Conference deletes.

Sec. 802. Come Out Stay Out – NEW

Requires funding to be granted to Come Out Stay Out for providing education, employment, and housing services to offenders upon release from prison; requires a report on expenditure of funds, program performance measures, number of participants served, and outcomes of participants that complete the program. Executive does not include new language. House includes new language. Senate does not include new language. Conference includes new language.

Sec. 803. Improvements to Staff Areas in Correctional Facilities – DELETED

Requires appropriation to be used to make upgrades to staff common areas, including staff break rooms, staff restrooms, and staff exercise rooms; authorizes upgrades to include replacement of flooring, furniture, equipment, and fixtures. Executive deletes. House deletes. Senate retains. Conference deletes.

Sec. 803. Corrections Officer Signing and Retention Bonuses – NEW

Requires funding to be used to grant signing bonuses for new corrections officers and retention bonuses for current corrections officers; lists criteria to be followed for paying bonuses; requires expenditure of funds to be agreed to by the Office of State Employer and the Michigan Corrections Organization, and approved by the Civil Service Commission. Executive does not include new language. House includes new language. Senate does not include new language. Conference includes new language.

Sec. 804. Eastern Michigan University Pilot Program – NEW

Requires funding to be used for MDOC to collaborate with EMU to provide prisoners with the opportunity to participate in a comprehensive bachelor's degree program; requires funding to be used for eligible expenses including staffing, supplies, and tuition; requires report on expenditure of funds, number of participants served, enrollments by race and gender, and number of participants that complete the program. Executive does not include new language. House does not include new language. Senate includes new language. Conference includes new language with revisions; adds specific outcome information to be included in report and subjects program to metrics set forth in new section 807.

Sec. 804. Prosperity Region 8 Pilot Program – DELETED

Requires MDOC to continue a program that provides care management to parolees post-release which may include development of prerelease mental health discharge plans for parolees in Prosperity Region 8. Executive deletes. House deletes. Senate deletes. Conference deletes.

Major Boilerplate Changes from FY 2022-23

Sec. 805. Goodwill Flip the Script – NEW

Requires one-time appropriation to be used only for the purpose of expanding the program and serving participants outside of the participants currently being served; requires alternative sentencing programs, educational recovery programs, and career development and continuing education programs; requires report on expanded area of program. Executive does not include new language. House does not include new language. Senate includes new language. Conference includes new language with revisions; adds specific outcome information to be included in report and subjects program to metrics set forth in new section 807.

Sec. 806. Nation Outside – NEW

Requires funding to be used to support a contract with the goal of supporting peer-led reentry programming; requires nation Outside to enlist Wayne State University to perform an independent program evaluation. Executive does not include new language. House does not include new language. Senate includes new language. Conference includes new language with revisions; adds specific outcome information to be included in report and subjects program to metrics set forth in new section 807.

Sec. 807. Outcomes and Performance Metrics for Various Programs – NEW

Lists specific outcomes and performance measures for the Eastern Michigan University pilot program, the one-time Goodwill Flip the Script program, and the Nation Outside program; requires any data collected to be provided to the legislature and to accredited universities for research purposes. Executive does not include new language. House does not include new language. Senate does not include new language. Conference includes new language.

Sec. 808. Silent Cry – NEW

Requires funding to be used by to support a contract with Silent Cry to provide trauma services to referred parolees upon release from prison; requires a report on expenditure of funds, program performance measures, number of participants served, and outcomes of participants that complete the program. Executive does not include new language. House does not include new language. Senate does not include new language. Conference includes new language.