

CORRECTIONS CODE OF 1953 (EXCERPT)
Act 232 of 1953

791.262b Housing inmates in county jail cell designed and constructed for single occupancy; conditions; classification system; doors; visual supervision; indemnification for expense or damages.

Sec. 62b.

(1) The rules and standards promulgated under section 62(3) do not prohibit the housing of 2 inmates in a county jail cell that is designed and constructed for single occupancy and that meets either of the following conditions:

(a) The cell is at least 65 square feet in area and provides access to a day area which is available for use by the inmates other than those inmates being disciplined. The day area shall contain an average of at least 20 additional square feet of space per inmate.

(b) The cell is at least 55 square feet in area and both of the 2 inmates housed in the cell participate in a day parole program for not less than 32 hours per week.

(2) For purposes of housing inmates as provided for under this section, the sheriff of the county shall develop and implement a classification system classifying the county jail population according to all of the following:

(a) Behavior characteristics.

(b) Similar physical characteristics.

(c) Age.

(d) Type of crime committed and criminal history.

(e) Gender.

(3) The classification system under subsection (2) shall be submitted to and approved by the department. Any classification system in effect on December 31, 1987 shall continue in effect until changed as provided in this subsection.

(4) Cells in which 2 inmates are housed shall have doors which allow visual supervision, and inmates shall be under visual supervision at least every hour.

(5) If the state incurs any expense or is liable for damages on any judgment for an action brought as the result of a county housing 2 inmates in a cell as provided in this section, the county in which the action arose shall fully indemnify the state for the expense or damages.

History: Add. 1984, Act 145, Imd. Eff. June 25, 1984 ;-- Am. 1987, Act 252, Eff. Jan. 1, 1988 ;-- Am. 1988, Act 492, Imd. Eff. Dec. 29, 1988 ;-- Am. 2000, Act 211, Imd. Eff. June 27, 2000 ;-- Am. 2011, Act 211, Imd. Eff. Nov. 8, 2011

Popular Name: Department of Corrections Act

Admin Rule: R 791.501 et seq. of the Michigan Administrative Code.