



State Appellate Defender Office

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Information for Family and Friends
of Incarcerated People

By: SADO’s MDOC Quality of Life Committee

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IMPORTANT LEGAL RESOURCES

- **State Appellate Defender Office (SADO):** www.sado.org: SADO represents approximately 25% of Michigan's indigent people appealing felony convictions throughout the State. SADO's website provides a vast amount of information on indigent criminal appeals and self-help resources.
 - **SADO's Re-Entry Services Locator:** <http://www.sado.org/locate/reentry>
SADO has compiled a database of agencies that may be able to help formerly incarcerated people with various needs they have immediately following their release from prison. The database is searchable by county and by particular need (i.e., housing, employment, transportation, legal aid, etc.)
 - **SADO's Information for Families and Self-Help Resources:** <http://www.sado.org/Page/24/Self-Help>
- **Michigan Appellate Assigned Counsel System (MAACS):** 517-334-1200: Administers the system for assigning private counsel to approximately 75% of Michigan's indigent people appealing felony convictions. (If your loved one is not represented by SADO on appeal, chances are they are represented by a MAACS lawyer).
- **Michigan Court of Appeals:** <http://courts.mi.gov/courts/coa>: Check the status of the appeal in the Court of Appeals and Supreme Court and view the docket sheet for active and non-active appeals
- **Offender Tracking Information System:** [OTIS:](http://www.michigan.gov/otis) Michigan Department of Corrections website that lists each incarcerated person and their current convictions
- **Michigan Department of Corrections (MDOC):** <http://www.michigan.gov/corrections>: Contains comprehensive information on internal policies and procedures of, such as what type of mail can be sent and what cannot, and contains a wealth of [information for families](#).
- **Michigan Court Rules:** Contains rules regarding all aspects of criminal procedure and appeals: [Online Court Rules](#).

THE PROCESS OF A CRIMINAL APPEAL

Your loved one was convicted and cannot afford a lawyer for an appeal. Now what?

- Within 42 days from the date of sentencing, the person must sign and return to the court the following form: Notice of Appellate Rights and Request for Appointment of Counsel.
 - Note: It is very important that the form be filed within 42 days of sentencing, See MCR 7.204(2). If the person did not timely file the form, a lawyer should be consulted about options.
- The trial court will then issue a Claim of Appeal and Order Appointing Counsel if convicted by trial or an Order Regarding Appointment of Appellate Counsel if convicted by plea.
 - If you are unsure of whether this has been done, you can search the Court of Appeals website to see the docket for a trial case or call the circuit court clerk's office for a plea case.
- Counsel will be appointed to the case.

What is an appeal?

- The purpose of an appeal is to identify **legal errors** that happened in the circuit court that resulted in an unfair result.
- A trial is very different from an appeal.
- An appeal may involve challenging the validity of the conviction or sentence or both.
- The goal of an appeal is to correct the error – usually this means a new trial or a correction of an invalid sentence. Rarely would it mean the case is dismissed and the client goes home.
- For plea cases, if plea withdrawal is granted, the person would be facing the original charges all over again, so there is risk.
- Appeals take a long time and fast results should not be expected.

Was your loved one convicted by trial or by plea?

- **If by trial**, then the appeal is **by right** (which means the Court of Appeals must hear the appeal)
 - Any legal errors that occurred at trial can be raised
 - Facts established at trial can rarely be challenged but there is room to expand the record to try to add more facts.
- **If by plea**, then the appeal is **by leave** (which means we must ask the Court of Appeals to hear the appeal and they can decide if they will or not)
 - Issues that can be raised are limited because the nature of a plea means that challenges to the evidence are generally waived. Options include: (1) plea withdrawal - arguing that something was wrong with the plea taking procedure, for example, if the plea was not made “knowingly, intelligently and/or voluntarily” according to legal standards; (2) sentencing errors – arguing that the sentence is legally invalid. Without a legal error, there is no opportunity to ask the judge or Court of Appeals to take a second look at the sentence (i.e. there is no such thing as a motion for a time-cut, or time off of a prison sentence for good behavior).
 - Risk: Appeals following a plea always involve some amount of risk. If an individual is allowed to withdraw their plea, then the case starts all over again. The individual must face all the original charges again. The prosecutor is not obligated to offer a new plea deal and the case will likely proceed to trial. If a resentencing is granted the sentencing judge can consider any new bad information that may have occurred

since the first sentence (new felonies or tickets while incarcerated). An attorney's job is to properly advise the client of the risk.

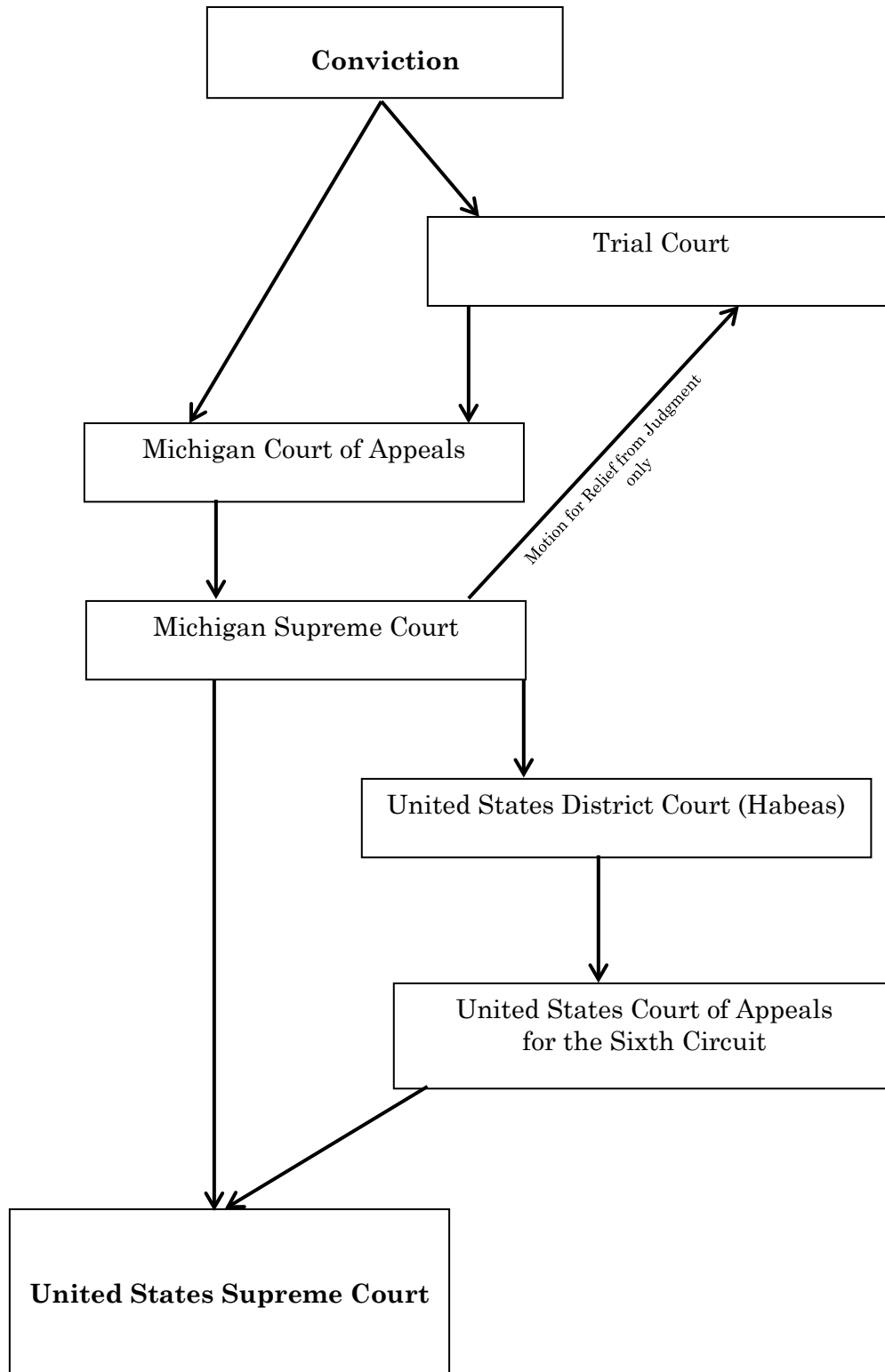
What happens after SADO is appointed as counsel? (Will vary if non-SADO case)

