

SFA

BILL ANALYSIS

Senate Fiscal Agency

Lansing, Michigan 48909

(517) 373-5383

RECEIVED

Senate Bill 245 (Substitute S-1 as passed by the Senate)

Sponsor: Senator Rudy J. Nichols

Committee: Criminal Justice, Urban Affairs, and Economic Development

Date Completed: 4-4-88

MAY 05 1988

Mich. State Law Library

RATIONALE

During the course of their duties, corrections officers and other Department of Corrections (DOC) employees often must enter areas of prisons in which they may be at risk. Since such employees may face very dangerous situations, certain precautions must be taken to ensure their safety. DOC employees generally carry two-way radios in such situations, but these have proven to be somewhat bulky and can be rendered ineffective. A corrections officer who is overpowered, for instance, may not be able to use a radio to call for assistance. In order to better equip DOC employees in dangerous situations, some people believe that employees who face such potential hazards should be required to wear body alarms that could be activated easily and would transmit a distress signal which could be detected by electronic surveillance equipment.

CONTENT

The bill would amend the Department of Corrections Act to specify that the Department would have to require each corrections officer and any other employee of the Department whose work station is within a corrections facility's security perimeter to wear a body alarm while on duty within the security perimeter. The body alarm would have to be a device worn on the body or clothing, that, when activated, sends an electronic signal to a remote monitor or receiver located in the same facility.

In each correctional facility, the Department would have to establish monitoring equipment to receive distress signals from the alarms and to locate an employee in distress. In addition, the Department would be required to develop a system in each facility to dispatch assistance promptly to an employee whose body alarm was activated.

The bill would require the Department to implement these requirements as soon as possible after the bill's effective date, "given the time required to select or adapt body alarms and monitoring equipment that will be cost effective and reliable within each State correctional facility".

Proposed MCL 791.269

FISCAL IMPACT

The bill would result in an indeterminate expenditure increase for the State in FY 1987-88. The indeterminate increase would be the result of three primary factors: requiring the Department to accelerate the selection process for acquiring the most appropriate body alarm equipment; establishment of an implementation schedule by either facility or security level within those facilities that currently do not have body alarm equipment; and, the scheduling of classes for those staff members who would be required to use the body alarm equipment.

The Department has been studying various types of body alarm equipment commercially available, but reports that, to date, satisfactory equipment has not been identified for use in all of the Department's facilities.

ARGUMENTS**Supporting Argument**

Employees of the DOC, especially corrections officers, often may be required to perform their duties under potentially dangerous situations. The safety of those individuals should be a top priority of the Department. More effective methods of ensuring their safety should continually be explored and implemented. The use of body alarms, which would transmit a distress signal, would be a far more effective way of calling for assistance than is the current practice of using a two-way radio. In fact, the corrections officer who was murdered at the State Prison of Southern Michigan at Jackson last year reportedly was equipped with a radio, but she was unable to use it before being overpowered. The bill would ensure that the DOC required employees who work within the security perimeter of a corrections institution to wear such alarms and that the signals transmitted by those devices were monitored.

Response: Mandating the use of body alarms in statute is unnecessary. The DOC has been using body alarms in some of the newer prisons and currently is attempting to develop a system that will work effectively in the older prisons. The Department has experienced difficulties with body alarms in the older facilities because of the high content of steel and concrete in those structures, but is continuing to attempt to overcome these constraints.

Legislative Analyst: P. Affholter

Fiscal Analyst: B. Burghardt

This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.

S.B. 245 (4-4-88)