

HOUSE BILL No. 4965

October 7, 2015, Introduced by Reps. Chang, Santana, Webber, Byrd, Robinson, Geiss, Banks, Gay-Dagnogo, Greig, Yanez, Darany, Forlini, Lucido, Howrylak, LaVoy, Durhal, Rutledge, Irwin, Neeley, Hovey-Wright, Pagan, Plawecki, Moss, Love, Callton and Zemke and referred to the Committee on Criminal Justice.

A bill to amend 1953 PA 232, entitled
"Corrections code of 1953,"
(MCL 791.201 to 791.285) by adding section 14a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 **SEC. 14A. (1) THE FAMILY ADVISORY BOARD IS CREATED WITHIN THE**
2 **DEPARTMENT. THE BOARD SHALL CONSIST OF BETWEEN 9 AND 15 MEMBERS,**
3 **INCLUDING THE FOLLOWING:**

4 **(A) NOT MORE THAN 4 INDIVIDUALS APPOINTED BY THE GOVERNOR WHO**
5 **ARE FAMILY MEMBERS OF INDIVIDUALS CURRENTLY INCARCERATED IN**
6 **MICHIGAN.**

7 **(B) NOT MORE THAN 3 INDIVIDUALS APPOINTED BY THE GOVERNOR WHO**
8 **ARE FAMILY MEMBERS OF INDIVIDUALS WHO WERE FORMERLY INCARCERATED IN**
9 **MICHIGAN.**

10 **(C) NOT LESS THAN 1 INDIVIDUAL APPOINTED BY THE GOVERNOR WHO**

1 HAS A PARENT FORMERLY OR CURRENTLY INCARCERATED IN MICHIGAN.

2 (D) NOT MORE THAN 2 INDIVIDUALS WHO WERE FORMERLY INCARCERATED
3 IN MICHIGAN.

4 (E) TWO INDIVIDUALS APPOINTED BY THE GOVERNOR WHO ARE
5 EMPLOYEES OF THE DEPARTMENT, INCLUDING 1 INDIVIDUAL FROM THE
6 COMMUNITY CORRECTIONS DIVISION.

7 (F) THE LEGISLATIVE CORRECTIONS OMBUDSMAN.

8 (G) ONE INDIVIDUAL WHO IS A SOCIAL WORKER WHO HAS EXPERIENCE
9 WORKING WITH FORMERLY OR CURRENTLY INCARCERATED INDIVIDUALS AND
10 THEIR FAMILY MEMBERS.

11 (H) NOT MORE THAN 2 INDIVIDUALS REPRESENTING THE STATE BAR OF
12 MICHIGAN WHO HAVE EXPERIENCE WORKING WITH FORMERLY OR CURRENTLY
13 INCARCERATED INDIVIDUALS AND THEIR FAMILY MEMBERS.

14 (2) MEMBERS OF THE BOARD SHALL SERVE FOR A TERM OF 2 YEARS.

15 (3) THE FIRST MEETING OF THE BOARD SHALL BE CALLED NOT MORE
16 THAN 90 DAYS AFTER THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT
17 ADDED THIS SECTION. AT THE FIRST MEETING, THE BOARD SHALL ELECT
18 FROM AMONG ITS MEMBERS A CHAIRPERSON AND OTHER OFFICERS AS IT
19 CONSIDERS NECESSARY OR APPROPRIATE WHO SHALL SERVE 1-YEAR TERMS AND
20 WHO MAY BE REELECTED. AFTER THE FIRST MEETING, THE BOARD SHALL MEET
21 AT LEAST QUARTERLY, OR MORE FREQUENTLY AT THE CALL OF THE
22 CHAIRPERSON, OR IF REQUESTED BY A MAJORITY OF THE MEMBERS THEN
23 SERVING.

24 (4) A MAJORITY OF THE MEMBERS OF THE BOARD CONSTITUTE A QUORUM
25 FOR THE TRANSACTION OF BUSINESS AT A MEETING OF THE BOARD. A
26 MAJORITY OF THE MEMBERS PRESENT AND SERVING ARE REQUIRED FOR THE
27 OFFICIAL ACTION OF THE BOARD.

1 (5) THE BUSINESS THAT THE BOARD MAY PERFORM SHALL BE CONDUCTED
2 AT A PUBLIC MEETING OF THE BOARD HELD IN COMPLIANCE WITH THE OPEN
3 MEETINGS ACT, 1976 PA 267, MCL 15.261 TO 15.275.

4 (6) A WRITING PREPARED, OWNED, USED, IN THE POSSESSION OF, OR
5 RETAINED BY THE BOARD IN THE PERFORMANCE OF AN OFFICIAL FUNCTION IS
6 SUBJECT TO THE FREEDOM OF INFORMATION ACT, 1976 PA 442, MCL 15.231
7 TO 15.246.

8 (7) MEMBERS OF THE BOARD SHALL SERVE WITHOUT COMPENSATION.
9 HOWEVER, MEMBERS OF THE BOARD MAY BE REIMBURSED FOR THEIR ACTUAL
10 AND NECESSARY EXPENSES INCURRED IN THE PERFORMANCE OF THEIR
11 OFFICIAL DUTIES AS MEMBERS OF THE BOARD.

12 (8) THE BOARD SHALL DO ALL OF THE FOLLOWING:

13 (A) ASSIST AND ADVISE THE DEPARTMENT WITH THE DEVELOPMENT OF
14 POLICIES AND PROCEDURES THAT SUPPORT FAMILY REUNIFICATION DURING
15 AND AFTER INCARCERATION.

16 (B) ASSIST AND ADVISE THE DEPARTMENT WITH THE DEVELOPMENT OF
17 PROGRAMS THAT SUPPORT FAMILY REUNIFICATION DURING AND AFTER
18 INCARCERATION.

19 (C) ENHANCE COMMUNICATION BETWEEN THE DEPARTMENT AND FAMILIES
20 REGARDING ISSUES THAT IMPACT A BROAD RANGE OF INCARCERATED AND
21 FORMERLY INCARCERATED INDIVIDUALS AND THEIR FAMILIES, INCLUDING,
22 BUT NOT LIMITED TO, GATHERING INFORMATION FROM INDIVIDUALS IN THE
23 REGION AND ACROSS THE STATE WITH FAMILY MEMBERS WHO ARE OR HAVE
24 BEEN INCARCERATED.

25 (D) IDENTIFY BARRIERS CONCERNING FAMILY REUNIFICATION DURING
26 AND AFTER INCARCERATION.

27 (E) FILE AN ANNUAL REPORT WITH THE CHAIRS OF THE COMMITTEES

1 CONCERNED WITH THE DEPARTMENT AND CRIMINAL JUSTICE ISSUES OF THE
2 SENATE AND HOUSE OF REPRESENTATIVES REGARDING ITS ACTIVITIES UNDER
3 THIS SECTION. THE REPORT SHALL BE FILED NOT LATER THAN OCTOBER 1 OF
4 EACH YEAR.

5 (9) THE BOARD MAY, IN ITS DISCRETION, CREATE REGIONAL
6 COMMITTEES OR FACILITY-FOCUSED FAMILY COUNCILS TO FURTHER ITS
7 MISSION.

8 Enacting section 1. This amendatory act takes effect 90 days
9 after the date it is enacted into law.