

SENATE BILL No. 942

January 26, 2000, Introduced by Senators HOFFMAN, MC COTTER and YOUNG and referred to the Committee on Judiciary.

A bill to amend 1953 PA 232, entitled

"An act to revise, consolidate, and codify the laws relating to probationers and probation officers, to pardons, reprieves, commutations, and paroles, to the administration of correctional institutions, correctional farms, and probation recovery camps, to prisoner labor and correctional industries, and to 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 transferred by this act; to allow for the operation of certain facilities by private entities; 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; to make certain appropriations; to repeal certain parts of this act on specific dates; and to repeal all acts and parts of acts inconsistent with the provisions of this act,"

(MCL 791.202 to 791.283) by adding section 69b.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 69B. (1) THE DEPARTMENT SHALL ESTABLISH REASONABLE
2 POLICIES REGARDING NEWS MEDIA VISITS TO DEPARTMENT FACILITIES.

3 (2) A PRISONER WHO IS NOT IN ADMINISTRATIVE SEGREGATION
4 SHALL BE ALLOWED UNCENSORED CORRESPONDENCE WITH, AND TELEPHONE
5 ACCESS TO, NEWS MEDIA REPRESENTATIVES, SUBJECT TO REASONABLE REG-
6 ULATION AS TO TIME AND FREQUENCY. A PRISONER IN ADMINISTRATIVE
7 SEGREGATION STATUS SHALL BE ALLOWED TO SEND SEALED CORRESPONDENCE
8 TO NEWS MEDIA REPRESENTATIVES.

9 (3) A PRISONER WHO IS NOT IN ADMINISTRATIVE SEGREGATION MAY
10 SUBMIT UNCENSORED MANUSCRIPTS TO PUBLISHERS AND MAY SERVE AS A
11 LITERARY REVIEWER FOR NEWSPAPERS OR OTHER PUBLICATIONS.

12 (4) PRISONERS PERMITTED OUTSIDE AN INSTITUTION FOR REHABILI-
13 TATIVE OR PUBLIC SERVICE PURPOSES MAY PARTICIPATE IN NEWS INTER-
14 VIEWS WHEN APPROACHED BY NEWS MEDIA REPRESENTATIVES.

15 (5) A PRISONER SHALL NOT BE INTERVIEWED, FILMED, OR PHOTO-
16 GRAPHED BY THE NEWS MEDIA IN A DEPARTMENT INSTITUTION OR CORREC-
17 TIONAL FACILITY WITHOUT THE PRISONER'S PRIOR WRITTEN CONSENT.
18 THE CONSENT OF BOTH THE DEPARTMENT AND THE PRISONER SHALL BE
19 REQUIRED BEFORE GRANTING A PERSONAL INTERVIEW. THE DEPARTMENT
20 SHALL GRANT REQUESTS IN A TIMELY MANNER FOR PERSONAL INTERVIEWS
21 OF A PRISONER IF THE NUMBER AND DURATION OF THE INTERVIEWS ARE
22 REASONABLE. THE DEPARTMENT SHALL TAKE APPROPRIATE STEPS IN EVAL-
23 UATING INTERVIEW REQUESTS TO ENSURE THAT THE PRISONER IS NOT
24 COERCED INTO CONSENTING TO AN INTERVIEW.

25 (6) THE WARDEN OF A CORRECTIONAL FACILITY MAY TEMPORARILY
26 SUSPEND ALL ACCESS BY PRISONERS TO THE NEWS MEDIA DURING

- 1 EMERGENCIES OR DISORDERS IN THAT CORRECTIONAL FACILITY. THE
- 2 SUSPENSION SHALL END WHEN THE EMERGENCY OR DISORDER IS CONCLUDED.