

REPORT TO THE LEGISLATURE
Pursuant to P.A. 166 of 2020
Section 925
Administrative Segregation Report

Section 925: By March 1, the department shall report to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, the legislative corrections ombudsman, and the state budget office on the annual number of prisoners in administrative segregation between October 1, 2019 and September 30, 2020, and the annual number of prisoners in administrative segregation between October 1, 2019 and September 30, 2020 who at any time during the current or prior prison term were diagnosed with serious mental illness or have a developmental disorder and the number of days each of the prisoners with serious mental illness or a developmental disorder have been confined to administrative segregation (Ad Seg). As used in this section:

(a) "Administrative segregation" means confinement for maintenance of order or discipline to a cell or room apart from accommodations provided for inmates who are participating in programs of the facility.

(ff) "Serious mental illness" means that term as defined in section 100d(3) of the mental health code, 1974 PA 328, MCL 333.1100d.

In 2019-2020 the daily average number of all prisoners remained consistent with the year prior, but the total number of days spent in administrative segregation declined by 26% in just the last year. The total days in segregation for all prisoners have declined by over 65% from their 2007-2008, due to the MDOC's ongoing efforts to reduce the use of administrative segregation. For prisoners with a diagnosis of a serious mental illness (SMI) or developmental disability (DD), the total days in administrative segregation increased in 2019-2020, but remained under the levels from 2017-2018. The primary cause of this increase was the impact of COVID-19 and restrictions on transferring prisoners, which resulted in some SMI/DD prisoners being placed in administrative segregation for the safety of other prisoners and staff until a transfer to an alternative setting could be completed. The daily average number of SMI/DD prisoners in administrative segregation and the total days spent in administrative segregation by this population was 85% lower than 2007-2008.

The MDOC's Bureau of Healthcare and Correctional Facilities Administration have collaborated to address the needs of seriously mentally ill individuals in prison, and to avoid lengthy stays in Ad Seg. These efforts include increased availability of movement, recreation and treatment for the SMI in restricted housing situations (Interim Care Program, Secure Status Outpatient Program, Incentives in Segregation), early identification and referral of prisoners exhibiting signs of mental illness, increased use of involuntary commitment with mentally ill prisoners who are resistant to treatment, ongoing professional development aimed at improving assessment and treatment of SMI, and improved tracking and communication between custody and healthcare which reduces medically unnecessary transfers of prisoners.

In April of 2017, Director Washington formed a workgroup to address issues related to the use of long-term segregation, including a plan to cease the use of administrative Segregation for prisoners with Serious Mental Illness. This group recommended the creation of START Units. START is a therapeutic housing unit and program which teaches prisoners life and personal skills to help them avoid behaviors that require escalating security precautions, as well as address their overall mental health needs. The Department now has multiple START Units in operation around the state.

Fiscal Year	Total Number of Days for All Prisoners in Administrative Segregation	Daily Average Number of All Prisoners in Administrative Segregation	Total Number of Days for Prisoners w/SMI or DD in Administrative Segregation	Daily Average Number of Prisoners w/SMI or DD in Administrative Segregation
2007-2008	479,791	1,314	20,337	55.6
2008-2009	440,731	1,204	21,055	57.7
2009-2010	384,635	1,054	31,274	85.7
2010-2011	365,631	1,002	34,979	95.8
2011-2012	350,561	958	23,504	64.2
2012-2013	358,590	982	15,939	43.7
2013-2014	354,780	972	12,775	35.0
2014-2015	284,445	779	28,209	77.3
2015-2016	277,503	758	32,363	88.4
2016-2017	296,597	810	21,960	60.2
2017-2018	226,425	619	5,266	14.4
2018-2019	222,486	549	1,386	3.8
2019-2020	165,107	451	2,967	8.1