- SADO orders all trial court records (transcripts, court file)
 - For trial cases, the court reporter has **91 days** to file the trial and sentencing transcripts from the order appointing counsel. A particular SADO attorney will not be assigned to a trial case until the transcripts have been received. It could be 3-4 months after the court appoints counsel that a specific lawyer will be assigned.
 - For plea cases, the court reporter has 28 days to file the plea and sentencing transcripts from the order appointing counsel. A SADO attorney will be assigned to a plea case anywhere from 2 weeks to 4 months after the court appoints counsel.
- After a specific SADO attorney is assigned to the case, the attorney reads the file, conducts legal research, and begins investigation if needed.
- **At that point, the attorney will schedule a personal interview with the client to discuss the appeal.** Note that attorneys typically do not discuss the case with their clients prior to reading the file because they have incomplete information at the time. Attorneys may not be able to speak to families until after they visit and get permission from the client.
- Attorney files the appropriate appellate pleading:
 - The deadline for filing an appeal of a trial conviction is **56 days** from the date that the last transcript was filed. Attorneys frequently receive an additional **56-day** extension and can receive other extensions in certain circumstances.
 - The client may be able to file their own supplemental brief raising issues they wish to raise, but that should be discussed thoroughly with their attorney. These client pleadings are often called "Standard 4 Briefs" or "Pro Per" or "Pro Se" pleadings.
 - The deadline in plea cases is **6 months** from the date of sentence regardless of whether transcripts have been filed. There are no extensions allowed!
 - In certain other circumstances, the deadline may be shorter based on things like when the transcripts are filed or if the assigned attorney is the second or third attorney appointed for the appeal.

What happens after the appeal is filed?

- The attorney will send the client a copy of the brief that was filed.
- The prosecutor will have an opportunity to file a response brief and if the prosecutor files a brief, the attorney will send the client a copy.
- If the pleadings have been filed in the trial court, a hearing will be scheduled, usually within a month or so, and the court will make a ruling on the case. If the pleadings have been filed in the Court of Appeals, there can be a very long waiting period before the court schedules "Oral Arguments."
- Oral Arguments are public and the public is welcome to attend. For most of 2020 and 2021 the arguments have been on Zoom and available on the Court's YouTube page. The lawyers argue their briefs before a panel of three judges. The judges will issue a written decision sometime after oral argument, anywhere from weeks to a year later.
- If the appeal is successful, the client may get a resentencing, plea withdrawal or a new trial. But the prosecutor can appeal, which will prolong the appeal process.
- If the appeal is denied, the appeal can continue to the Court of Appeals or Michigan Supreme Court. The attorney may or may not represent the client in a further appeal.
- The attorney will continuously keep the client notified about developments with the case.

BASIC DIAGRAM OF A CRIMINAL APPEAL



FELONY SENTENCING

When a person is sentenced for a felony in Michigan, they are given a “minimum term” and a “maximum term.” (There are limited circumstances where a person might get a flat term of years. For example, felony firearm carries a mandatory flat two-year prison sentence where a person serves their term in prison and there is no parole board review or any term of parole).

Minimum Term (usually within the sentencing guidelines range)

- The judge sets the minimum number of years the person must stay in prison.
- A person is not eligible for parole until they reach their minimum sentence date. You can find a person’s parole eligibility date (or “earliest release date”) on [OTIS](#).
- The minimum term usually comes from a range that is set by the sentencing guidelines. The range is determined by assessing points for prior crimes (Prior Record Variables/PRV Level) and points for things that happened to aggravate the sentencing offense (Offense Variables/OV Level) (use of a weapon, injury, number of victims, etc.). The guidelines are advisory only, meaning a judge can sentence outside the range, if it is “reasonable.”
- The court first selects the grid corresponding to the type of offense, then uses the PRV and OV points to determine a cell on the grid, which determines the range for the minimum sentence. A sample grid can be found below, and the complete Michigan Sentencing Guideline Manual can be found by clicking [here](#).

OV Level	PRV Level											Offender Status	
	A 0 Points		B 1-9 Points		C 10-24 Points		D 25-49 Points		E 50-74 Points		F 75+ Points		
I 0-9 Points	0	18*	12	20	24	40	36	60	51	85	72	120	
		22		25		50		75		106		150	HO2
		27		30		60		90		127		180	HO3
		36		40		80		120		170		240	HO4 [†]
II 10-24 Points	12	20	15	25	30	50	51	85	72	120	78	130	
		25		31		62		106		150		162	HO2
		30		37		75		127		180		195	HO3
		40		50		100		170		240		260	HO4 [†]
III 25-34 Points	15	25	21	35	36	60	57	95	78	130	84	140	
		31		43		75		118		162		175	HO2
		37		52		90		142		195		210	HO3
		50		70		120		190		260		280	HO4 [†]
IV 35-49 Points	21	35	24	40	45	75	72	120	84	140	87	145	
		43		50		93		150		175		181	HO2
		52		60		112		180		210		217	HO3
		70		80		150		240		280		290	HO4 [†]
V 50-74 Points	24	40	36	60	51	85	78	130	87	145	99	160	
		50		75		106		162		181		200	HO2
		60		90		127		195		217		240	HO3
		80		120		170		260		290		320	HO4 [†]
VI 75+ Points	36	60	45	75	57	95	84	140	99	160	117	160	
		75		93		118		175		200		200	HO2
		90		112		142		210		240		240	HO3
		120		150		190		280		320		320	HO4 [†]

[†] Certain fourth habitual offenders may be subject to a mandatory minimum sentence of 25 years’ imprisonment. See MCL 769.12(1)(a).

Maximum Term

The maximum sentence is most-often determined by statute, although there are exceptions where a judge sets a maximum term as well. Once a person reaches their maximum sentence, the parole board has no power to keep that person in prison any longer.

Sentence Enhancements

- Sentence enhancements can increase the sentencing guideline range.
- A sentence enhancement is typically applied when a person has prior felonies.
- The most common is the “habitual offender enhancement:” a habitual offender 2nd has one prior felony, a habitual offender 3rd has two, and a habitual offender 4th has three or more.
- The habitual offender sentence enhancements permit an increase in the top of the sentencing guidelines range (note the HO2, HO3, and HO4 on the grid) and an increase in the maximum penalty.
- Another typical enhancement, the 2nd or subsequent controlled substance offender enhancement, permits doubling of the sentencing guidelines range and increasing the maximum possible penalty. These increases are not mandatory, even if the enhancement applies – a judge has the option to impose or to not impose the increases at sentencing.

