COUNTY JAIL OVERCROWDING STATE OF EMERGENCY (EXCERPT)
Act 325 of 1982

801.59a Written county jail population management plan; adoption; implementation; approval; amendments; duration; delegation of judicial sentencing authority.

Sec. 9a. (1) For the purpose of reducing or preventing chronic jail overcrowding, a county or judicial circuit may adopt and implement a written county jail population management plan. The plan shall not take effect unless it is approved by all of the following:

(a) The sheriff of each affected county.

(b) The prosecuting attorney of each affected county.

(c) The chief circuit judge of the judicial circuit or, in the case of a county plan, the chief circuit judge of the judicial circuit that includes that county.

(d) A district judge designated as follows:

(*i*) If the plan affects a single-county or multicounty judicial district, the chief district judge for that judicial district.

(*ii*) In all other cases, a district judge chosen by the chief district judges of all judicial districts affected by the plan.

(2) A written county jail population management plan adopted under subsection (1) may be amended if the amendments are approved by all of the parties listed in subsection (1)(a) to (d).

(3) A written county jail population plan adopted under subsection (1) is effective for the term prescribed in the plan, but not more than 4 years. The amendment of a plan pursuant to subsection (2) does not extend the 4-year limit prescribed in this subsection.

(4) A written county jail population management plan shall provide for the delegation of judicial sentencing authority for the purpose of reducing prior valid jail sentences, consistent with section 9b(1).

(5) A written county jail population management plan shall provide for the delegation of judicial authority for the purpose of reviewing bonds for unsentenced prisoners.

History: Add. 2007, Act 139, Imd. Eff. Nov. 13, 2007.

Popular name: Jail Overcrowding Emergency Powers Act