



HOUSE BILL No. 5408

March 10 1994 Introduced by Reps Rivers Freeman Willard Jersevic Joe Young Jr DeMars Gire Berman Porreca Baade Agee Dobronski and Stallworth and referred to the Committee on Corrections

A bill to amend section 36 of Act No 232 of the Public Acts of 1953, entitled as amended

"An act to revise, consolidate, and codify the laws relating to probationers and probation officers, to pardons, reprieves, commutations, and paroles, to the administration of correctional institutions, correctional farms, and probation recovery camps, to prisoner labor and correctional industries, and the supervision and inspection of local jails and houses of correction to provide for the siting of correctional facilities to create a state department of corrections, and to prescribe its powers and duties to provide for the transfer to and vesting in said department of powers and duties vested by law in certain other state boards, commissions, and officers, and to abolish certain boards, commissions, and offices the powers and duties of which are hereby transferred to prescribe the powers and duties of certain other state departments and agencies to provide for the creation of a local lockup advisory board to prescribe penalties for the violation of the provisions of this act to repeal certain parts of this act on specific dates and to repeal all acts and parts of acts inconsistent with the provisions of this act,"

as amended by Act No 185 of the Public Acts of 1989, being section 791 236 of the Michigan Compiled Laws

THE PEOPLE OF THE STATE OF MICHIGAN ENACT

1 Section 1 Section 36 of Act No 232 of the Public Acts of
2 1953, as amended by Act No 185 of the Public Acts of 1989, being
3 section 791 236 of the Michigan Compiled Laws, is amended to read
4 as follows

5 Sec 36 (1) All paroles shall be ordered by the parole
6 board and shall be signed by the chairperson Written notice of
7 the order shall be given to the sheriff or other police officer
8 of the municipality or county in which the prisoner was con-
9 victed, and to the sheriff or other local police officer of the
10 municipality or county to which the paroled prisoner is sent

11 (2) An order of parole may be amended or rescinded at the
12 discretion of the parole board for cause A parole shall not be
13 rescinded unless an interview is conducted by 1 member of the
14 parole board The purpose of the interview shall be to consider
15 and act upon information received by the board subsequent to the
16 original parole release decision A rescission interview shall
17 be conducted within 45 days of receipt of the new information
18 At least 10 days before the interview, the parolee shall receive
19 a copy or summary of the new evidence which is the basis for the
20 interview An amendment to a parole order shall be in writing
21 and shall not be effective until notice of the amendment is given
22 to the parolee

23 (3) When an order for parole is issued, the order shall con-
24 tain the conditions of the parole and shall specifically provide
25 proper means of supervision of the paroled prisoner in accordance
26 with the rules of the ~~bureau of field services~~ DEPARTMENT THE

1 ORDER OF PAROLE SHALL INCLUDE 1 OF THE FOLLOWING LEVELS OF
2 SUPERVISION

3 (A) MOST RESTRICTIVE, IN WHICH THE PRISONER IS REQUIRED TO
4 HAVE 5 IN-PERSON CONTACTS WITH A PAROLE OFFICER EACH WEEK

5 (B) LESS RESTRICTIVE, IN WHICH THE PRISONER IS REQUIRED TO
6 HAVE 2 IN-PERSON CONTACTS WITH A PAROLE OFFICER EACH WEEK

7 (C) LEAST RESTRICTIVE, IN WHICH THE PRISONER IS REQUIRED TO
8 HAVE 1 IN-PERSON CONTACT WITH A PAROLE OFFICER EACH WEEK

9 (4) The order of parole shall contain a condition to pay
10 restitution to, or perform services for, the victim of the
11 prisoner s crime or the victim's estate if the prisoner has been
12 sentenced to make restitution pursuant to the crime victim s
13 rights act, Act No 87 of the Public Acts of 1985, being sections
14 780 751 to 780 834 of the Michigan Compiled Laws, or chapter IX
15 of the code of criminal procedure, Act No 175 of the Public Acts
16 of 1927, being sections 769 1 to 769 28 of the Michigan Compiled
17 Laws

18 (5) The order of parole shall contain a condition requiring
19 the parolee to pay a parole oversight fee or perform community
20 service, as prescribed in section 36a