

PRISONS & CORRECTIONS SECTION
Public Policy Position
HB 5244 and HB 5246

The Prisons & Corrections Section is a voluntary membership section of the State Bar of Michigan, comprised of 163 members. The Prisons & Corrections Section is not the State Bar of Michigan and the position expressed herein is that of the Prisons & Corrections Section only and not the State Bar of Michigan. To date, the State Bar does not have a position on this item.

The Prisons & Corrections Section has a public policy decision-making body with 11 members. On December 2, 2017, the Section adopted its position after discussion and vote at a scheduled meeting. 9 members voted in favor of the Section's position on HB 5244 and HB 5246, 0 members voted against this position, 2 members abstained, 0 members did not vote.

The Prisons & Corrections Section Opposes HB 5244 and HB 5246.

Explanation:

HB 5244 requires DHHS to license additional facilities to do competency examinations and HB 5246 draws the Michigan Department of Corrections into the licensing process for facilities licensed to do competency examinations. There are no other facilities that exist that could do competency evaluations and it would shift responsibility away from the state. The MDOC has no expertise or experience in this realm and does not have available resources to take on a completely new function which is not related to its primary functions.

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