Bargained-for Sentences in Plea Cases

- Many people can and do include sentencing provisions as a term of their plea bargain. Some bargain for a specific term of years (i.e. 5-year minimum), some may bargain for a sentence in the bottom half or very bottom of the range, etc.
- If the person receives the sentence they bargained-for, even if it is outside the sentencing guidelines range, they generally cannot successfully challenge the sentence on appeal.

Early Release

If a person is sentenced to **jail or probation**, they may receive good-time or other incentives which may permit early release. A person sentenced to **prison** has no option for early release (there is no good time, disciplinary credit or time-cut option for a prison sentence). For people whose offenses occurred prior to 1999, there may be limited opportunities to earn credit against their sentence and be parole eligible earlier.

Parole Eligibility

- A person is eligible for review by the parole board when they reach their minimum term. Usually the file review and any interview will occur within a few months before the end of the minimum term or earliest release date.
- The person will receive a decision in writing and notice of the next review date if they are denied parole (if they are “flopped”). The Parole Board determines (at its discretion) the actual release date.

VISITING A PRISON

*Visiting a prison can be an intimidating process. We have included some tips here to hopefully make your visit smoother, and answer questions you may have about the process in general. *PLEASE NOTE: Policies can change at any time and for any reason. Please call the facility ahead of time, especially if it is your first visit, to get complete, up-to-date information.* **Note the attachments to the package regarding visiting during COVID-19.***

Who Can Visit?

1. Persons approved for placement on the incarcerated person's approved Visitors List.
2. The Visitor's List includes immediate family members and no more than 10 other people the incarcerated person wants to allow for visits.
 - a. Immediate family members: grandparent, parent, stepparent, spouse, mother-in-law, father-in-law, child, step-child, grandchild, sibling, step-sibling, and half-sibling. An aunt and uncle can be added if adequate verification is provided that they served as a surrogate parent.
3. The following people can visit without being on the List, unless they are related by blood or marriage, on probation or parole as a result of a felony, or another incarcerated person:
 - a. Qualified clergy
 - b. Volunteer in an outreach program sponsored by an external religious organization
 - c. Attorney or attorney's representative, on official business
 - d. Someone from the legislative, judicial, or executive branch of government; consulate general.
 - e. Department of Health and Human Services or Friend of the Court employee who is facilitating a visit between the incarcerated person's child and the incarcerated person.
 - f. NOTE: These visits are not counted as one of the incarcerated person's regular visits.
4. The incarcerated person gives the List to housing unit staff. Immediate family members can be added/deleted by the incarcerated person at any time. Other names can be added/deleted by the incarcerated person at least once every six months.
5. Number of Visits:
 - a. Level I: 8 per month
 - b. Level II: 7 per month
 - c. Level IV: 5 per month
 - d. Level V: 4 per month
 - e. Segregation: 4 per month
 - f. STG I: 3 per month; STG II: 2 per month.
 - g. RSAT parolees: 7 per month
 - h. Weekend visits: At Level I, the facility may permit any or all allowed visits to occur on a weekend; At Level II and above, only two of the allowable visits may be on a weekend.

Applying to Visit:

1. Each person named on the Visitor List must complete the MDOC Visiting Application and submit it to the facility where the incarcerated person is housed.

- a. A Visitor's Application is attached and can be found online at: [http://www.michigan.gov/documents/corrections/CAJ-103 MDOC Visiting Application 222547 7.pdf](http://www.michigan.gov/documents/corrections/CAJ-103_MDOC_Visiting_Application_222547_7.pdf)
- b. **Tip:** Include self-addressed, stamped envelope with your application. If no envelope is provided, the proposed visitor is only notified of a denial.
2. Once the Visitor List and Visiting Application are submitted, facility staff will determine if the proposed visitor is eligible approval to visit.
3. To be approved, the visitor cannot be:
 - a. Under a current visitor restriction;
 - b. An incarcerated person or formerly incarcerated person in any jurisdiction. But, an immediate family member may be approved by the Warden;
 - c. On parole or probation as a result of a felony conviction. Immediate family member may be approved by the Warden and written approval from the supervising field agent;
 - d. Under 18, unless the visitor is an emancipated minor, or the child, step-child, grandchild, sibling, step-sibling, or half-sibling of the incarcerated person. Minors cannot visit if:
 - i. There is a court order prohibiting visits between the child and incarcerated person;
 - ii. Parental rights of the incarcerated person have been terminated; or
 - iii. The incarcerated person has been convicted of child abuse, criminal sexual conduct, or any other assaultive or violent behavior against the child or sibling of the child, unless an exception has been granted by the Director upon request of the Warden.
 - e. On another's incarcerated person's approved visitors list, except as an immediate family member.

Denial and Removal from List:

1. The Warden has broad authority to deny approval to visit, based on the safety/security of the facility, protection of the public, previous violations of visiting room rules, or for other reasonable causes.
2. If a visitor is denied, the visitor will be provided with a copy of the denied Application, which includes, in writing, the reason for denial.
3. Appealing a Denial: A proposed visitor may submit a written request for reconsideration to the Warden.
4. Removal from a List:
 - a. A person can request to be removed from the list by writing to the facility.
 - b. The MDOC must remove a visitor from the list if the MDOC receives reliable information the visitor is no longer eligible. Both the incarcerated person and visitor will be notified in writing of the reasons for removal.
 - i. Appealing a Removal: The incarcerated person may appeal through the grievance process. The visitor may submit a written request for reconsideration to the Warden.

Arriving at the Correctional Facility:

1. If it is your first visit, bring a copy of the approved visitor application. This is not required, but could be helpful.
2. Up to 5 people may visit an incarcerated person at a time, not including children under 2 years of age.
3. Identification: All visitors must have picture identification

- a. For visitors under 18 without a picture ID, a birth certificate, certification of adoption or court order establishing paternity must be used and presented.
- b. Visitors are given a badge, which must be worn and visible at all times. It is turned in at the end of a visit. Black light hand marking system will also be used.

4. Searches

- a. All visitors will be searched before being admitted to the visiting area by a MDOC staff member of the same sex as the visitor. The search includes: visitor's clothing, pat down of all areas covered by clothing, removal of their shoes and socks and opening of their mouth to allow for inspection. Prostheses and/or wig must also be searched.
 - b. A visitor who brings a baby must change its diaper, using a disposable diaper supplied by the institution, in the presence of a staff person prior to the visit.
 - c. Any personal property taken inside the secure perimeter of a facility will be searched; reasonable suspicion of contraband and/or consent of the visitor is not required.
 - d. There will be no strip searches or body cavity searches of a visitor unless a search warrant has been obtained.
 - e. Vehicles: An appropriate law enforcement agency will be contacted if contraband is suspected in a vehicle; MDOC employees will not search the vehicle.
 - f. Contraband: Whenever the Warden or the Administrator of the Office of Parole and Probation Services determines there is reasonable suspicion a person will attempt to bring in weapons, alcoholic beverages or poisons, or prescription drugs/controlled substances without written certification from a licensed physician, or the person is found to be in possession of any of these items, MDOC staff may request the appropriate law enforcement agency to be present for questioning or search of the person.
 - g. MDOC policy prohibits the following items from being brought into a facility:
 - i. Cell phones, pagers
 - ii. Audio or visual recording devices, including cameras
 - iii. Tobacco products
 - iv. Money, except change for vending machines
 - v. Watches of any type
5. Visitor Attire: If it is the first visit, a visitor may be given a smock to wear if the attire does not meet the following standards. After the first visit, no exceptions are made. However, if the visitor changes and tries to come back the same day, it will be up to the shift commander to decide whether to allow the visit. Standards:
- a. Visitor must be fully dressed in clean clothes in good repair.
 - b. Must wear underpants/panties; adult females must wear a brassiere, free of metal (i.e. no metal underwire).
 - c. Prohibited clothing:
 - i. Exposes excessive skin: includes see-through clothing, tube/halter tops, and shorts or skirts/dresses over 3 inches above the knee.
 - ii. Exposes undergarments
 - iii. Extremely form-fitting items as outer garments: includes yoga pants, running tights, jeggings, unitards, etc.
 - iv. Displays obscene or inflammatory images/words
 - v. Outer garments: includes headgear, gloves, coats, shawls, ponchos, vests, etc.
 - vi. Hooded garments

