

**Department of Corrections**

1. Rule(s) to be **processed** between July 1, 2022 and June 30, 2023. [Give brief description.]

The MDOC believes that some rules may need to be amended, deleted, or added to this rule set, but based on current workload and the comprehensive nature of the rule set, the Department does not believe it will be ready to propose a completely amended rule set prior to the 2022 deadline. The MDOC has put together a multi-disciplinary team to review the rules.

2. Rules that are obsolete or superseded and can be **rescinded** between July 1, 2022 and June 30, 2023. 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.

The MDOC would prefer to propose a complete rule set package, rather than simply removing obsolete rules, since these rules are closely interconnected. 791.4410, 791.4420, and 791.4425 are all obsolete, as are others.

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 that are 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.

N/A – The rules only apply to the MDOC.

- A. Describe whether there is a continued need for the rules.

Yes, the MDOC needs to maintain many of the rules to be able to function as an agency.

- B. Summarize 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. Describe the complexity of complying with the rules.

The rules have been in place for many years, and the Department is complying with them.

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

N/A

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- E. Provide 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.

A full review has not been completed in the last five years, but the MDOC has created a workgroup to review the rules in their entirety over the next year in the hopes of proposing changes in the next ARP.

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

[https://ars.apps.lara.state.mi.us/AdminCode/DownloadAdminCodeFile?FileName=1556\\_2015-052CO\\_AdminCode.pdf&ReturnHTML=True](https://ars.apps.lara.state.mi.us/AdminCode/DownloadAdminCodeFile?FileName=1556_2015-052CO_AdminCode.pdf&ReturnHTML=True)

6. Please provide a list of the items identified for action in the 2022 ARP that have been completed and those that remain outstanding.

The Department did not make significant progress on the items in the current ARP largely due to COVID outbreaks, which continue in institutional settings, high staff turnover, and other changes. Administrative Rules plan to be a focus for the Department during the upcoming year.