

MICHIGAN DEPARTMENT OF CORRECTIONS POLICY DIRECTIVE	EFFECTIVE DATE 12/06/2021	NUMBER 01.04.130
	SUBJECT PRISONER COMMITMENT FILES	
SUPERSEDES 01.04.130 (05/01/2012)		AUTHORITY MCL 4.355, 445.81 et seq., 791.201
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POLICY STATEMENT:

The Department shall maintain commitment files for each prisoner in which to record and maintain information regarding the prisoner's incarceration.

RELATED POLICY:

03.04.108 Prisoner Health Information

POLICY:

GENERAL INFORMATION

- A. Each newly received prisoner shall be assigned a unique identification number generated sequentially by the Department's computerized database at the time the Pre-sentence Investigation is ordered. The assigned number shall be used for the prisoner on all subsequent commitments.
- B. A Central Office file, Record Office file, and Counselor file shall be created and maintained for each prisoner upon each commitment to the Department. Each prisoner file shall have a label affixed to the top left portion of the file cover indicating the prisoner's identification number and alpha character prefix. Each file shall contain information regarding, but not limited to, the prisoner's sentence, pending charges, programming and placement, institutional behavior, parole processing and relevant correspondence.
- C. Prisoner files are created and maintained at multiple locations. Therefore, it is necessary to create and maintain in a standardized manner so staff may readily access needed information. The Records Administrator of the Central Records Section of the Operations Division, Correctional Facilities Administration (CFA), shall be responsible for the management of the prisoner commitment file process.
- D. Other files, including medical and education files, may be created and maintained for each prisoner consistent with Department policy.
- E. Prisoners' Social Security numbers may be maintained in the files and records of the Department; however, the numbers shall not be displayed to members of the public or released outside of the Department except as authorized by state or federal law, court rule or order, or Department policy. If a document containing a prisoner's Social Security number is mailed outside of the Department, none of the Social Security number shall be visible on or, without manipulation, from outside of the envelope or packaging to ensure against inadvertent disclosure. Any document containing a prisoner's Social Security number shall be shredded prior to being disposed of unless an alternate disposal method has been established.
- F. Documents in a prisoner's commitment files are subject to disclosure under the Freedom of Information Act (FOIA) consistent with PD 01.06.110 "Freedom of Information Act - Access to Department Public Records." Although prisoners are not entitled to make FOIA requests, a prisoner may be provided with a copy of an appropriate document from their commitment files if it is helpful in responding to a grievance or correspondence from a prisoner. Prisoners are not entitled to receive copies of a commitment file, or

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portions of the file, except as provided in this paragraph. Prisoners shall not be permitted to review or inspect their commitment files except as set forth in PD 06.05.103 "Parole Eligibility/Lifer Review Reports."

- G. Staff may post the following information onto the cover of a prisoner commitment file, however, information should be kept to a minimum:
 - 1. Sentence Information/ File labels (All files).
 - 2. Legal Name Changes (All files).
 - 3. Intake/Release Action (Record Office file).
 - 4. Finger/Palm Prints (Record Office file).
 - 5. DNA (Record Office file).
 - 6. Foreign National Information (Record Office file).
- H. All files shall be retained in accordance with PD 01.04.140 "Records Retention."

CENTRAL OFFICE FILE

- I. The Central Office file shall be created at the reception facility upon commitment and forwarded to the Central Office Record Office. The Central Office file shall be used as a screening file by Central Office staff for all prisoners and parolees.

RECORD OFFICE FILE

- J. The Record Office file shall be created at the reception facility upon commitment. The Record Office file shall be the official file that documents the sentences imposed against the prisoner and those activities that affect and control the prisoner's incarceration. If a prisoner is sentenced on a new prefix while incarcerated with the Department, the facility Record Office Supervisor or designee shall ensure a new Record Office file is created for the new prefix.
- K. Record Office files shall be maintained in the Record Office for the facility that the prisoner is housed, except as follows:
 - 1. Record Office files for parole violators in the Macomb Parole Violation Unit (MPVU) or who are temporarily housed in a county jail shall be maintained in the Department's Record Retention Center.
 - 2. Record Office files for prisoners under the Department's jurisdiction who are serving their Michigan sentence in a non-Department facility shall be maintained in an area designated by the Records Administrator.
- L. Record Office files for prisoners transferring to a Department facility shall accompany the prisoner. If for any reason the file is not available at the time of transfer, the receiving facility shall be notified of the delay and the file shall be sent to the receiving facility as soon as possible.

