

Legislative Update

Corrections Facilities Planning Committee

May 17, 2018

SB 54/AB 94

- Requires the Department of Corrections to recommend revoking a person's extended supervision, parole, or probation if the person is charged with a crime while on extended supervision, parole, or probation.
- Failed to pass.

SB 615/AB 736

- Bill creates the Council on Offender Employment, which may issue a certificate of qualification for employment (CQE) that grants relief to the person from ineligibility for or disadvantage related to employment, occupational licensing, or occupational certification.
 - If the person is not likely to pose a risk to public safety, that the CQE will substantially assist the person in obtaining employment or occupational licensing or certification, and that the person is less likely to commit an additional criminal offense if he or she obtains a CQE.
 - The council may not issue a CQE that provides relief from ineligibility for certain occupations, licenses, or certifications that are related to certain offenses, that are designed to protect public health and safety, or that have a close connection to the crime for which the person was convicted.
- Failed to pass.

Act 89

- Allows inmates confined or detained in a county jail, a county house of corrections, or a tribal jail under a Department of Corrections (DOC) contract to be granted the privilege of leaving the facility to participate in certain employment-related activities.
- Qualified employment-related activities include seeking employment, engaging in employment training, working, performing community service work, attending an educational institution, or any other activity designated in the contract between the facility and DOC. An inmate may only leave the facility during necessary and reasonable hours.
- Under the Act, the sheriff, superintendent of the house of correction, or tribal chief of police, in conjunction with DOC, is responsible for determining an inmate's eligibility for work-related activities and determining whether to terminate an inmate's participation or return an inmate to a state facility.

Major Provisions of Act 185

- Establish new DOC-operated Type 1 facilities for Serious Juvenile Offender (SJO) dispositions and adult convictions
- Establish county and/or tribal Secure Residential Care Centers for Children and Youth (SRCCs) for non-SJO juvenile correctional placements
- Expand DHS's MJTC by at least 29 beds
- Convert CLS/LHS to an adult correctional facility

Major Provisions of Act 185

Funding:

- \$25 million for DOC Type 1 facilities
- \$15 million for MJTC expansion
- \$40 million grant program for SRCCs
 - 95% of design and construction/renovation costs (100% for female facilities)
- Joint Committee on Finance approval required
- Youth Aids
 - Can be used for basic care and supervision costs in detention
 - Bonus payment of 15%, up to \$750,000, for counties that operate a joint SRCC

Major Provisions of Act 185

Changes of Placement and Transfers:

- Change of placement from SRCC to DOC Type 1 facility
 - Court ordered
 - SRCC is unable to meet treatment needs and Type 1 facility is able to, or
 - County does not have SRCC space available and no other SRCC is willing and able to meet treatment needs.
 - Supervision transfers to DOC
- Transfers between SRCCs
 - By contract between the county and the operating entity
 - Supervision remains with placing county
- Transfers from Type 1 to SRCC
 - By contract between DOC and the operating entity
 - Supervision remains with DOC
- Change of placement from SRCC to MJTC
 - Court order and DHS recommendation required

Major Provisions of Act 185

Juvenile Corrections Study Committee (JCSC):

- Secretaries or designees of DOC and DCF (co-chairs)
- Secretary of DHS or designee
- DPI superintendent or designee
- State public defender or designee
- Three assembly representatives and three senators
- Two judges, two district attorneys, and two law enforcement
- One organization focused on eliminating race-based discrimination
- One nonprofit focused on issues relating to juvenile justice
- One nonprofit focused on best practices for holding juveniles in secure custody
- Three county representatives (human or social services department)
- County with the highest percentage of juveniles under state or county supervision under chapter 938
- County that operates a regional juvenile detention center that is an eligible juvenile detention facility
- Another county
- One resident who has been, or has had a close family member who has been, under the supervision of DOC under Chapter 938
- One sheriff

Major Provisions of Act 185

Juvenile Corrections Grant Committee (JCGC)

- Governor or designee
- Secretaries or designees of DOC and DCF
- Three assembly representatives and three senators
- One nonprofit focused on best practices for holding juveniles in secure custody

Major Provisions of Act 185

Juvenile Corrections Study Committee (JCSC)

- Recommendations to DOC on administrative code related to SRCC programming and services
- Recommendations to DOC on location of new Type 1 facilities

Juvenile Corrections Grant Committee (JCGC)

- Establish requirements, guidelines, and criteria for SRCC grants
- Review applications; recommend a statewide plan for approval to the Joint Committee on Finance
- Oversee the progress of projects funded by the grants

Major Provisions of Act 185

Selected Key Dates:

September 1, 2018	JCSC recommendations for SRCC services and programming to DOC
November 1, 2018	JCSC recommendations for Type 1 facility locations to DOC
December 31, 2018	Emergency rule for SRCCs in effect
March 31, 2019	SRCC grant applications due to JCGC
July 1, 2019	JCGC submits plan to Joint Committee on Finance
January 1, 2021	Youth transferred from CLS/LHS to new Type 1 facilities and SRCCs

Questions

Discussion