

THE MICHIGAN PENAL CODE (EXCERPT)
Act 328 of 1931

750.195 Breaking, escaping, or leaving jail as felony; penalty; section inapplicable to person leaving jail pursuant to day parole; "jail" defined.

Sec. 195. (1) A person lawfully imprisoned in a jail for a term imposed for a misdemeanor who breaks jail and escapes, breaks jail though an escape is not actually made, escapes, leaves the jail without being discharged from the jail by due process of law, or attempts to escape from the jail, is guilty of a felony, punishable by imprisonment for not more than 2 years, or by a fine of not more than \$1,000.00, or both.

(2) A person lawfully imprisoned in a jail for a term imposed for a felony who breaks jail and escapes, breaks jail though an escape is not actually made, escapes, leaves the jail without being discharged from the jail by due process of law, or attempts to escape from the jail, is guilty of a felony. A person who violates this subsection shall be imprisoned for the unexpired portion of the term of imprisonment the person was serving at the time of the violation, and any term of imprisonment imposed for the violation of this subsection shall begin to run at the expiration of that prior term of imprisonment.

(3) This section does not apply to a person who left the jail pursuant to a day parole granted for any purpose under section 1 of Act No. 60 of the Public Acts of 1962, being section 801.251 of the Michigan Compiled Laws, and who is absent from the jail after the time he or she was required to return to the jail unless the person has the intent to escape from imprisonment.

(4) As used in this section, "jail" means a facility that is operated by a local unit of government for the detention of persons charged with, or convicted of, criminal offenses or ordinance violations, or persons found guilty of civil or criminal contempt.

History: 1931, Act 328, Eff. Sept. 18, 1931;—CL 1948, 750.195;—Am. 1987, Act 212, Eff. Mar. 30, 1988.

Former law: See sections 28 to 30 of Ch. 171 of R.S. 1846, being CL 1857, §§ 6156 to 6158; CL 1871, §§ 8045 to 8047; How., §§ 9661 to 9663; CL 1897, §§ 2677 to 2679; CL 1915, §§ 2548 to 2550; CL 1929, §§ 17694 to 17696; and Act 146 of 1875.