



SENATE BILL No. 1294

November 10, 1994, Introduced by Senator SMITH and
referred to the Committee on Judiciary

A bill to amend sections 183 and 188 of Act No 328 of the
Public Acts of 1931, entitled as amended
"The Michigan penal code,"
being sections 750 183 and 750 188 of the Michigan Compiled
Laws

THE PEOPLE OF THE STATE OF MICHIGAN ENACT

1 Section 1 Sections 183 and 188 of Act No 328 of the
2 Public Acts of 1931, being sections 750 183 and 750 188 of the
3 Michigan Compiled Laws, are amended to read as follows
4 Sec 183 (1) ~~Aiding escape of and rescuing~~
5 ~~prisoners—Any~~ A person ~~who~~ shall ~~convey~~ NOT DO ANY OF THE
6 FOLLOWING
7 (A) CONVEY into ~~any~~ A jail, prison, or other ~~like~~
8 SIMILAR place of confinement ~~—any~~ A disguise or ~~any~~ AN
9 instrument, tool, weapon, or other thing ~~—~~ THAT IS adapted or

1 useful to aid ~~any~~ OR ASSIST A prisoner ~~in making his~~ TO
2 escape FROM THAT JAIL, PRISON, OR OTHER SIMILAR PLACE OF
3 CONFINEMENT, with THE intent to facilitate the escape of any
4 prisoner ~~there~~ lawfully committed or detained ~~, or shall by~~
5 ~~any means whatever, aid~~ IN THAT JAIL, PRISON, OR OTHER SIMILAR
6 PLACE OF CONFINEMENT

7 (B) AID or assist ~~any such~~ A prisoner ~~in his endeavor~~
8 LAWFULLY COMMITTED OR DETAINED IN A JAIL, PRISON, OR OTHER SIMI-
9 LAR PLACE OF CONFINEMENT to ~~make his~~ escape ~~therefrom, whether~~
10 ~~such escape be effected or attempted, or not and every person~~
11 ~~who shall forcibly rescue any~~ OR ATTEMPT TO ESCAPE FROM THAT
12 JAIL, PRISON, OR OTHER SIMILAR PLACE OF CONFINEMENT

13 (C) FORCIBLY REMOVE A prisoner ~~, held in~~ CHARGED WITH OR
14 CONVICTED OF AN OFFENSE FROM THE custody ~~upon any conviction or~~
15 ~~charge of an offense, shall be~~ OF A PERSON HAVING THE LEGAL DUTY
16 TO MAINTAIN THAT PRISONER IN CUSTODY

17 (2) EXCEPT AS PROVIDED IN SUBSECTION (3) A PERSON WHO VIO-
18 LATES THIS SECTION IS guilty of a felony ~~, punishable by~~
19 imprisonment ~~in the state prison~~ FOR not LESS THAN 10 YEARS OR
20 more than ~~7~~ 15 years ~~or, if~~

21 (3) IF the ~~person~~ PRISONER whose escape or rescue was
22 effected or intended ~~, was~~ IS charged with ~~an offense not cap-~~
23 ~~ital, nor punishable by imprisonment in~~ A MISDEMEANOR, the
24 ~~state prison, then the offense mentioned in this section shall~~
25 ~~be~~ PERSON IS GUILTY OF a misdemeanor ~~and shall be~~ punishable
26 by imprisonment ~~in the county jail~~ FOR not more than 1 year ~~,~~
27 or by fine of not more than ~~500 dollars~~ \$500 00, OR BOTH

1 Sec 188 (1) ~~Voluntarily suffering prisoner to~~
2 ~~escape--Any jailer, or other officer~~ A PERSON HAVING THE LEGAL
3 DUTY TO MAINTAIN A PRISONER CHARGED WITH OR CONVICTED OF A FELONY
4 IN CUSTODY who ~~shall~~ voluntarily ~~suffer any~~ ALLOWS THAT pris-
5 oner ~~in his custody, upon conviction, or upon any criminal~~
6 ~~charge, to escape , shall suffer the like punishment and penal-~~
7 ~~ties as the prisoner so suffered to escape was sentenced to, or~~
8 ~~would be liable to suffer upon conviction, for the crime or~~
9 ~~offense wherewith he stood charged~~ IS GUILTY OF A FELONY PUN-
10 ISHABLE BY IMPRISONMENT FOR NOT LESS THAN 10 YEARS OR MORE THAN
11 15 YEARS

12 (2) A PERSON HAVING T^H LEGAL DUTY TO MAINTAIN A PRISONER
13 CHARGED WITH OR CONVICTED OF A MISDEMEANOR IN CUSTODY WHO VOLUN-
14 TARIY ALLOWS THAT PRISONER TO ESCAPE IS GUILTY OF A MISDEMEANOR
15 PUNISHABLE BY IMPRISONMENT FOR NOT MORE THAN 1 YEAR OR BY A FINE
16 OF NOT MORE THAN \$500 00, OR BOTH