

**FY2008/2009
COUNTY JAIL
REIMBURSEMENT
PROGRAM
Diverted Felons**



**INSTRUCTIONAL
MANUAL**

Michigan Department of Corrections
Office of Community Corrections
Effective 10/1/2008

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I. HISTORY OF THE COUNTY JAIL REIMBURSEMENT PROGRAM (CJRP):

The County Jail Reimbursement Program (CJRP) began in January, 1989 with Public Act 324 of 1988, for the purpose of reimbursing counties for housing in jails felons who otherwise would have been sentenced to prison. A new public act has been enacted every year since then to authorize the continued reimbursement for felons meeting the program requirements. The current act that authorizes payment is Public Act 245 of 2008. The legislation provides the per diem amount and the criteria for which a county may seek reimbursement for a felon.

II. COUNTY JAIL REIMBURSEMENT PROGRAM ELIGIBILITY

A. A county is eligible for reimbursement for housing a convicted felon for an original sentence, or a violation of probation sentence. The original sentence date and the date of the offense must be known to determine eligibility. See the eligibility criteria in the following chart.

Original Sentence Date	Criteria - One of the following paragraphs must apply, and all conditions in that paragraph must be met to be eligible for reimbursement.
October 1, 2004 - September 30, 2009	<p>The offender was a felon who would otherwise have been sentenced to a state prison term with a felony sentencing guideline low range score between 0 and 12 months, a felony sentencing guideline high range score of <u>19 months or more</u>, a prior record variable (PRV) of <u>35 or more</u>, the sentence <u>was not</u> for a commission of a crime in <u>crime class G or H</u>, and for <u>an offense committed on or after January 1, 1999</u>.</p> <p>The felon would otherwise have been sentenced to a state prison term with a felony sentencing guideline low range score of <u>13 months or more</u> for an <u>offense committed on or after January 1, 1999</u>.</p>
October 1, 2003 - September 30, 2004	<p>The offender was a felon who would otherwise have been sentenced to a state prison term with a felony sentencing guideline low range score between 0 and 12 months, a felony sentencing guideline high range score <u>19 months or more</u>, a prior record variable (PRV) of <u>35 or more</u>, the sentence <u>was not</u> for a commission of a crime in <u>crime class G or H</u>, and for <u>an offense committed on or after January 1, 1999</u>.</p> <p>The felon would otherwise have been sentenced to a state prison term with a felony sentencing guideline low range score of <u>13 months or more</u> for an <u>offense committed on or after January 1, 1999</u>.</p> <p>The felon was sentenced under section 11 or 12 of chapter IX of the code of criminal procedure, 1927 PA 175, <u>MCL 769.11 and 769.12</u> for an <u>offense committed before January 1, 1999</u>.</p> <p>The felon would otherwise have been sentenced to a state prison term with a felony sentencing guideline low range score of <u>12 months or more</u> for an <u>offense committed before January 1, 1999</u>.</p>

