

CORRECTIONS CODE OF 1953 (EXCERPT)
Act 232 of 1953

791.229 Privileged or confidential communications; access to records, reports, and case histories; confidential relationship inviolate.

Sec. 29. Except as otherwise provided by law, all records and reports of investigations made by a probation officer, and all case histories of probationers shall be privileged or confidential communications not open to public inspection. Judges and probation officers shall have access to the records, reports, and case histories. The probation officer, the assistant director of probation, or the assistant director's representative shall permit the attorney general, the auditor general, and law enforcement agencies to have access to the records, reports, and case histories and shall permit designated representatives of a private contractor that operates a facility or institution that houses prisoners under the jurisdiction of the department to have access to the records, reports, and case histories pertaining to prisoners assigned to that facility. The relation of confidence between the probation officer and probationer or defendant under investigation shall remain inviolate.

History: 1953, Act 232, Eff. Oct. 2, 1953;—Am. 1979, Act 89, Eff. Apr. 1, 1980;—Am. 1998, Act 512, Imd. Eff. Jan. 8, 1999;—Am. 2010, Act 248, Imd. Eff. Dec. 14, 2010;—Am. 2012, Act 599, Eff. Mar. 28, 2013.

Compiler's note: Sections 2, 3, and 4 of Act 210 of 1979 provide:

"P.A. 1979, No. 89, section 4, amended; effective date.

"Section 2. The enacting section of Act No. 89 of the Public Acts of 1979, is amended to read as follows:

"Section 4. This amendatory act shall take effect April 1, 1980.

"Effective date of P.A. 1979, Nos. 81 and 89, in certain counties; funds for probation services.

"Section 3. The provisions of Act Nos. 81 and 89 of the Public Acts of 1979 shall not take effect in a county with a population of 1.5 million or more prior to a majority vote of the elected members of the county's board of commissioners to place the question of the creation of a charter commission under the terms of enacted Senate Bill No. 652 before the county electorate. Subsequent to the above action by the board of commissioners, funds appropriated for probation services for a county with a population of 1.5 million or more shall become immediately effective, and shall be retroactive to the extent of the funds provided.

"Implementation of P.A. 1979, Nos. 81 and 89; effect of refusal to provide probation support costs.

"Section 4. Implementation of Act Nos. 81 and 89 of the Public Acts of 1979 shall not be effective in counties which refuse to provide probation support costs as required in those acts."

Popular name: Department of Corrections Act