- vii. Electronic wrist bands (i.e. FitBit), pendants, eyeglasses or similar items which contain a camera, GPS, wireless or electronic functions.
- d. Religious headgear is allowed, but subject to search/inspection
- e. Must wear footwear at all times.
- f. Jewelry is itemized on entry and departure. No more than 10 pieces.
- g. Electronic wristbands, pendants, eyeglasses, or other items that contain a camera, GPS, or wireless capacity are prohibited.
- h. ALL Watches: Visitors are no longer permitted to wear watches into visits.

Entering the Visiting Room (VR):

1. Property Visitors can bring into the VR:

- a. Locker key
- b. Visitor pass
- c. ID card
- d. MONEY for food:
 - i. Most prisons now use pre-paid vending cards. There are kiosks in the lobby of these prisons, where you can buy cards and add money. NOTE: these cards are not transferrable from prison-to-prison, so only place money on the card that you will use during that visit, in case your loved one is transferred.
 - ii. Some prisons, although very few, still allow change for vending machines, at a maximum \$25 per visitor; over three visitors in group, maximum is \$60.
 - iii. Call prior to the visit to determine if the facility uses cards or change.
- e. Infant: two clear plastic bottles, one pacifier, one single-layered baby blanket. Sippy cup if toddler present. Breastfeeding is not permitted in the VR.
- f. Medications and/or medical equipment, approved by shift commander.
 - i. Paraplegics must use facility's wheelchair while in the VR. Member of that visitor's visiting party is responsible for moving the individual to the facility wheelchair. If this move cannot happen, they can use their own wheelchair, but it will be a non-contact visit.
 - ii. Quadriplegic: may use their own wheelchair, but chair will be inspected. Clothed body search of exposed areas without removal from the chair.
 - iii. Service animal: harness/collar, cape or backpack will be searched.
- g. Photo tickets
- h. Legal documents can be brought in by immediate family members; cannot be left with the incarcerated person and can be searched.
- i. Attorneys, their representatives, legal paraprofessionals, law clerks on attorney visits may bring: legal papers, writing pads and implements, softbound copies of law books and up to \$25 in change or prepaid card. Attorneys may leave legal documents at the front desk at the end of the visit. Delivered as mail to the incarcerated person.
- j. Outreach volunteers and clergy: two religious books, pen/pencil, notepad, up to \$25 in change. Cannot be given to the incarcerated person. Clergy may bring in sacramental items only if Warden approves before the visit.
- k. Media: notebook/pad and pencil/pen. Cannot be given to the incarcerated person.

2. Physical Contact: The only allowable contact is one kiss and one embrace at the beginning and end of each visit and when a picture is being taken. The incarcerated person and the visitor can have their arms around the shoulders of one another and may hold hands. If the incarcerated person is a parent or grandparent, they may touch and hold their child under two and bottle feed their infant while visiting.

3. Exchanging Attire is Prohibited: The MDOC policy states, "Visitors are not to exchange or give any part of their attire to a prisoner." For example, do not let the incarcerated person

try on your glasses just to see how they look, or borrow your sweater if they are cold. This could result in a visitor restriction.

4. Use of Restrooms:

- a. Only use restrooms designated for public use, not those used by incarcerated people.
- b. Infant: visitor may change the infant's diaper in a designated area; an incarcerated person may not change the diaper
- c. Searched prior to returning to VR.
- d. Cannot use restroom during count time.

5. Photos:

- a. An incarcerated person cannot be photographed with another incarcerated person or another incarcerated person's visitor.
- b. Inappropriate gestures will lead to confiscation of the photo.
- c. The incarcerated person cannot take photo tickets back to the housing unit.
- d. All tickets must be used or removed at the end of the visit.

Other Types of Visits:

1. Hospital Visits: Hospitalized incarcerated people may have visitors who meet the above requirements only if the incarcerated person is critically ill, as verified by the attending physician, and with prior approval of the Warden/Deputy Warden of the facility providing custody coverage.
2. Non-contact visits: incarcerated people in Level V, those serving a disciplinary sanction in detention (punitive segregation), or those classified to administrative segregation will only be allowed non-contact visits. Also, the Warden can limit an incarcerated person of any security level to non-contact visits when:
 - a. Immediate family member or an attorney is subject to a visitor restriction.
 - b. Adequate search cannot be done due to the presence of a medically required device.
 - c. The incarcerated person is being monitored for suicidal behavior.
 - d. The Warden determines, based on a review of a guilty finding in a major misconduct charge or the upholding of a visitor restriction, that an incarcerated person or visitor demonstrates unmanageable behavior that is related to contact visiting.
 - e. If a hearing officer upholds a visitor restriction based on conduct during a non-contact visit, the incarcerated person and the restricted visitor will not receive any visits during the time period of the restriction.

Disallowed/Terminated Visits:

1. Visits may be terminated based on VR overcrowding.
2. A visit will not be allowed or will be terminated if:
 - a. The incarcerated person does not want a visit.
 - b. The visitor is a minor family member and is not accompanied by an adult immediate family member of the child or their legal guardian, from the approved visitor's list.
 - c. The incarcerated person/visitor appear intoxicated or under the influence of a controlled substance.
 - d. The incarcerated person or visitor fails to comply with the CFA Visiting Standards.
 - e. The visitor uses verbally abusive language at staff, incarcerated people, or other visitors.
 - f. The incarcerated person commits a Class I misconduct in the VR.
 - g. Reliable information is received that the purpose of the visit is to conduct an illegal act.

