DISPOSITION OF UNTRIED CHARGES AGAINST INMATES OF PENAL INSTITUTIONS

Act 177 of 1957

AN ACT to dispose of untried warrants, indictments, informations or complaints against inmates of penal institutions of this state.

History: 1957, Act 177, Eff. Sept. 27, 1957

The People of the State of Michigan enact:

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780.131 Notice of untried warrant, indictment, information, or complaint; notice of place of imprisonment; request for final disposition; statement; delivery by certified mail; applicability of section.

Sec. 1.

(1) Whenever the department of corrections receives notice that there is pending in this state any untried warrant, indictment, information, or complaint setting forth against any inmate of a correctional facility of this state a criminal offense for which a prison sentence might be imposed upon conviction, the inmate shall be brought to trial within 180 days after the department of corrections causes to be delivered to the prosecuting attorney of the county in which the warrant, indictment, information, or complaint is pending written notice of the place of imprisonment of the inmate and a request for final disposition of the warrant, indictment, information, or complaint. The request shall be accompanied by a statement setting forth the term of commitment under which the prisoner is being held, the time already served, the time remaining to be served on the sentence, the amount of good time or disciplinary credits earned, the time of parole eligibility of the prisoner, and any decisions of the parole board relating to the prisoner. The written notice and statement shall be delivered by certified mail.

(2) This section does not apply to a warrant, indictment, information, or complaint arising from either of the following:

(a) A criminal offense committed by an inmate of a state correctional facility while incarcerated in the correctional facility.

(b) A criminal offense committed by an inmate of a state correctional facility after the inmate has escaped from the correctional facility and before he or she has been returned to the custody of the department of corrections.

History: 1957, Act 177, Eff. Sept. 27, 1957 ;-- Am. 1988, Act 400, Eff. Mar. 30, 1989
Compiler's Notes: For transfer of powers and duties of Michigan parole and commutation board to Michigan parole board within department of corrections, and abolishment of Michigan parole and commutation board, see E.R.O. No. 2011-3, compiled at MCL 791.305.

780.132 Request; notice to prisoners.

Sec. 2.

The department of corrections shall notify each prisoner of any request forwarded under the provisions of section 1 of this act.

History: 1957, Act 177, Eff. Sept. 27, 1957

780.133 Failure to prosecute; dismissal with prejudice.

Sec. 3.

In the event that, within the time limitation set forth in section 1 of this act, action is not commenced on the matter for which request for disposition was made, no court of this state shall any longer have jurisdiction thereof, nor shall the untried warrant, indictment, information or complaint be of any further force or effect, and the court shall enter an order dismissing the same with prejudice.

History: 1957, Act 177, Eff. Sept. 27, 1957

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