

Department of Corrections, Executive Bureau

1. Rule(s) to be **processed** between July 1, 2021 and June 30, 2022. [Give brief description.]

**None. While the Department has interest in updating its existing rule sets, it will not be able to fully undertake this process until the threat of COVID-19 has diminished and operations return to normal.**

2. Rules that are obsolete or superseded and can be **rescinded** between July 1, 2021 and June 30, 2022. Also, please identify the rules or rule sets that are least important to the mission and function of the agency, or are otherwise strong candidates for rescission.

**While the Department believes that certain rules may be rescinded in the future, until the Department is able to return to normal operations, no rescissions are planned. As the Department must still undergo an internal review process of all rules, no changes are likely to occur prior to June 30, 2022.**

3. Has the agency failed to promulgate any statutorily required rules **or** failed to utilize any statutorily required rules? Please explain.

**No, there are no statutorily required rules awaiting promulgation.**

4. Please indicate the rules that are most problematic to industry and could be reviewed to determine the most business-friendly method of regulation.

**Not Applicable**

- A. Whether there is a continued need for the rules.

**Yes, the rules are necessary overall to ensure the safe and humane operation of MDOC prisons.**

- B. A summary of any complaints or comments received from the public concerning the rules.

**We receive comments from prisoners and the public about potentially restrictive or punitive rules, specifically around visiting and misconducts. The MDOC believes these rules are necessary to operate safe and orderly facilities.**

- C. The complexity of complying with the rules.

**The rules have been in place for many years, so the standards are well known and not difficult to comply with.**

- D. Whether the rules conflict with or duplicate similar rules or regulations adopted by the federal government or local units of government.

**Not Applicable.**

- E. The date of the last evaluation of the rules and the degree, if any, to which technology, economic conditions, or other factors have changed regulatory activity covered by the rules.

**The department initiated a review of the rules in late 2020, but due to the ongoing COVID-19 response that is heavily impacting MDOC operations and staff availability, that review was paused. It will be restarted when the MDOC returns to more normal operations.**

5. Please provide the URL link the department or bureau is currently using to display their administrative rules.

Annual Regulatory Plan 2021-2022

[ARS Public - MI Admin Code for Corrections - Executive Bureau \(state.mi.us\)](#)

6. Please provide a list of the items identified for action in the 2021 ARP that have been completed and those that remain outstanding.

The MDOC indicated no specific planned actions in the 2021 ARP, but the start of an internal review process. That remains outstanding due to the impact of COVID-19.

Department of Corrections, Bureau of Correctional Facilities

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**No, there are no statutorily required rules awaiting promulgation.**

4. Please indicate the rules that are most problematic to industry and could be reviewed to determine the most business-friendly method of regulation.

**Not Applicable**

- A. Whether there is a continued need for the rules.

**Yes, the rules are necessary overall to ensure the safe and humane operation of MDOC prisons and establish operating and inspection requirements for county jails.**

- B. A summary of any complaints or comments received from the public concerning the rules.

**Certain sheriffs object to certain rules that they view as unnecessary. Most sheriffs remain supportive of the overall rule set.**

- C. The complexity of complying with the rules.

**The rules have been in place for many years, so the standards are well known and not difficult to comply with.**

- D. Whether the rules conflict with or duplicate similar rules or regulations adopted by the federal government or local units of government.

**Not Applicable, as these rule sets are not impacted by federal rules or regulations. To the extent that local regulations exist, they do not materially conflict with the state rules which set a minimum standard for county jail operations.**

- E. The date of the last evaluation of the rules and the degree, if any, to which technology, economic conditions, or other factors have changed regulatory activity covered by the rules.

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Annual Regulatory Plan 2021-2022

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