Visitor Restrictions

1. A 90-day visitor restriction will be requested if any of the following happen:
 - a. The visitor makes a false statement with respect to visiting
 - b. The visitor damages or attempts to damage MDOC property or engages in disruptive behavior
 - c. The visitor removes or attempts to remove any item from the institution
2. A permanent visitor restriction will be requested if any of the following happen:
 - a. The visitor smuggles, conspires to smuggle, or attempts to smuggle items into, or out of, the facility.
 - b. The visitor assaults staff or threatens them with physical harm
 - c. The visitor assists, conspires to assist, or attempts to assist an incarcerated person to escape
 - d. The incarcerated person or visitor touches or exposes the breasts, buttocks, or genital area during a visit.
 - e. The visitor has a pending felony or misdemeanor charge or has been found guilty of a felony or misdemeanor that occurred in connection with a visit.
3. Director's Restrictions
 - a. The Director of the MDOC may restrict all of an incarcerated person's visits if the incarcerated person is convicted or found guilty of any of the following:
 - i. Felony/misdemeanor that occurred during a visit
 - ii. A Class I misconduct that occurred during a visit or was associated with a visit
 - iii. Escape (attempt or conspiracy)
 - iv. Two or more violations of substance abuse rules, including failure to take a substance abuse test (that restrictions lasts for at least two years).
4. Process
 - a. The visitor will be sent the Notice of Proposed Visitor Restriction and the date of the hearing.
 - b. A hearing investigator is assigned to all visitor restriction hearings.
 - c. The hearing will be conducted within 30 business days of the date of the notice and conducted by a hearing officer from the Department of Licensing and Regulatory Affairs (i.e. *not* the MDOC).
 - d. A re-hearing may be requested.
5. Removal of a Permanent Restriction
 - a. The visitor may submit a written request to be removed from the permanent restriction to the Warden of the facility in which the incarcerated person is housed.
 - b. The request for removal cannot be made until *one year* after the incident.
 - c. The following scenarios require *at least* a three-year restriction:
 - i. Smuggling (conspire or attempt) a controlled substance, alcohol, a weapon, escape materials, cell phone or other communication device, or money over \$10.
 - ii. Assault or threatening to assault staff or others
 - iii. Assisting (conspire or attempt) an incarcerated person to escape
 - iv. A felony conviction for behavior by the incarcerated person or visitor which resulted in the visitor restriction.

***The above information is a lot to digest but should be reviewed before visiting a prison. This page is a basic visiting checklist to consider prior to visiting your loved one. The most detailed information on visiting can be found at the facilities—the Correctional Facilities Administration (CFA) Visiting Standards, usually located on the front desk (or online [here](#)) and by reading Policy Directive 05.03.140 “Prisoner Visiting” located online [here](#).

VISITING CHECKLIST

- Am I on the Approved Visitor’s List?
- Do I have visits remaining in this month?
- Am I subject to any Visitor Restrictions? (There would have been a formal hearing).
- Are there more than 5 people in my visiting group?
- Do I have picture identification?
- Do any kids have an original birth certificate, a certification of adoption or a court order establishing paternity?
- Did I leave all personal property in my vehicle?
- Did I “shake myself down?” I.e., check my person for cell phones, pagers, watches, cameras, tobacco products (including lighters), money (aside from change for vending machines)?
- Is my clothing appropriate?
 - My clothes are clean and in good repair
 - I am wearing undergarments
 - My clothing does not expose excessive skin
 - My clothing is not extremely form fitting or extremely loose fitting
 - My clothes do not have obscene or inappropriate images/words
 - I am not wearing outerwear
 - I do not have more than 10 pieces of jewelry
 - I am not wearing a watch
- Do I have my prepaid vending card?
- Infant: do I have more than 2 clear plastic bottles, one pacifier, one single-layered blanket?
- Toddler: do I have more than a sippy cup?
- Do I have documentation of necessary medications to show to the shift commander?
- In the VR, remember to only kiss and hug once at the beginning, and once at the end of the visit. NO MORE than hand holding or arms around shoulders are allowed in the VR.
- Did I use the restroom prior to the visit?

VISITING DURING COVID-19

IN-PERSON VISITS

Visiting prison during COVID-19 is very different. Most of the same rules apply, but there are additional restrictions and procedures.

Scheduling a visit:

- Incarcerated people are allowed fewer visits:
 - Level I: four (4) visits per month
 - Level II: three (3) visits per month
 - Level IV (General Population and Protection): two (2) visits per month
 - Level V and STG I: two (2) visits per month
 - Segregation and STG-II may have one non-contact visit per month.
- Visits must be scheduled in advance using the GTL Scheduler: [Link here](#).
- Visits must be scheduled between 72 and 96 hours in advance. For example, if you want to visit on Saturday at 10:00AM, you must schedule your visit between Tuesday at 10:00AM and Wednesday at 10:00AM.
- You should arrive at the facility 45 minutes before your scheduled visit to complete the COVID-19 screening process:
 - You will sign a liability waiver acknowledging that you are taking a risk by entering a prison during the pandemic.
 - All visitors will have their temperature taken.
 - All visitors over the age of two (2) years will also have to take a COVID-19 rapid-test. If you test positive, you will not be allowed to visit.
 - You will complete a questionnaire regarding possible COVID-19 exposures.
- If you are being dropped off to visit, you must have made arrangements in advance for someone to pick you up if you fail the screening process. If you are being dropped off, see if the person dropping you off will stay with you until you have been cleared to enter the facility.
- Visits are limited to two hours. That time period starts from the time the visitor enters the visiting room. Contact the prison if you expect to be late for your visit. Visitors travelling more than 200 miles from their home address for a visit may apply to schedule more than one visiting session for the same day, if space permits and with prior approval of the Warden. **Each two-hour session counts as a separate visit.**

***Example:** A visitor from Detroit is travelling to visit her son, who is in Level II at Chippewa. She wants to bring his children to visit him on Saturday at 10. One of them is 3 years old, and the other is 18 months old. She must schedule the visit using the GTL scheduler, between 10AM on Tuesday and 10AM on Wednesday. She can schedule one two-hour visit on the scheduler. Since she is more than 200 miles away, she can reach out to the facility to get permission to reserve more than one two-hour visit. If she is granted permission for a second block, their visit will be scheduled from 10AM to 2 PM.*

They should arrive at the facility by 9:15. The mother and older child will complete a rapid-test. They will all have their temperatures taken. The mother will answer questions about COVID-19 exposure. Their scheduled time will not begin until they have entered the visiting room. So if they arrive on time and their visit actually starts at 10:15, their visit will go from 10:15 to 2:15.

In-Person Visit Procedures:

- All visitors will have to wear masks. Usually the facility will provide a mask for the visitors, and visitors will be required to wear the masks that the facility provides. You may see officers or other staff not wearing their masks properly (i.e. not covering their nose and mouth). You should still continue to use your mask correctly, because your visit may be terminated if you fail to follow COVID-19 protocol, even if other people around you are not.
- You will receive a disposable wristband instead of a Visitor badge. You must keep it on at all times. It will be removed by staff at the end of your visit. You will still get black-light marking.
- You will use hand sanitizer each time you enter/exit the visiting room.
- Visitors and incarcerated people may embrace once at the beginning of the visit and once at the end, but no other physical contact is permitted. Visits will take place at a table with a Plexiglass barrier between the incarcerated person and visitors.
- Bathroom breaks are permitted as usual, but time spent on bathroom breaks will count as part of the two-hour visit.
- Vending is not permitted at this time. Both incarcerated people and visitors may have water, but it will be located in designated areas. Visitors may lower their masks to drink water.
- The prison will provide disposable crayons and coloring sheets for children, but there will not be any other games or toys available.
- Due to social distancing concerns, no photos will be taken.