COUNSELOR FILE

- M. The Counselor file shall be created at the reception facility upon commitment. The Counselor file shall be used as the prisoner's working case file and shall be maintained by the housing unit where the prisoner is located after initial intake placement. If a prisoner is sentenced on a new prefix while incarcerated with

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the Department, the facility Record Office Supervisor or designee shall ensure a new Counselor file is created for the new prefix.

- N. The Counselor files for prisoners transferring to a Department facility shall accompany the prisoner. If for any reason the file is not available at the time of transfer, the file shall be sent to the receiving facility as soon as possible. Counselor files for prisoners under the Department's jurisdiction who are serving their Michigan sentence in a non-Department facility shall be maintained in an area designated by the Records Administrator along with the Record Office file.

FILE MAINTENANCE

- O. All documents added to a prisoner's commitment file shall be filed as outlined in Attachment A.
- P. Staff shall not place unnecessary and redundant documentation (e.g., duplicate copies of documents, post-it notes, envelopes, telephone messages) in the files. All forms requiring signatures and file entries shall be signed and dated.
- Q. Although Record Office and housing unit staff are responsible for ensuring proper filing of documents in prisoner files maintained within their areas of control, all staff have a responsibility to notify the appropriate Record Office or housing unit staff when filing errors are discovered.

FILE SECURITY

- R. Staff shall only access prisoner files as part of their official job duties and not use file information for personal reasons. No prisoner commitment file may be removed from a facility or office without the approval of the Director, respective Deputy Director, CFA Assistant Deputy Director (ADD), Warden, or Field Operations Administration (FOA) ADD unless required as part of the employee's official job duties.
- S. All files must be maintained in a secure location away from prisoner access. The area shall be kept locked except during business hours when staff are physically present. Files shall be directly supervised and controlled by assigned staff.
- T. Authorized staff from other State of Michigan Departments, including but not limited to the Department of the Attorney General and the Office of the Auditor General, shall be provided access to prisoner files upon request. Staff from the Office of the Legislative Corrections Ombudsman also shall be provided access consistent with PD 03.02.135 "Office of the Legislative Corrections Ombudsman and Disability Rights Michigan (DRM)." Unless specifically approved by the Director or the CFA Deputy Director, other members of the public shall not have access to prisoner files except as set forth in PD 01.06.110 "Freedom of Information Act - Access to Department Public Records."

CORRECTION OF FILE DOCUMENTS

- U. A prisoner may challenge the accuracy of factual information in documents prepared by the Department that are contained in the prisoner's files but may not challenge opinions, impressions, and judgments contained in such documents and records. It is the prisoner's responsibility to present information in support of the challenge.
- V. The Warden or, for Central Office files, the Administrator of the Office of Legal Affairs or designee may order any revisions that are warranted, except that information contained in the Pre-sentence Investigation Report may only be revised by order of the court. Information pertaining to hearings conducted by the Department of Licensing and Regulatory Affairs may only be expunged with authorization of the Hearings Administrator in the Office of Legal Affairs.

INACTIVE COMMITMENT FILES

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- W. The Record Office file and Counselor file shall become inactive when a prisoner paroled, dies, or is discharged from all sentences that they are serving. The Central Office file shall become inactive when a prisoner dies or is discharged from all sentences that they are serving.
- X. All other inactive commitment files shall be sent to the Department Records Storage Center 60 days after the files becomes inactive. Files shall be maintained in the Department's Record Retention Center in accordance with the Department's Record Retention and Disposal Schedule.
- Y. All requests for inactive commitment files from the Department's Record Retention Center shall be processed through the Jackson Record Retention Unit in the Central Records Section.
- Z. For discharged prisoners returning with new commitments, Record Office staff at the receiving facility shall request necessary inactive commitment files from the Jackson Record Retention Unit.
- AA. FOIA requests for documents contained within an inactive commitment file shall be processed through the FOIA Section in the Office of Legal Affairs.
- BB. Subpoenas and requests from law enforcement agencies for information contained in an inactive commitment file shall be processed through the Records Administrator or designee.

PROCEDURES

- CC. If necessary, to implement requirements set forth in this policy directive, Wardens shall ensure that procedures are developed or updated.

AUDIT ELEMENTS

- DD. A Primary Audit Elements List has been developed and is available on the Department's Document Access System (DAS) to assist with self-audit of this policy pursuant to PD 01.05.100 "Self-Audits and Performance Audits."

