

MICHIGAN DEPARTMENT OF CORRECTIONS <b>POLICY DIRECTIVE</b>	EFFECTIVE DATE 10/01/2019	NUMBER 04.01.150
	SUBJECT PRISONER HOUSING UNIT REPRESENTATIVES/WARDEN'S FORUM	
SUPERSEDES 04.01.150 (11/01/2010)		AUTHORITY MCL 791.203
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**POLICY STATEMENT:**

Michigan Department of Corrections (MDOC) prisoners shall be provided with a systematic means of communication and problem-solving with staff.

**POLICY:**

GENERAL INFORMATION

- A. This policy applies only to general population housing units for security Level I through V prisoners. In other units, prisoners should contact their Resident Unit Manager (RUM) with concerns regarding conditions of confinement that affect groups of prisoners or the entire unit. If the RUM cannot resolve the concerns, they shall submit them to the appropriate Assistant Deputy Warden (ADW). If the concern cannot be resolved by the ADW, they shall submit the concerns to the Deputy Warden. If the concern cannot be resolved by the Deputy Warden, they shall refer the matter to the Warden for resolution.
- B. The role of prisoner housing unit representatives is to assist housing unit staff in identifying and resolving problems that exist in the unit. Housing unit representatives serve solely in an advisory capacity to the administration and shall in no way jeopardize the custody, security, or good order of the facility. A housing unit representative who abuses their position by engaging in conduct that jeopardizes the custody, security, or good order of the facility may be removed and/or permanently prohibited from serving as a housing unit representative as set forth in Paragraph I.

ELECTION OF HOUSING UNIT REPRESENTATIVES

- C. Only prisoners who volunteer to be representatives for their housing unit shall be candidates. Candidates must be free of Class I and Class II misconducts for at least the six-month period immediately preceding the election. If there are no candidates who satisfy this requirement, the Warden may waive the requirement. Prisoners designated as Security Threat Group members pursuant to PD 04.04.113 "Security Threat Groups" are not eligible to be candidates.
- D. Elections for housing unit representatives shall be conducted by secret ballot by the RUM or designee. Notice of the election shall be provided to the unit's prisoner population at least one week before the election.
- E. One housing unit representative of a minority race and one housing unit representative of a non-minority race shall be elected from each unit. The non-minority and minority candidate receiving the second highest number of votes shall serve as alternate housing unit representatives. An alternate shall serve in place of the housing unit representative of the same race whenever they are unable to perform their duties.
- F. Housing unit representatives shall serve six-month terms; however, prisoners shall not serve more than two consecutive terms, except as identified in Paragraph G. After completing two consecutive terms or when not elected to a second term, a prisoner must wait at least six months after the end of the term before again being a candidate. A prisoner removed as a housing unit representative pursuant to Paragraph H or I must wait at least 12 months after the date of removal before again being a candidate.
- G. If a vacancy occurs before the expiration of a prisoner's term as housing unit representative, the vacancy shall be filled by the alternate of the same race as the representative who created the vacancy.

If the vacancy cannot be filled by the alternate (e.g., alternate transferred), the vacancy shall be filled by the prisoner of the same race who received the third highest number of votes in the most recent election. If the vacancy cannot be filled in this manner, the RUM or designee shall conduct a special election by secret ballot. If the housing unit representative who fills the vacancy will be serving less than 90 days of the unexpired term, they shall be eligible, if elected, to serve two additional consecutive terms.

#### REMOVAL OF HOUSING UNIT REPRESENTATIVES

- H. A housing unit representative may be removed by a two-thirds vote of the prisoners assigned to the housing unit. To remove a housing unit representative, a recall election shall be conducted by secret ballot by the RUM or designee. Notice of the recall election shall be provided to the prisoner population at least one week before the election.
- I. A housing unit representative who is found guilty of a Class I and/or Class II misconduct or designated as a Security Threat Group member shall be removed immediately as a housing unit representative by the Warden or designee. The Warden also may remove a prisoner who engages in conduct that jeopardizes the custody, security, or good order of the facility. A prisoner shall be permanently prohibited from being a housing unit representative only with prior written approval of the CFA Deputy Director or designee. The Warden shall ensure that a prisoner removed or permanently prohibited from being a housing unit representative pursuant to this Paragraph is notified in writing of that decision, including the reason for the decision.

#### RESPONSIBILITIES OF HOUSING UNIT REPRESENTATIVES

- J. Housing unit representatives shall meet at least monthly with the RUM or designee and other staff designated by the RUM or designee to discuss matters of concern to the unit population. The RUM or designee shall notify unit staff and representatives of meeting dates at least one week before meetings. Housing unit representatives shall submit any agenda items in writing to the RUM or designee at least three business days before the scheduled meeting. If agenda items are not submitted, a meeting is not required. Following the meeting, the RUM or designee shall provide the housing unit representatives with written responses to each agenda item, copies of which shall be provided to the Warden and posted in the housing unit.
- K. Housing unit representatives are encouraged to solicit input from those they represent and to give consideration to the views expressed. Housing unit representatives shall not use their position to present individual complaints to the administration.

#### WARDEN'S FORUM

- L. The purpose of the Warden's Forum is to assist the Warden in identifying and resolving problems that exist in the general population of the facility. The Warden's Forum shall be comprised of the facility's housing unit representatives. A Warden of a multi-level facility may have separate Warden's Forums for the different custody levels of the facility. The Warden shall determine whether the facility's housing unit representatives shall alternate attendance at Forum meetings or whether all representatives shall attend each meeting.
- M. Each Warden's Forum may establish offices within the Forum, such as chairperson and secretary. These offices shall be filled by either an elective process or on a rotating basis, as determined by the representatives at the first meeting following housing unit representative elections.
- N. The Warden's Forum shall meet with the Warden at least monthly to discuss matters of concern to the general prisoner population. The Warden shall notify Warden's Forum members and appropriate staff of the meeting date at least one week before the scheduled meeting. The Warden's Forum shall submit any agenda items in writing to the Warden at least three business days before the scheduled meeting. If agenda items are not submitted, a meeting is not required. Minutes of the meeting shall be maintained by staff designated by the Warden.
- O. Following each Warden's Forum meeting, the Warden shall provide the Warden's Forum with written responses to each agenda item, copies of which shall be posted in each housing unit and forwarded to

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the appropriate Assistant Deputy Director (ADD).

- P. The Warden's Forum's duties shall include the selection of Forum members to serve as members of the Prisoner Benefit Fund Committee, to serve on the Prisoner Store Committee, to participate in the movie selection process, and to establish radio and television schedules. With approval of the Warden, members also may be selected to conduct food quality inspections in the dining room and to serve on ad hoc committees established for special purposes by the Warden.

#### PROCEDURES

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

#### AUDIT ELEMENTS

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

APPROVED: HEW 08/06/2019