You can visit these links for further information. They are also included at the end of your packet:

- https://www.michigan.gov/documents/corrections/05_03_140_672669_7.pdf
- https://www.michigan.gov/documents/corrections/DOM_2021-26R6_COVID_Final_3-26-21_720613_7.pdf

VIDEO VISITS

- Video visits may also be scheduled using the GTL Scheduler. There are different procedures for the Women's Huron Valley Correctional Facility (WHV). Incarcerated people at WHV must use the prisoner store kiosk to schedule visits.
- Visitors must be approved and on the person's visiting list, just like in-person visits.
- Visits must be scheduled at least 48 hours prior to the visit, but not more than 72 hours prior to the visit.
- Video visits may be terminated and restricted for any of the following reasons:
 - The visitor wears inappropriate attire. Look to the regular visiting standards to decide whether your clothing meets the requirements.
 - The visitor shows an unauthorized item during the visit. These include things like money, drugs, or weapons.
 - The visitor plays music, watches television, videos, or movies during the video visit.
 - The visitor does not remain seated or shows their entire body during the video visit.
 - The visitor is in bed or the bathroom.

- The conversation between the incarcerated person and visitor is excessively loud, such as arguments or tantrums.
- The visitor or incarcerated person makes obscene or sexually suggestive comments or gestures.
- The visitor uses electronic devices or telephones during the visit.
- The visitor is in a moving vehicle.
- The visitor is in public.
- Unscheduled visitors come into the visit.

Tips for video visits:

- Conduct a video visit in a private residence, in a room with only scheduled visitors present.
- Wear clothes that you would wear during an in-person visit.
- Do not sit in your bed or anywhere that might look like a bed.
- Speak loudly enough for the person you are visiting to hear you, but do not yell or make any other excessive noise.
- Do not bring anyone into the visit who has not been identified as a scheduled visitor.
- Treat a video visit like an in-person visit. Assume that you and the person you are visiting are subject to all of the same rules as an in-person visit.

TRANSFERS

A common question we receive from our clients and their family members is to request a transfer to a different prison, usually closer to the client's family and support system. While we understand the desire, there is very little SADO can do to secure transfers. The MDOC usually only transfers if there is a medical or programming need, the incarcerated person needs to be transferred to a higher or lower custody level, or there are safety issues between incarcerated people at one facility. This sheet includes information about placement in the MDOC, so family members can better understand all the factors that go into deciding where a person is housed.

- There are five security levels for MDOC facilities: Level 1 (I), Secure Level 1 (I), Level 2 (II), Level 4 (IV), and Level 5 (V). Level I is the least secure; Level V is the most secure.
- A person can be classified (labeled) as Level I, II, IV, V or to Administrative Segregation. Administrative Segregation is the most restrictive level of security classification; no prison is comprised solely of Administrative Segregation beds, but rather there are Administrative Segregation units throughout the State.
- Each facility has a Security Classification Committee (SCC), appointed by the Warden to determine the classification level of each incarcerated person.
- The SCC completes a Security Classification Screen to determine a person's level, which considers their history (escape risk, gang affiliation, etc.) and behavior while incarcerated (tickets, obtaining a GED, etc.). The points from both sections determine the level.
- The MDOC can depart from or waive the recommended level of placement. Reasons for a departure/waiver could include an ongoing investigation, the nature of recent misconducts, access to medical/mental health treatment, or a lack of bed space.
- Usually, a person's security level is reviewed every 12 months.
- Besides a person's security level, the MDOC must consider the following factors in determining what prison to place someone in. Not all services are available at every prison.
 - Mental Health treatment
 - Therapeutic and Religious Diets
 - Wheelchair Accessibility
 - Vision/Hearing Impaired Accommodations
 - Inpatient Medical Care
 - Dialysis
 - Programming Needs, including Special Education services
 - Re-Entry In-Reach
 - Youthful Offenders
 - Special Problem Offender Notices (SPON): prohibits certain incarcerated people from being housed in the same facility.

Special Notes on Administrative Segregation and Protective Custody

Administrative Segregation

- The SCC must classify an incarcerated person to Ad. Seg., which is different from Detention; Ad. Seg. can be long-term, and Detention is usually 30-days or less as a result of a ticket.
- Many reviews are required to keep a person in Ad. Seg., including by housing unit teams, the SCC, the Warden, the Regional Prison Administrator and Qualified Mental Health Professionals.
- A person will be reclassified to a lower level only with the approval of the SCC and the Warden.
- There are two programs the MDOC designed to help people get out of long-term Ad. Seg.

- The Segregation Incentives Program is a six-phase progression of behavior expectations and incentives to encourage appropriate conduct. The incarcerated person get benefits as they pass the phases, including a TV, phone calls to family, food items, etc.
- The Reintegration (RI) Program is a voluntary program for people already reclassified from Ad. Seg. to General Population (GP), but are resistant to engage in group activities common to a GP setting. There is a dedicated housing unit for RI people, where they are not required to engage in activities in a group setting.

Protective Custody (PC): Oftentimes, family members fear for the safety of their loved ones in prison and try to get them placed in Protective Custody. There are several steps both the MDOC and the incarcerated person must take before placement in PC would be approved.

- The incarcerated person must request protection formally. There will be a hearing, and the person er will be expected to “name names” and provide specific information about the danger they are in.
- If approved, the MDOC must first move the person to another housing unit at the same facility.
- If the different housing unit does not work, the MDOC must transfer to a different prison.
- If the new prison still does not work, then, and only then, the MDOC can consider placement in one of the two PC units—at Bellamy Creek in Ionia or Oaks in Manistee.

How can I help my loved one . . .

1. Obtain a Transfer? There is very little a family member, or SADO, can do to secure a transfer, especially to a specific prison. However, you can tell your loved one to:
 - a. File a grievance regarding their Security Level. If they have been departed or waived to a higher security level, your loved one can file a grievance regarding their placement.
 - b. Refrain from getting tickets. There is virtually no way the MDOC would transfer if your loved one has a bad institutional record.
 - c. Work with their counselor and/or health care if they need any of the above programs/services, and cannot get them at their current prison. After attempting to resolve with staff, they can file a grievance.
 - d. Be patient. Your loved one should understand that transfers, not based on the above reasons, are rare and that they are not being specifically targeted.

2. Get out of the Hole?
 - a. Advise them to file a grievance regarding their continued placement in Ad. Seg.
 - b. Encourage them to behave properly, and therefore pass through more phases of the Segregation Incentives Program. They will be more likely to be released if they have completed all six phases.
 - c. Work with their counselor to determine if the RI unit may be a good fit.

3. Obtain Protective Custody (PC)?
 - a. You must tell your loved one to file a formal request for protection and that they will have to share specific information.
 - b. Calling the prison and expressing concern about your loved one’s safety will not result in PC placement, let alone a transfer.
 - c. Advise them to file a grievance if a formal request was denied.
 - d. Be patient; try to make a new housing unit or new prison work, prior to placement in PC.

4. The Legislative Corrections Ombudsman: You, or your loved one, can always write to the Ombudsman. The following types of placement cases will generally be investigated (not general requests for transfers):
- a. Long-term placement in Administrative Segregation (i.e. over one year);
 - b. Long-term placement in Level IV or V, when the incarcerated person screens at I or II;
 - c. A need for transfer based on medical or mental health accommodations;
 - d. A need for transfer based on a religious diet;
 - e. A need for transfer based on a SPON being housed at the same facility;
 - f. A challenge to a STG (Security Threat Group/gang) label, which affects placement options.