<p>October 1, 2000 - September 30, 2003</p>	<p>The felon was convicted of operating a motor vehicle under the influence of intoxicating liquor or a controlled substance, or a combination of both, <u>third or subsequent offense</u>, under section 625(8)(c) of the Michigan Motor Vehicle Code, 1949 PA 300, MCL 257.625, or it's predecessor statute punishable as a felony.</p> <p>The offender was a felon who would otherwise have been sentenced to a state prison term with a felony sentencing guideline low range score between 0 and 12 months, a felony sentencing guideline high range score of <u>19 months or more</u>, a prior record variable (PRV) of <u>35 or more</u>, the sentence <u>was not</u> for a commission of a crime in <u>crime class G or H</u>, and for an <u>offense committed on or after January 1, 1999</u>.</p> <p>The felon would otherwise have been sentenced to a state prison term with a felony sentencing guideline low range score of <u>13 months or more</u> for an <u>offense committed on or after January 1, 1999</u>.</p> <p>The felon was sentenced under section 11 or 12 of chapter IX of the code of criminal procedure, 1927 PA 175, <u>MCL 769.11 and 769.12</u> for an <u>offense committed before January 1, 1999</u>.</p> <p>The felon would otherwise have been sentenced to a state prison term with a felony sentencing guideline low range score of <u>12 months or more</u> for an <u>offense committed before January 1, 1999</u>.</p>
<p>October 1, 1999 - September 30, 2000</p>	<p>The felon was convicted of operating a motor vehicle under the influence of intoxicating liquor or a controlled substance, or a combination of both, <u>third or subsequent offense</u>, under section 625(7)(d) or 625 (8)(c) of the Michigan Motor Vehicle Code, 1949 PA 300, MCL 257.625.</p> <p>The offender was a felon who would otherwise have been sentenced to a state prison term with a felony sentencing guideline low range score of 7 months or more, and a prior record variable (PRV) of <u>35 or more</u> for an <u>offense committed on or after January 1, 1999</u>.</p> <p>The felon would otherwise have been sentenced to a state prison term with a felony sentencing guideline low range score of <u>13 months or more</u> for an <u>offense committed on or after January 1, 1999</u>.</p> <p>The felon was sentenced under section 11 or 12 of chapter IX of the code of criminal procedure, 1927 PA 175, <u>MCL 769.11 and 769.12</u> for an <u>offense committed before January 1, 1999</u>.</p> <p>The felon would otherwise have been sentenced to a state prison term with a felony sentencing guideline low range score of <u>12 months or more</u> for an <u>offense committed before January 1, 1999</u>.</p>
<p>October 1, 1988 - September 30, 1999</p>	<p>Contact the County Jail Reimbursement Coordinator, (517) 241-8324.</p>

III. PAYMENT

- A. Payments to counties under the CJRP shall be made in the order in which requests for reimbursement along with any required documentation are received. Requests for payment must be submitted on a completed CJRP form (CAH-334, Revised 10/05, Page 7).
- B. There is a \$43.50 per diem rate for felons which qualify for CJRP to a maximum sentence of one year in jail. There will be no additional reimbursement for medical expenses or for any other expenses incurred.
- C. There is no reimbursement for the time spent in jail prior to sentencing even if that time is credited toward time to be served.
- D. There is no reimbursement for consecutive or concurrent sentences beyond a total of one year.
- E. The CJRP billings must be mailed to the following **postal address** or **email address**:

Michigan Department of Corrections
Office of Community Corrections
P.O. Box 30003
Lansing, MI 48909

Email address: CJRPMailbox@michigan.gov

IV. DEADLINES

- A. CJRP forms (CAH-334) should be submitted monthly.
- B. All CJRP forms for Fiscal Year 2009 must be received on or before **October 20, 2009**. Billings received after this date, may not be processed.
- C. If sufficient funds are not available to process all FY2009 requests, payments to counties shall be made in the order in which requests for reimbursements are received along with any required documentation.

V. COMPLETING THE COUNTY JAIL REIMBURSEMENT FORM (CAH-334)

- A. The CJRP form includes fields for the County Name, Period Covered (MM/YYYY), and Invoice Reference Number (optional). The Invoice Reference Number will be referenced on your payment information. The Total Requested for Reimbursement field automatically calculates the total reimbursement request. If you have more than one calendar month of invoices for which you are requesting reimbursement, you must use a separate form for each calendar month.
- B. Column 1 requires that you list the felon's last name and first name. Felon names should be listed alphabetically.
- C. Column 2 requires a reimbursement code. A = Felons admitted during the month. C = Continuing felons past the last day of the month who were included on the last

monthly report. R = Felons released during the month. RA = Readmitted felons who were released and readmitted on the same case and conviction (i.e. probation violators). **Felons with admit/readmit dates and release dates in the same month (also weekenders) should be listed on separate lines for each time frame.** For example, for the first weekend served, show this as A/R, 10/7/07 as the beginning date, and 10/9/07 as the release date. The second weekend served should be shown on a separate line as RA/R, with the beginning date as 10/14/07, and 10/16/07 as the ending date.

