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BILL ANALYSIS

Senate Fiscal Agency

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Senate Bill 254 (as reported with amendments)**Sponsor: Senator Jack Welborn****Committee: Criminal Justice, Urban Affairs, and Economic Development****Date Completed: 5-26-87****RATIONALE**

The Department of Corrections (DOC) currently is expanding its personnel at a greater rate than any other State employer. A large number of these new employees are corrections officers. Because the situation in Michigan's corrections system is considered too volatile to allow persons of questionable character to be hired as corrections officers, some people believe that better screening is needed to ensure that these positions are filled by individuals who are trustworthy and well-disciplined. Toward that end, they argue that veterans of U.S. military service should be both encouraged to apply for and favored in the filling of corrections officer positions.

CONTENT

Senate Bill 254 would amend the Correctional Officers' Training Act, which specifies requirements for the certification of correctional officers by the Michigan Corrections Commission, to waive an educational requirement under certain circumstances.

Among the certification requirements is the attainment of a certificate from an accredited post secondary educational institution in a vocational program of at least 15 credit hours, or an equivalent, of courses as determined by the Correctional Officers' Training Council. The bill would waive this requirement, in whole or in part, for equivalent skills attained by persons honorably discharged, retired, or separated from active duty in the U.S. armed forces. Also eligible for the waiver would be persons who had reverted, under honorable conditions as determined by the Council, to an inactive status in the armed forces. To qualify for the waiver, an individual would be required to have served on active duty for a minimum of 18 months. The bill would allow the same waiver for a State employee of a State facility converted to a State Correctional facility between January 1, 1985, and December 31, 1986, and specifies that such an employee could substitute experience for up to seven credit hours as determined by the Council.

MCL 791.512

FISCAL IMPACT

The bill would have an indeterminate fiscal impact on State expenditures and no impact on local government. The State could experience a reduction in expenditures as a result of reduced advertising and position recruiting expenses if the bill expanded the number of eligible individuals who can apply to the Department.

ARGUMENTS**Supporting Argument**

The DOC has many problems with which to deal in the Michigan corrections system. Among these is ensuring

integrity in the ranks of its corrections officers. Recent reports of drug smuggling and use within the prisons, by both inmates and corrections officers, have highlighted this necessity. The bill would address this problem by waiving academic requirements for veterans of U.S. military service who had served a minimum of 18 months and had been honorably discharged. Veterans would provide a supply of potential employees who had been trained to be honorable and well-disciplined.

Because military service, in and of itself, does not ensure that a prospective corrections officer is more honorable and better qualified than someone who has not served, the bill would require equivalent educational or vocational experience before a waiver could be made.

Opposing Argument

Exempting one group of people from the educational requirements for the corrections officer position would set a precedent for other groups to seek exemption. This practice would, in effect, decrease the standards by which the DOC judges candidates for the position. Instead, the trend should be to move in the opposite direction by increasing the hiring standards, perhaps by requiring more, or at least more standardized, educational and training programs.

Response: The statutory standards would not be compromised because equivalent skills would be required for a waiver.

Opposing Argument

Veterans already are favored to some degree. They have an opportunity for free or supplemented education and an opportunity to buy into the pension system and include their time in the service within their State seniority. Veterans should not be given the further advantage of exemption from the educational requirement for corrections officers.

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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.