



**House
Legislative
Analysis
Section**

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RESTRICT PRISONERS' ACCESS TO RECORDS

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OCT 08 1990

House Bill 5975

Sponsor: Rep. Floyd Clack

Committee: Corrections

Mich. State Law Library

Complete to 9-12-90

A SUMMARY OF HOUSE BILL 5975 AS INTRODUCED 9-11-90

Currently, under the Freedom of Information Act, the first \$20 of the fee for copying a public record is waived for a prisoner in a correctional facility. Under the Department of Corrections act, a record that does not pertain specifically to the requesting prisoner is excluded from this waiver. The bill would amend the latter act to exclude, in addition, a public record that has been created by the requesting prisoner, or one previously provided to that prisoner. The act also exempts from disclosure under the Freedom of Information Act records such as departmental employees' staffing charts or daily assignment sheets, the release of which would threaten a correctional facility's security. The bill would delete the requirement that the excluded staffing charts or daily assignment sheets be among those records whose release "would threaten a facility's security." The bill would also include under those public records that are exempt from disclosure under the Freedom of Information Act records pertaining to other prisoners serving in either a state or county correctional facility, another state's correctional facility, a federal correctional facility, or committed from another state or the federal government and serving a sentence in a state correctional facility. The bill would also specify that prisoners could inspect documents that were not otherwise exempt from disclosure, subject to reasonable restrictions by the Corrections Commission or the Department of Corrections.

MCL 791.230

House Bill 5975 (9-12-90)