COMMUNICATING WITH INCARCERATED PEOPLE

Calling Incarcerated People

- Incarcerated people can place 20 personal telephone numbers on their telephone list.
- Incarcerated people can update and/or make changes to their telephone list based on the schedule described in Attachment A of Policy Directive 05.03.130.
- Incarcerated people can make calls in the following ways:
 - Collect: Note: Collect calls cannot be made to cell phones, office phones, or hospital numbers.
 - Collect calls are billed to the called party each month. Please note: some local phone providers have a maximum amount limit for collect calls. Contact your local provider to see if there is a max. Otherwise, if there is a max, and you reach it, you will not be able to accept further collect calls from your loved one.
 - Prepaid Account: Public Communications Services (PCS) has a prepaid collect option, AdvancePay®. Friends and family members can create calling accounts to their personal phone numbers, and if an incarcerated person calls these numbers, the charges are deducted from the called party's account.
 - Setting up a Prepaid account:
 - Visit www.offenderconnect.com or call 855.466.2832 to set up an AdvancePay® account.
 - PCS charges a \$3.95 Credit Card Transaction Fee for each funding transaction. This fee will be deducted. So, if you deposit \$20.00, your final total will be \$16.05.
 - Customers receiving calls from MDOC prisons may fund more than one prepaid account (phone number to be called) with a single transaction and single fee charge if each phone number to be funded is setup under the same web profile. Please contact PCS at 855-466-2832 if you are interested in funding more than one prepaid account with a single transaction.
 - There is no minimum deposit for transactions done via the web, IVR or over the phone.
 - There is no fee to close an account.
 - You may also fund an account at no charge via a cashier's check or money order. There is a \$25 minimum payment amount for funding by mail. Payments should be sent to: AdvancePay, PO Box 911722, Denver, CO 80291-1722. Please include your name, the name of the correctional facility where the person is incarcerated and your phone number. Note that it may take up to five (5) business days from when PCS receives payment for the funds to be added to the Prepaid Account.
 - Debit: Incarcerated people can purchase debit minutes through the facility accounting process. Incarcerated people can call any numbers, including cell phones, with their debit account.
- Cell Phones: For an incarcerated person to be able to call a loved one's cell phone, they must use the Prepaid collect or debit systems. Traditional collect calls cannot be made to cell phones.

Writing to Incarcerated People

- When writing to an incarcerated person, you must use the name and address of the facility where they are located, the person's name, and their MDOC number. Example:
John Smith, #987654
A Michigan Correctional Facility
1234 Prison Street
Anytown, MI 49999
- You can find out the person's number, facility, and address by visiting the Offender Tracking Information System (OTIS).
- Mail may be denied if:
 - It is a threat to the security of the facility
 - May encourage criminal activity
 - It interferes with the rehabilitation of the incarcerated person, which includes mail:
 - Violating federal or state law, or postal regulations
 - Containing physical contraband (anything the incarcerated person cannot have)
 - Containing a criminal plan or conspiracy
 - Containing threats
 - Describing or depicting sexual acts or nude photographs
 - For the purposes of operating a business from within the facility.
- If there is a question as to whether mail will be denied, the best advice is to not send the questionable material.
- NEW MAIL POLICY: In November 2017, the MDOC updated its incoming mail policy to address concerns with Suboxone and Fentanyl being smuggled into prisons via the mail. The following mail shall now be rejected:
 - Mail that is taped, pasted, or otherwise joined to another item
 - Mail that includes written/printed content in a medium other than black or blue ink or graphite pencil. This includes mail printed from a color printer except color photographs printed on standard white paper. I.e., you can also not send in any pictures drawn by children in crayon, marker, etc.
 - Mail written on non-white, heavy weight, or construction paper
 - Mail with stamps, stickers, or anything affixed to the paper with an adhesive
 - Non-commercially produced or multi-fold greeting cards, greeting cards made of non-standard card stock paper, which have embellishments, or exceed 6"x8" in size.
 - Mail containing lipstick or a foreign or unknown substance, including unusual stains, body fluids, perfumes, or oils.
 - Note: All envelopes will be discarded by the MDOC upon receipt and the contents will be placed into a plain MDOC envelope prior to giving to the incarcerated person.
 - The policy was updated yet again in September 2020 and now all incoming personal mail including envelope will be photocopied and the photocopy will be delivered to the incarcerated person it is addressed to. The original, including cards and drawings, will be shredded and disposed of.

Emailing Incarcerated People

- Family members and friends can send e-mails to incarcerated people through *JPay*.
- People who wish to send e-mails must have an account with *JPay*. Visit www.jpays.com to create an account.

- The customer (family member, friend, etc.) will have to purchase “stamps” or a subscription through *JPay* to send e-mails.
- Note: All mail is electronically scanned by *JPay* for security issues and then sent to the MDOC, where it is again reviewed prior to being released to the incarcerated person.
- Incarcerated people receive the message on kiosks in the housing unit and can reply by purchasing electronic stamps from *JPay* on the kiosk. Emails can be printed for the incarcerated person for a nominal fee.
- **NOTE: All e-mails are reviewed, monitored, etc., just like regular mail.** Know that MDOC will be reading the content of the e-mails.

Sending Money to Incarcerated People

- NOTE: Deposited funds are subject to collection by the MDOC to pay for obligations imposed by the sentencing court or other obligations. Essentially, this means that all of your money may not go to your loved one for personal use in the facility. See below for further information about removal of funds.
- GTL Financial Services is the vendor used for friends and families to deposit money into an incarcerated person’s account.
- Money Orders
 - Make payable to *GTL Financial Services* and mail to GTL Financial Services, 2603 NW 13th Street, P.O. Box #328, Gainesville, FL 32609-2835.
 - You must include a deposit form, which can be found in each correctional facility, and online.
 - Any notes or letters included with the payment will be discarded by GTL.
 - Deposits may not exceed \$300 in value.
 - Questions regarding the processing of money orders should be directed to GTL at (877) 650-4249.
- Electronic deposit of funds
 - GTL accepts electronic deposits at www.ConnectNetwork.com or via phone at (888) 988-4768. Fees apply to both of these transaction types.
 - GTL will offer cash/credit/debits deposits at select prison kiosks.

Removal of Funds

- Funds are removed from an incarcerated person’s account under the following priority, unless otherwise ordered by a court:
 - Administrative correction to the account
 - Payment of victim restitution
 - Payment of child support
 - Payment of fees or costs pursuant to a court order, victim restitution, or the Prison Reimbursement Act
 - Payments of fees for medical services (co-pays)
 - Payment of all other institutional debts, including debts to the Prisoner Benefit Fund
- All funds are used to satisfy the above debts, except as follows (in relevant part):
 - It would leave the incarcerated person with less than \$10/month for personal use
 - A total of 50% of funds received over \$50/month will be removed for payment of restitution, criminal fees and costs, or child support
 - If the incarcerated person has a medical co-pay or other institutional debt, 100% of the positive account balance will be collected initially, even if this leaves less than \$10/month. The remaining debt will be limited to 50% of future funds received.

Sending Property to Incarcerated People

- Securepak: This program allows family members to send packages with goods to incarcerated people. Visit <http://www.michiganpackages.com/> to learn more about what you can send.
- Ordering Property: Generally, property must be purchased by incarcerated people through the prison store or ordered from approved vendors.
 - However, the public may purchase allowable books, magazines, and other publications (they must be NEW publications) for incarcerated people.
 - These must be sent directly to the incarcerated person from an approved Internet vendor.
 - Some approved Internet vendors, such as Amazon.com, allow private individuals and other vendors to directly sell publications on their websites. That individual or vendor, not Amazon, then mails out the publication. Incarcerated people can only receive these publications if the approved Internet vendor, i.e. Amazon, actually sold and mailed it.
 - **Simply, incarcerated are not allowed to receive the publication if sold and/or mailed by a private individual.**
 - Approved Internet Vendors: Amazon.com, BarnesAndNoble.com,
EdwardRHamilton.com, HamiltonBooks.com, prisonlegalnews.org,
SchulerBooks.com, Walmart.com

PAROLE PROCESS

Earliest Release Date (ERD): A person's ERD is the minimum sentence, minus any applicable good time or disciplinary credits (not many people qualify for such credits). People serving a non-parolable life sentence are not eligible for parole consideration, and people serving life with parole sentence have a different parole process.

