

State Employee Accountability Act

A Proposed Legislative Amendment for the State of Michigan

\*Alter MDOC's internal grievance system- Each individual facility's grievance coordinator shall be moved to Lansing, relieving them from internal pressures to affirm the administration's position. Furthermore, prisoners act as whistleblowers in grievance procedures and should be protected from all forms of retaliation, including a transfer from one facility to another.

\*Change Grievance Coordinator's mission- even when this office denies a grievance, it shall examine the applicable MDOC rule, policy, and procedure as well as contact the official in question to encourage the MDOC to reduce prisoner stress so that their efforts can be focused on rehabilitation. They would also take questions from the warden's forum to do the same.

\*Create independent prison oversight agency, which would conduct regular inspections of all institutions and publicly issue findings and recommendations. For example, they may require every RUM in each facility to designate a staff member ensure that porters are cleaning the showers and that the sinks and showers are properly working (we recently had a shower that was stuck to the on position for an entire year!). This agency shall send inspectors to visit facilities without prior notice to prevent administrators from hiding violations. They would also have authority to punish prison officials with unpaid leave if their conduct recklessly endangers people (such as locking them down during a fire) or behave in a manner unbecoming of an officer.

\*Reinterpret the statute regarding qualified immunity of judges, prosecutors and police officers. Government officials should be held liable in their personal capacity if it can be proven that they have knowingly withheld exculpatory evidence, lied during proceedings or committed some other

significant misconduct. At the very least, they should have to pay a fine when an innocent person is convicted of a crime and they willfully violated rules and procedures to attain the conviction. Currently, the system encourages officials to attain convictions (as elections can be won or lost based on conviction rates), yet, there are almost no consequences for violating the rules. Law suits merely punishes the state, not the official.

\*The Judicial Tenure Commission shall track and investigate reversals that the state and federal courts make against judges and prosecutors to discern whether they are meting out justice. Court officers that consistently make rulings that are clearly contrary to state or federal law (i.e. failing to resentence juvenile offenders pursuant to Miller v. Alabama), or who frivolously appeal from valid judgments, shall be reprimanded and potentially removed from office.

\*Judges should not have any influence over which attorneys are appointed over which attorneys are appointed to represent defendants in their courts, as such power entails the ability to "blackball" attorneys who displease their judges in anyway.

\*The Michigan Court of Appeals (COA) shall henceforth articulate the reasons for any and all denials. Any order that includes language such as "denied on the merits in the grounds presented" without explaining the reasons for the denial shall be deemed invalid and will be subject to rejection by the Michigan Supreme Court. These types of rulings do not show that the COA even read the briefs, let alone fairly considered them.

\*Reinstate Jury Nullification defense- Thomas Jefferson's ultimate check on government power.