

PRISONER COMMUNITY SERVICE

House Bill 4261

Sponsor: Rep. John Llewellyn

Committee: Corrections

Complete to 7-30-97

A SUMMARY OF HOUSE BILL 4261 AS INTRODUCED 2-11-97

House Bill 4261 would amend the Department of Corrections act to require that all level I prisoners (those with the least restrictive security classifications) spend at least 20 hours each week doing community service work, if approved by the local community in which the work would be performed. With exceptions approved by the corrections department, the work would be physical labor, to include working in or cleaning litter from swamps and forest lands, clearing roads, maintaining public parks and facilities, or environmental resource recovery and forest operations.

Under the bill, a prisoner engaged in public service would be secured appropriately. In the event a level I prisoner had been convicted of any of 22 categories of assaultive crime, she or he would be eligible only for on-site prison labor such as mowing lawns with nonmotorized lawn mowing equipment, in lieu of community service work.

House Bill 4261 would require the director of the corrections department to conduct informational seminars for local government officials and community service organizations concerning prisoner availability. Community service work assignments would be limited to services that are not provided by the private sector.

To define "assaultive crime" for the purpose of excluding those prisoners eligible for mandatory community service, the bill references provisions of the Penal Code to include felonious assault (section 82), assault with intent to commit murder (section 83), assault with intent to do great bodily harm less than murder (section 84), assault with intent to maim (section 86), assault with intent to commit felony not otherwise punished (section 87), unarmed assault with intent to rob and steal (section 88), armed assault with intent to rob and steal (section 89), first degree murder (section 316), second degree murder (317), manslaughter (section 321), kidnapping (section 349), prisoner taking another as a hostage (section 349a), kidnapping a child under 14 (section 350), mayhem (section 397), first degree criminal sexual conduct (section 520b), second degree criminal sexual conduct (section 520c), third degree criminal sexual conduct (section 520d), fourth degree criminal sexual conduct (section 520e), assault with intent to commit criminal sexual conduct (section 520g), armed robbery, aggravated assault (section 529), car jacking (section 529a), or unarmed robbery (section 530).

MCL 791.201 et al

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■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.