Parole Guidelines Score (PGS): Prior to a parole hearing, a person's Parole Guidelines Score (PGS) is calculated. The PGS considers a person's: Active Sentence, Prior Criminal Record, Conduct, Statistical Risk, Age, Program Performance, Mental Health, and Housing. The PGS helps the Parole Board determine who has a high, average, or low probability of parole.

The Board may DENY parole without an interview if the person has a PGS of low probability of parole. The Board may GRANT parole without an interview if the person has a PGS of high probability of parole, except for people serving for a sex offense or an offense involving the death of a victim. People with a PGS of average probability of parole will be interviewed before being granted or denied parole.

The Board may depart from the PGS range (i.e., deny parole to a person with a high probability of parole, or grant parole to a person with a low probability of parole). In these instances, there must be substantial and compelling reasons stated in writing.

Grievance Procedure: A person cannot grieve decisions by the Board. However, an incarcerated person may grieve and challenge the calculation of the PGS and the accuracy of the information used to calculate the score.

Parole Eligibility/Lifer Review Reports: Prior to a parole hearing, each person has a Parole Eligibility Report (PER) prepared by the MDOC. The PER includes: Active offenses for which the person is serving; prior criminal record; overall adjustment while incarcerated or since the last Board review date, including a summary of all Class I/II misconducts; current status toward completion of program recommendation; adjustment while in Community Residential Programs or on parole; the person's cooperation in providing information regarding their financial assets; and the person's parole plans.

Parole Board Interviews:

1. Must be conducted at least 30 days prior to the parole eligibility date.
2. Interviews after a continuance (parole denial) must be done at least 30 days before the reconsideration date given by the Board.
3. If a parole interview is not conducted in a timely manner and the person is issued a continuance, the person's next parole interview must be scheduled as if the previous interview was conducted in a timely manner.

Interview Process:

1. Parole interviews are informal, non-adversarial proceedings, conducted with as much privacy as possible. Custody and security must always be maintained.
2. Oftentimes this interview is done by video.
3. The incarcerated person and a staff member familiar with classification and program matters must be present at the interview. This staff member will assist the incarcerated person and Board by presenting/clarifying information in a fair and objective manner.

4. Assistance will be provided to those people who are hearing-impaired or cannot adequately communicate in English.
5. The incarcerated person may have a representative of their choice present, but not another incarcerated person or anyone less than 18 years of age. An attorney may be included as the representative, but cannot provide legal representation at the interview and an incarcerated person cannot have appointed counsel at public expense at the interview.
6. The Board member will review the incarcerated person's file, including the Presentence Investigation Report (PSIR), the most recent PER, relevant information, and any additional reports requested by the Board. The Board member will discuss with the incarcerated person the nature and circumstances of the offenses for which they are serving, and any issues and concerns cited in the Notice of Intent. The incarcerated person will be given reasonable opportunity to express their views.
7. A Department employee cannot make a recommendation to the Board for or against parole, except if the employee is the victim of the offense for which the person is serving, in which case, the employee/victim may address, or submit a written statement to, the Board.

Parole Board Decision to Grant or Deny Parole: The Board must send a decision to grant/deny parole using the Board Notice of Decision within 21 calendar days after the final decision is made, except when not administratively possible. If additional information is needed to make a decision, the Board may issue a deferral until such material is received. The reasons for deferral must be recorded on the Notice of Action.

People denied parole will be reconsidered at 12, 18 or 24 months, as determined by majority vote of the Board or a panel of the Board. However, the Board may reconsider a person at 60 months (5 years) under 2 circumstances: the Board concludes the person's history of predatory, deviant, or violent behavior indicates there is a present risk to public safety; or the person was convicted of a firearm offense while on parole or violated a condition of parole by possessing a firearm.

***An incarcerated person cannot appeal a denial of parole or file a grievance.**

***The prosecutor from the county of conviction can appeal the grant of parole. If a prosecutor appeals, the incarcerated person is entitled to an attorney to represent them.**

RESOURCES FOR INCARCERATED PEOPLE AND THEIR FAMILIES

For Issues Related to Incarceration:

- Legislative Corrections Ombudsman
 - Agency that investigates issues affecting Michigan Department of Corrections (MDOC), incarcerated people and corrections staff.
<http://council.legislature.mi.gov/Ombudsman/Index>
Keith Barber, Ombudsman
124 West Allegan, Boji Tower – 4th Floor, P.O. Box 30036, Lansing, MI 48909-1536
Phone: 517-373-8573, Fax: 517-373-5550, Email: ombudsman@legislature.mi.gov
- American Friends Service Committee (AFSC) Criminal Justice Program
 - **Advocates for Incarcerated People and Their Families:** The program encourages dialogue among incarcerated people and the general public, works for humane reform of the system, and for the rights of incarcerated people.
 - <https://www.afsc.org/office/ypsilanti-mi>
- Michigan Department of Corrections, Office of Legal Affairs
 - The Office of Legal Affairs coordinates, in cooperation with the Michigan State Police, the investigation of possible criminal or administrative violations of laws or rules by department employees.
 - Contact Information
Phone: 517-335-1418
Fax: 517-335-6814
Email: mDOC-cfa-admin@michigan.gov

For “Big Picture” Issues Relating to Prison Reform:

- Citizens for Prison Reform
 - A non-profit organization that empowers incarcerated people’s loved ones to bring quality humane treatment for incarcerated people. www.micpr.org
- Safe & Just Michigan
 - A non-profit organization that addresses the social and economic costs of the Michigan prison system. Publishes data in support of reducing the prison population while ensuring public safety. <https://www.safeandjustmi.org/>

For Issues Related to Re-Entry:

- SADO Re-Entry Service Locator
 - <http://www.sado.org/locate/reentry>
Database that contains potential re-entry service providers within your community
- Michigan Parole Board
 - PO Box 30003, Lansing, MI 48909
Phone: 517-373-0270, Fax: 1-517-335-0039

- Michigan Reentry Law wiki
 - Website that contains manuals, guides and resources for a variety of reentry issues
 - http://reentry.mplp.org/reentry/index.php/Main_Page

For Free or Low-Cost Legal-Aid Assistance:

- Michigan Legal Help
 - <http://michiganlegalhelp.org/> is a website that contains many self-help tools on topics ranging from housing, family law, expungement, tax, public benefits and more
- Detroit Justice Center
 - A non-profit law firm working alongside communities to create economic opportunities, transform the justice system, and promote equitable and just cities.
<https://www.detroitjustice.org/>

For Mental or Medical Health for Families or Incarcerated People upon Release

- Visit the Department of Health and Human Services for a list of health, dental, and mental health resources, located here
 - Community Mental Health Service Programs can be found at: [this link](#).
 - Primary Care Facilities can be found at [this link](#)