ATTACHMENTS

- EE. Attachment A - Prisoner Commitment File Format

APPROVED: HEW 10/12/2021

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ATTACHMENT A

PRISONER COMMITMENT FILE FORMAT

Each of the three prisoner commitment files (Records Office, Central Office file, and Counselor) may be similar in nature, however they have specific variations. The following examples will address information that may be in any of the three files, but not necessarily in each of the files.

Left section – Contains documents related to sentencing information, length of incarceration, detainer or pending charge status, and parole processing:

Form Number	Form Title	Records Office	Central Office	Counselor
	Correspondences related to prisoner	X	X	
	Court Orders	X	X	
CSJ-202	Notice of Escape	X	X	
CSJ-112	Fingerprint Card*	X		
CC219b	Judgment of Sentence Commitment to Department of Corrections	X	X	
CAX-114	Notice of Action/Parole Board	X	X	X
CFJ-279	Parole Board Notice Of Decision	X	X	X
CAJ-293	Notification/Revocation of Detainer & Correspondence	X	X	X
CSJ-130	Certificate of Discharge/Termination Of Sentence	X	X	
CAX-119	Parole Board Order for Parole	X	X	
CSJ-123	Parole Eligibility/Lifer Review Report	X	X	
CFJ-123	Parole Guidelines Data Entry	X	X	
	Parole Guideline Score Sheet	X	X	
CFJ-110	Parole Violation Report **		X	
CFJ-111	Parole Violation Warrant **		X	
	Photographic Identification/Mug Shots & Updates*	X		
CFJ-145	Pre-Sentence Investigation Report **		X	
CSX-482	Time Review & Disposition	X	X	X
	Writs of Habeas Corpus & Related Information	X		
CSJ-169	Parole Processing Checklist & Related Forms	X		
CSJ-170	Discharge Processing Checklist & Related Forms	X		
CSJ-171	Parole Re-Instatement Checklist & Related Forms	X		
CAX-227	Notice of Intent to Conduct a Parole Board Interview	X		X

*May be affixed to the inside of the file cover. (Only Non-Omni And Non-Live Scan Shall Be Retained)

**Only reports completed before 10/01/2001 shall be retained in RO file.

***Only CAJ 293 forms shall be retained in file (CAJ-293A are available in omni)

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Right section – Contains documents related to the prisoner’s classification, institutional adjustment, programming, and institutional processing.

Form Number	Form Title	Records Office	Central Office	Counselor
CSJ-144	Administrative Hearing Report	X	X	X
CSJ-353	Assaultive Risk Screening Sheet	X	X	
CSJ-423	Administrative Segregation Classification Notice	X	X	X
CSJ-228	Major Misconduct Report	X	X	X
CSJ-229	Class II and Class III Misconduct Hearings Reports	X (for Class II charges or Class II charges reduced to Class III only)		X
CSJ-240B	Class I Misconduct Hearing Report	X	X	X
CAJ-103	MDOC Visiting Application	X		
RI-004	Michigan Sex Offender Registration*	X		
CSJ-156	Prisoner Accident Report	X		
CSJ-175	Program Classification Report	X	X	X
CAJ-291	Prisoner Receipt	X		
CSJ-352	Property Risk Screening Sheet	X	X	
CSX-104	Basic Information (Reception Center Recommendations/Transcase)	X	X	
CSJ-480	Security Classification Screen	X	X	
CSJ-481	Security Classification Screen	X	X	
CAH-136	MDOC’s Sheriff’s Questionnaire for Delivered Prisoners	X		
CAJ-544 E	Special Problem Offender Notice	X	X	X
CSX-134	Transfer Order	X	X	
CAJ-334	Visitor List	X		X
CAJ-687	Restriction of Segregation Property and Privileges	X		X
CSJ-111	Substance Abuse Client Discharge	X		X
CSJ-153	Administrative Hearing Report Formal	X	X	X
CSJ-282	NOI To Conduct an Administrative Hearing	X		X
CSJ-283	Administrative Segregation Behavior Review	X	X	X
CSJ-363	Prisoner Program and Work Assignment Evaluation	X		X
CSJ-446	Segregation Classification Hearing Report	X	X	X
CSJ-474	Notice of Intent to Classify To Administrative Segregation	X	X	X
CSJ-489	Documentation Verification Request	X		X
CSJ-686	Request for Protective Segregation Report	X		X
CAJ-1020	PREA-Prisoner Rape Elimination Act	X		X

*Does not have to be retained if uploaded into the MSP SOR Database

The above lists are not all inclusive and any document that does not specifically fit into the established criteria shall be maintained on the right side of the file.