

CORRECTIONS CODE OF 1953 (EXCERPT)
Act 232 of 1953

791.264 Classification of prisoners; classification committee; information; filing; investigation; computation of sentence; recomputation based on amended judgment.

Sec. 64. (1) The assistant director in charge of the bureau of correctional facilities shall classify the prisoners in correctional facilities. The assistant director shall appoint a classification committee from the staff of each correctional facility, which committee shall perform services in a manner as the assistant director in charge of the bureau of correctional facilities requires.

(2) Each classification committee shall obtain and file complete information with regard to each prisoner when the prisoner is received in a correctional facility. The clerk of the court and all probation officers and other officials shall send information in their possession or under their control to each classification committee when requested to do so, in the manner as they are directed. When all such existing available records have been assembled, each classification committee shall determine whether any further investigation is necessary, and, if so, shall make that investigation. The information shall be filed with the parole board so as to be readily available when the parole of the prisoner is to be considered.

(3) The length of a prisoner's sentence shall be computed by the record office of the correctional facility, for use by the classification committee, based upon the certified copy of the judgment of sentence delivered with the prisoner. Except as provided in subsection (4), if the judgment of sentence does not specify whether the sentence shall run consecutively to or concurrently with any other sentence that the prisoner is serving, the sentence shall be computed as if it is to be served concurrently.

(4) If the conviction is for a violation of section 193, 195(2), 197(2), 227b, or 349a of the Michigan penal code, 1931 PA 328, MCL 750.193, 750.195, 750.197, 750.227b, and 750.349a, the sentence shall be computed as if it is to be served consecutively, unless the judgment of sentence specifies that the sentence shall run concurrently.

(5) If a sentence that did not specify whether it was to be served concurrently or consecutively is computed under subsection (3) or (4), or if the conviction is for a violation of section 193, 195(2), 197(2), 227b, or 349a of the Michigan penal code, 1931 PA 328, MCL 750.193, 750.195, 750.197, 750.227b, and 750.349a, and the judgment of sentence specifies that the sentence shall run concurrently, the department shall notify the sentencing judge, the prosecuting attorney, and the affected prisoner of the computation not later than 7 days after the sentence is computed.

(6) If, at any time after receiving the original judgment of sentence, the department receives an amended judgment of sentence specifying that the sentence should be computed in a different manner, the sentence shall be recomputed accordingly.

History: 1953, Act 232, Eff. Oct. 2, 1953;—Am. 2000, Act 221, Eff. Oct. 1, 2000.

Popular name: Department of Corrections Act

Administrative rules: R 791.1101 et seq. of the Michigan Administrative Code.