

HOUSE SUBSTITUTE FOR
SENATE BILL NO. 1221

A bill to amend 1927 PA 175, entitled
"The code of criminal procedure,"
by amending section 23 of chapter IV (MCL 764.23), as amended by
1988 PA 137.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 CHAPTER IV

2 Sec. 23. (1) If a person who has been lawfully arrested
3 escapes or is rescued, the person from whose custody he or she
4 escaped or was rescued may immediately pursue and retake him or
5 her at any time and in any place within the state without a
6 warrant.

7 (2) If a prisoner escapes from a state correctional facili-
8 ty, or willfully fails to remain within the extended limits of
9 his or her confinement as prescribed in section 65a of ~~Act~~
10 ~~No. 232 of the Public Acts of 1953, being section 791.265a of the~~

SB1221, As Passed House, December 9, 1998

Senate Bill No. 1221

2

1 ~~Michigan Compiled Laws~~ 1953 PA 232, MCL 791.265A, the prisoner
2 may be pursued and arrested, without a warrant, by ~~any~~ A PERSON
3 WHO IS EITHER OF THE FOLLOWING:

4 (A) AN employee of the department of corrections who is des-
5 ignated by the director of the department of corrections as
6 having the authority to pursue and arrest escaped prisoners.

7 (B) AN EMPLOYEE OF A PRIVATE VENDOR THAT OPERATES A YOUTH
8 CORRECTIONAL FACILITY UNDER SECTION 20G OF 1953 PA 232,
9 MCL 791.20G, IF THAT EMPLOYEE MEETS THE SAME CRITERIA ESTABLISHED
10 BY THE DIRECTOR OF THE DEPARTMENT OF CORRECTIONS FOR DEPARTMENTAL
11 EMPLOYEES DESCRIBED IN SUBDIVISION (A).

12 (3) As used in this section, "state correctional facility"
13 means any facility that houses prisoners ~~under~~ COMMITTED TO the
14 jurisdiction of the department of corrections, including a
15 prison, reformatory, camp, community corrections center, halfway
16 house, ~~or~~ resident home, OR A YOUTH CORRECTIONAL FACILITY OPER-
17 ATED BY THE DEPARTMENT OF CORRECTIONS OR A PRIVATE VENDOR UNDER
18 SECTION 20G OF 1953 PA 232, MCL 791.232.