

CORRECTIONS CODE OF 1953 (EXCERPT)
Act 232 of 1953

791.258f Parole sanction certainty supervision; violation of conditions; powers of department; notice of intended graduated sanction; issuance by supervising agent; failure of supervised individual to comply; confinement; completion of conditions; modification; duties of supervising agent.

Sec. 58f.

(1) The department may do either of the following if an individual violates a condition of parole sanction certainty supervision:

(a) Modify the conditions of parole sanction certainty supervision for the limited purpose of imposing graduated sanctions.

(b) Place the individual in a state or local correctional or detention facility or residential center for a period specified in the list of presumptive graduated sanctions under section 58c(1) or as otherwise provided under section 58c(2) and (3). If an individual is to be placed in a local correctional or detention facility, he or she must only be placed in a facility that agrees to take the individual and with which the department has an existing reimbursement agreement.

(2) A supervising agent intending to modify the conditions of parole sanction certainty supervision by imposing a graduated sanction shall issue to the supervised individual a notice of the intended graduated sanction. The notice must inform the supervised individual of each violation alleged, the date of each violation, and the graduated sanction to be imposed.

(3) The imposition of a sanction must comport with the system of graduated sanctions adopted by the department under sections 58b and 58c. The failure of the supervised individual to comply with a graduated sanction constitutes a violation of parole. Graduated sanctions specified and imposed are immediately effective.

(4) A graduated sanction that involves confinement in a correctional or detention facility is subject to section 58c(3). If the supervised individual is employed, the department shall, to the extent feasible, impose the confinement sanction for weekend days or other days or times when the supervised individual is not working.

(5) If an individual successfully completes conditions imposed under a graduated sanction, the department shall not revoke the assigned term of parole sanction certainty supervision or impose additional graduated sanctions for the same violation.

(6) If a supervising agent modifies the conditions of parole sanction certainty supervision by imposing a graduated sanction, the supervising agent shall do all of the following:

(a) Deliver a copy of the modified conditions to the supervised individual.

(b) File a copy of the modified conditions with the department.

(c) Note the date of delivery of the copy in the supervised individual's file.

History: Add. 2017, Act 1, Eff. June 29, 2017

Popular Name: Department of Corrections Act