

Local jails freed from state control

By Tim Richard
staff writer

Local governments won a victory when a legislative committee approved a bill stripping the state Corrections Department of its power to regulate local prisoner lockups.

And the bill's sponsor, freshman state Rep. Justice Barns, D-Westland, won a 7-1 victory over a five-term committee chairman.

"State government does not have the edge on intellect," said Barns after his win over Rep. Jeffrey Padden, D-Wyandotte, chairman of the House Corrections Committee.

WITH PADDEN dissenting, the committee last week reported out House Bill 4723, which strips the state Corrections director of authority over detention facilities operated by local units of government used to detain people for less than 72 hours.

"The department shall not supervise and inspect (and) shall not promulgate rules and standards for the administration of holding cells, holding centers or lockups," the bill says, adding: "However, the department shall provide advice and services concerning the efficient and humane administration of local lockups."

The bill now goes to the House floor. Big winners were such diverse cities as Rochester (pop. 7,200), Westland (pop. 84,000) and Detroit (pop. 1.3 mil-

lion), along with Roseville and Wyandotte, Barns said.

ROCHESTER'S two-cell lockup met state standards when it was built in 1961, but state standards were changed in 1975. City officials said bringing the lockup up to code would have cost tens of thousands of dollars, perhaps even requiring a bond issue.

State officials required: building an entry into the cellblock separate from the station lobby; enlarging each cell from 45 to 75 square feet; installing 24-hour video and audio monitoring; installing a shower and shower area; and making on-site medical treatment available.

City officials said the average stay in Rochester's lockup is only three hours, and only a dozen prisoners a month are detained. Though willing to compromise, they said some of the state requirements were too costly and unnecessary.

Most detained persons are either arraigned promptly in district court across the street, freed on bond or transferred to the Oakland County jail. If Rochester were unable to make the costly renovations, it would have to close its lockup and transport all prisoners immediately to the county jail, losing an hour of an officer's time in a town with only two officers on the road at any one time.

WESTLAND'S lockup would have re-

quired almost \$1 million in renovations, Barns said.

She quoted Police Chief William Rechlin as saying the location of a weapons storage area would have to be changed, and detained individuals would have to be provided desks, chairs and a common dining area.

"Why do you need that when they're in and out in a few hours?" she asked.

She said Detroit officials placed the cost of their state-required renovations at \$5 million.

She said Roseville would be forced to close its lockup because it would be unable to meet state standards.

And she said the police chief of Padden's own home town of Wyandotte supported her bill.

"The Corrections Department has only three inspectors of lockups for the entire state," she said. "The ability (of local officials) to negotiate isn't there."

PADDEN WARNED, "There will be standards imposed from somewhere," predicting federal courts will institute some requirements.

Padden said he believed local and state officials could work out an agreeable set of compromise regulations. But Barns countered, "If there had been the ability to negotiate, we wouldn't be at this stage."

Barns' bill was amended twice.

One amendment will set up an advisory board to come up with "model" policies, much like the accrediting standards of the North Central Association of Colleges and Secondary Schools. Padden predicted prisoners would use the standards in lawsuits against communities over lockup conditions.

The second amendment dropped a section which would have exempted investigative information on lockup conditions from the Freedom of Information Act.

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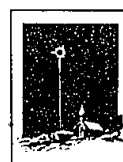
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