

CARE, ORDER, AND PRESERVATION OF PROPERTY (EXCERPT)
Act 80 of 1905

19.143 Authority of superintendent, watchperson, or guard as to arrest and custody of offender; complaint; warrantless arrest for trespass upon state correctional facility; limitation.

Sec. 3.

(1) A person appointed or chosen by a board or department set forth in section 1 to act as a superintendent, watchperson, or guard has the general authority of a deputy sheriff, relative to the arrest and custody of an offender against a rule prescribed by the appointing board or department, and may arrest without warrant a person found violating a rule which is prescribed by that board or department relative to trespasses upon property, good order, the preservation of property, or the mutilation or destruction or injury to property. Such an appointee shall make a complaint against an offender of this act, or a rule of the appointing board or department, before that court in which a prosecution for a misdemeanor may be initiated.

(2) The warrantless arrest of a person for a trespass upon a state correctional facility by a person described in subsection (1) is limited to those persons authorized under section 23a of chapter IV of the code of criminal procedure, Act No. 175 of the Public Acts of 1927, being section 764.23a of the Michigan Compiled Laws. As used in this subsection, "state correctional facility" means a facility or institution that houses a prisoner population under the jurisdiction of the department of corrections. State correctional facility does not include a community corrections center or a community residential home.

History: 1905, Act 80, Eff. Sept. 16, 1905 ;-- CL 1915, 1967 ;-- CL 1929, 449 —CL 1948, 19.143 ;-- Am. 1978, Act 237, Imd. Eff. June 15, 1978 ;-- Am. 1978, Act 614, Imd. Eff. Jan. 6, 1979 ;-- Am. 1996, Act 231, Eff. Jan. 1, 1997

Admin Rule: R 330.1001 et seq. of the Michigan Administrative Code.