



HB5920 and HB5921 Summary Michigan Corrections Ombudsman Legislation

Bill Purpose: Increase transparency and accountability in the Michigan Department of Corrections (“MDOC”) and the existing Legislative Corrections Ombudsman’s office (“Ombudsman”) by allowing more people to file complaints for independent review, including family members of the incarcerated and corrections employees. It will also implement uniform and easily accessible procedures and data reporting.

What the Bill Would Do:

- **Change Who Can File Complaints:** The bill, if passed, would add family members of prisoners and corrections employees, prisoner advocates, qualified experts and corrections employees or private contractors to the list of those able to file complaints and seek review and investigation from the Ombudsman.
- **Data Collection and Transparency:** Requires the Ombudsman to publish general complaint data monthly, and include the following in a public annual report - the total number of complaints that were investigated, denied, resolved, unsubstantiated, or undecided; the number of complaints filed, broken down by subject matter, including but not limited to, racial discrimination and medical treatment issues; significant issues investigated; each recommendation made to the Department and the accompanying response.
- **Uniform Procedures:** Requires the Ombudsman to create a standardized complaint form within 120 business days of the bill becoming law, and to acknowledge receipt of filed complaints.
- **Accessible Information:** Requires the Ombudsman to place the standardized complaint form on its website and the Department to place hard copies in all law libraries and elsewhere throughout the facility.
- **Experts:** Allows the Ombudsman to consult or contract with experts to assist with investigations, inspections, etc. Gives experts prison facility access with necessary equipment while accompanied by the Ombudsman. Gaining access requires providing the Department 72 hours’ notice and extensive information on the expert and equipment.
- **Time Limits:** Creates a 30-day time limit for the Department to provide a response in defense or mitigation of an adverse opinion the Ombudsman intends to publish. Requires the Department to notify the Ombudsman of any actions it takes on the Ombudsman’s recommendations within 30 days. Requires the Ombudsman to notify the complainant of the actions taken by the office and by the Department within 45 business days of the action.

Organizations Signed On Supporting HB5920 and 5921:

Citizens for Prison Reform
Committee to End the New Jim Crow
Disability Rights Michigan
Emergent Justice
Hope Network
Mental Health Association in Michigan
Michigan Collaboration to End Mass Incarceration (MI-CEMI)
Michigan Citizens for Justice
Michigan Justice Advocacy
Moving Forward Ministries
Nation Outside
National Alliance on Mental Illness (NAMI)- LANSING
Prison and Jail Innovation Lab
Prison Society
St. David's Episcopal Church
State Appellate Defender Office
The MADE Institute
Unlocked Doors Prison Ministry
We the People Action Fund
Zealous