

HOUSE BILL No. 4867

May 25, 1989, Introduced by Reps. Hoffman, O'Connor, Clack, Walberg, Van Regenmorter and Wallace and referred to the Committee on Corrections.

A bill to amend Act No. 232 of the Public Acts of 1953, entitled as amended

"An act to revise, consolidate, and codify the laws relating to probationers and probation officers as herein defined, to pardons, reprieves, commutations, and paroles, to the administration of penal institutions, correctional farms, and probation recovery camps, to prison labor and prison industries, and the supervision and inspection of local jails and houses of correction; to provide for the siting of correctional facilities; to create a state department of corrections, and to prescribe its powers and duties; to provide for the transfer to and vesting in said department of powers and duties vested by law in certain other state boards, commissions, and officers, and to abolish certain boards, commissions, and offices the powers and duties of which are hereby transferred; to prescribe the powers and duties of certain other state departments and agencies; to provide for the creation of a local lockup advisory board; to prescribe penalties for the violation of the provisions of this act; and to repeal all acts and parts of acts inconsistent with the provisions of this act,"

as amended, being sections 791.201 to 791.283 of the Michigan Compiled Laws, by adding section 69a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Act No. 232 of the Public Acts of 1953, as
2 amended, being sections 791.201 to 791.283 of the Michigan
3 Compiled Laws, is amended by adding section 69a to read as
4 follows:

5 SEC. 69A. (1) A PRISONER IN A STATE CORRECTIONAL FACILITY
6 SHALL NOT BE SUBJECTED TO A STRIP SEARCH UNLESS EVERY PERSON PER-
7 FORMING OR ASSISTING IN PERFORMING THE STRIP SEARCH, AND EVERY
8 PERSON PRESENT AT THE STRIP SEARCH, IS OF THE SAME SEX AS THE
9 PERSON BEING STRIP SEARCHED.

10 (2) AN EMPLOYEE OR OFFICER OF THE DEPARTMENT WHO PERFORMS OR
11 ASSISTS IN PERFORMING A STRIP SEARCH THAT VIOLATES THIS SECTION,
12 OR WHO KNOWINGLY REMAINS PRESENT AT A STRIP SEARCH IN VIOLATION
13 OF THIS SECTION, IS GUILTY OF A MISDEMEANOR, PUNISHABLE BY
14 IMPRISONMENT FOR NOT MORE THAN 2 YEARS, OR A FINE OF NOT MORE
15 THAN \$500.00, OR BOTH.

16 (3) AS USED IN THIS SECTION, "STRIP SEARCH" MEANS A SEARCH
17 OF A PERSON'S BODY WHICH REQUIRES THE PERSON TO REMOVE HIS OR HER
18 CLOTHING TO EXPOSE UNDERCLOTHING, BREASTS, BUTTOCKS, OR
19 GENITALIA.