- D. Column 3 requires a six digit MDOC number to be placed in this column for the felon. This number can be found in the lower left hand corner of the Order of Probation, Sentencing Information Report, or the Basic Information Report if printed from the Offender Management Network Information (OMNI) system.
- E. Column 4 is for the docket/case number for which the diverted felon qualifies for reimbursement. *Entry of this docket/case number should be exactly as it shows on the SIR (Sentencing Information Report), or BIR (Basic Information Report).*
- F. Column 5 is an *optional field* for a projected out date.
- G. Column 6 requires the felon's beginning date for the month being billed.
- H. Column 7 requires the felon's ending date for the month being billed.
- I. Column 8 requires the total days, from the beginning date through the ending date that the eligible felon has been incarcerated (commencing from the date of sentencing). Days incarcerated should include the day they are incarcerated (after sentencing), no matter what time of day. For example, if a felon is sentenced and admitted on 9/1 at 5:00 p.m. and released on 9/19 at 6:00 a.m., the county should seek reimbursement for the month of September for a total of 19 days.
- J. Column 9 is for miscellaneous notes. This column should be used when offenders leave or return from writ, furloughs, etc.
- K. Column 10 is the total reimbursement due for the specified time frame in one fiscal month (column 8 x \$43.50).
- L. The preparer name must be included and dated on the CJRP form.
- M. If you utilize a computer generated form for reimbursement requests and it currently differs from the CJRP form, you must change it to have the **same** design, components, order and placements as the CJRP form. Fonts used to list the reimbursement information should not be smaller than 12. **CAH-334 form dated 10/05** is available in Excel format upon request.

VI. DOCUMENTATION REQUIREMENTS FOR ADMISSIONS

In most cases, the felon's court case/docket information is available on the OMNI system; therefore, submission of paper documentation is not required. OCC will notify counties in cases where documentation is needed.

VII. AUDITING

- A. All CJRP forms and required documentation are reviewed for eligibility upon receipt in the Office of Community Corrections.
 - 1. The County CJRP coordinator will receive notification of any CJRP billing that has been adjusted and/or corrected by the department.
 - 2. If any of the adjustments indicate that a claim was denied and the appropriate information and/or documentation which supports eligibility is obtained at a later date, a new CJRP form must be submitted for the month in question.
- B. The Office of Community Corrections may conduct random, periodic audits of relevant records at the county jails. Documentation to verify and support reimbursement requests will be required during the audit.

NOTE: This manual supersedes all other County Jail Reimbursement Program manuals and letters regarding county jail reimbursement.

Attachments: CJRP Form (Page 7)
Applicable portions of Public Act 245 of 2008 (Page 8)

PUBLIC ACT 245 OF 2008 – DEPARTMENT OF CORRECTIONS

Section 103. PLANNING AND COMMUNITY SUPPORT

County Jail Reimbursement Program Appropriation - \$12,272,100.00.

Section 414. PLANNING AND COMMUNITY SUPPORT

- 1) The department shall administer a county jail reimbursement program from the funds appropriated in part 1 for the purpose of reimbursing counties for housing in jails felons who otherwise would have been sentenced to prison.
- (2) The county jail reimbursement program shall reimburse counties for housing and custody of convicted felons if the conviction was for a crime committed on or after January 1, 1999 and 1 of the following applies:
 - (a) The felon's sentencing guidelines recommended range upper limit is more than 18 months, the felon's sentencing guidelines recommended range lower limit is 12 months or less, the felon's prior record variable score is 35 or more points, and the felon's sentence is not for commission of a crime in crime class G or crime class H under chapter XVII of the code of criminal procedure, 1927 PA 175, MCL 777.1 to 777.69.
 - (b) The felon's minimum sentencing guidelines range minimum is more than 12 months.
- (3) State reimbursement under this section for prisoner housing and custody expenses per diverted offender shall be \$43.50 per diem for up to a 1 year total.
- (4) The department, the state budget office, the Michigan association of counties, and the Michigan sheriffs' association shall, if appropriate, recommend modification of the criteria for reimbursement contained in subsection (2) at meetings convened by the chairs of the house and senate appropriations subcommittees on corrections.
- (5) The department shall reimburse counties for offenders in jail based upon the reimbursement eligibility criteria in place on the date the offender was originally sentenced for the reimbursable offense.
- (6) County jail reimbursement program expenditures shall not exceed the amount appropriated in part 1 for the county jail reimbursement program. Payments to counties under the county jail reimbursement program shall be made in the order in which properly documented requests for reimbursements are received. A request shall be considered to be properly documented if it meets MDOC requirements for documentation. The department shall by October 15, 2008 distribute the documentation requirements to all counties.