



HOUSE BILL No. 6051

September 11, 1996, Introduced by Reps. Hill, Bush, McBryde, Ryan and Rhead and referred to the Committee on Judiciary and Civil Rights.

A bill to create drunk driver detention centers; and to provide for the powers and duties of certain state officers and agencies.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. This act shall be known and may be cited as the
2 "drunk driver detention center act".

3 Sec. 2. As used in this act:

4 (a) "Convicted drunk driver" means a person convicted of a
5 violation of section 625(1) of the Michigan vehicle code, Act
6 No. 300 of the Public Acts of 1949, being section 257.625 of the
7 Michigan Compiled Laws, punishable under section 625(7)(d) of
8 that act.

9 (b) "Department" means the department of corrections.

1 (c) "Detention center" means a drunk driver detention
2 center.

3 Sec. 3. The department shall establish and operate, or
4 shall contract with a private vendor for the establishment and
5 operation of, 1 or more drunk driver detention centers for the
6 purpose of housing and training convicted drunk drivers committed
7 to a detention center as a condition of probation pursuant to
8 section 3d of chapter XI of the code of criminal procedure, Act
9 No. 175 of the Public Acts of 1927, being section 771.3d of the
10 Michigan Compiled Laws. A convicted drunk driver who is placed
11 in a detention center by a court shall be transported by the
12 county sheriff directly to a unit and shall not be processed
13 through the department's reception center for prisoners. A con-
14 victed drunk driver may be transferred from 1 detention center to
15 another detention center at the discretion of the department or
16 the private vendor operating the detention centers, during the
17 probationer's incarceration in a detention center.

18 Sec. 4. (1) Each detention center shall provide both of the
19 following:

20 (a) A program of physically strenuous work and exercise,
21 patterned after military basic training, and other compatible
22 programming as determined by the department.

23 (b) Treatment and rehabilitative services appropriate for
24 convicted drunk drivers, including treatment and rehabilitative
25 services for alcoholism.

1 (2) The term of any convicted drunk driver's incarceration
2 in a detention center shall be at least 90 days but not more than
3 1 year.

4 Sec. 5. At any time during a convicted drunk driver's
5 incarceration in a detention center, but not less than 5 days
6 before the convicted drunk driver's expected date of release, the
7 department or the private vendor shall certify to the sentencing
8 court as to whether the convicted drunk driver has satisfactorily
9 completed the course of training at the detention center.

10 Sec. 6. A convicted drunk driver who fails to work dili-
11 gently and productively at the program of the detention center,
12 or who fails to obey the rules of behavior established for the
13 detention center, may be reported to the sentencing court for
14 possible revocation of probation and may be housed in a county
15 jail while awaiting a probation revocation determination.