



**House  
Legislative  
Analysis  
Section**

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**END REGIONAL PRISON REQMT.**

**House Bill 4157 (Substitute H-1)  
First Analysis (2-2-95)**

**Sponsor: Rep. Sandra Hill  
Committee: Judiciary and Civil Rights**

***THE APPARENT PROBLEM:***

Since 1980, the state has had in place statutory provisions for regional prisons, meaning prisons located in each of nine regions in the state to which prisoners from that region are to be sent if possible. According to the Department of Corrections, the provisions were never implemented as a statutory requirement, although they have led to confusion regarding a prisoner's perceived "right" to be assigned to a regional prison, which in turn has generated a number of prisoner lawsuits, which, though unsuccessful, do increase burdens for the courts and state employees who must deal with them. Of greater importance, however, is the problems that the regional prison concept can present for prisoner management. For one thing, corrections officers are concerned about greater risk to themselves and their families when prisoners' friends and relatives are in the same geographical area. In addition, imprisoning people from the same area in the same prison can lead to gang members being imprisoned together, enabling them to continue to exist as a cohesive unit while behind prison walls. While the regional prison concept evidently has been criticized for some time, several recent events have brought fresh attention to the matter.

One instance occurred last summer, when ten inmates from the Ryan Regional Correctional Facility were able to quickly disappear into the surrounding community (although most of these inmates were soon caught). Of apparently greater consequence for the regional prison concept, however, have been the concerns that have arisen due to a triple murderer who was housed in the Thumb Regional Correctional Facility. This man is reported to have threatened his victims' family members and his co-defendant (who, reportedly, was housed elsewhere because of these threats). Corrections spokespeople have cited this case in explaining the department's decision to end the regional prison concept through a policy directive effective January 30, 1995. Department

representatives note that while incarceration close to home can still be used to reward good behavior and to ease re-entry for prisoners nearing release, it will no longer be done simply as a matter of policy.

Legislation has been developed to repeal the sections of law providing for regional prisons.

***THE CONTENT OF THE BILL:***

The bill would repeal Sections 20, 20a, 20b, and 20c of the Department of Corrections act (Public Act 232 of 1953), which provide for regional prisons and require the department to promulgate rules that maximize the placement of each prisoner in a regional prison located in the region in which the prisoner resides.

MCL 791.220 et al.

***FISCAL IMPLICATIONS:***

There is no fiscal information at present. (2-1-95)

***ARGUMENTS:***

***For:***

The bill would eliminate confusing statutory provisions for regional prisons, thereby also eliminating the source of many burdensome (if unsuccessful) prisoner lawsuits and giving clear legislative approval to the department's current policy regarding prisoner placement. The regional prison concept, under which prisoners from a given region are incarcerated in a prison near home, is flawed in a number of ways. It puts guards and their families at risk of retaliation from a prisoner's cronies nearby, it fosters the continuation of gang activity behind bars, it enables escapees to find ready shelter with nearby friends and relatives, and it prevents putting a decent distance between victims and violent offenders. The bill, however, would not forbid regional placement. The department could

House Bill 4157 (2-2-95)

continue to place prisoners near family as a reward for good behavior, and could continue to use regional placement to ease re-entry into the community for prisoners nearing their release date.

***Against:***

The regional prison concept should not be abandoned. When prisoners who eventually are to be reintegrated into society are able to maintain regular contact with family members, both they and society benefit. Prisoners with family ties have someplace to go when they are released; prisoners without such ties may, in effect, be "dumped" back into society. Whether a prisoner has been able to maintain family relationships can be crucial to whether that prisoner returns to crime. Current shortcomings of the regional prison concept can be addressed, as they have been, through making exceptions for certain cases. Regional prisons and regional placement should remain as a matter of basic policy.

***POSITIONS:***

The Department of Corrections supports the bill.  
(2-1-95)

The Michigan Corrections Organization supports the bill. (2-1-94)