

**SFA**

BILL ANALYSIS

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Senate Fiscal Agency

Lansing, Michigan 48909

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**Senate Bill 343 (Substitute S-1 as reported)****Sponsor: Senator Christopher D. Dingell****Committee: Criminal Justice, Urban Affairs, and Economic Development**

Mich. State Law Library

**Date Completed: 10-21-87****RATIONALE**

Law enforcement agencies often are unaware of changes in a prisoner's incarceration status. There is no current requirement to notify police when a prisoner is transferred or paroled. Reportedly, there have been instances when police have not pursued an individual who may have been suspected of criminal activity because they believed the individual already was incarcerated. Some people contend that information pertaining to changes in a prisoner's status should be made available to law enforcement agencies.

**CONTENT**

Senate Bill 343 (S-1) would amend the Department of Corrections Act to require the Department to make an entry into the Law Enforcement Information Network (LEIN) whenever a prisoner escaped from a State correctional facility or a parole violation warrant was issued. Whenever a prisoner was transferred to a community residential program or a minimum custody correctional facility, the Department would have to make that information available on line to LEIN via the Corrections Management Information System. A person's parole status also would have to be made available in that manner.

The bill specifies that entries made into, or information to be made available to LEIN would have to be made within 24 hours of the action and would have to include the prisoner's name, physical descriptors, remaining term of sentence, and other information determined by the Department to be relevant.

Proposed MCL 791.265d

**FISCAL IMPACT**

The bill would have an indeterminate impact on State expenditures and no impact on local government. The State could experience an increase in data entry costs as a result of having to enter the required prisoner data in the Law Enforcement Information Network.

**ARGUMENTS****Supporting Argument**

The bill would establish an effective "warning system" to police that a potentially dangerous individual had been paroled or transferred to a minimum security facility, or had escaped or violated parole. This type of information currently is not required to be made available on a routine basis. Requiring such information to be made accessible would be a direct benefit to law enforcement agencies. In addition, legislation already has been enacted that requires the Department of Corrections to notify victims of the granting of parole to prisoner. If the State is to provide that information to a violator's victims, it only makes sense to inform those responsible for protecting the public as well.

**Opposing Argument**

The legislation is not necessary. The Department of Corrections and the Department of State Police have been developing a working link between the Corrections Management Information System (CMIS) and the Law Enforcement Information Network that should be on-line by December 1, 1987. Reportedly, the Department of Corrections intends to make available to the State Police (and others with access to LEIN) the information that would have to be reported under the bill.

**Response:** It is true that the interface between CMIS and LEIN will be completed with or without the bill, but legislation would ensure that the program was accomplished, rather than leaving it as an inter-departmental policy decision.

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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.

S.B. 343 (10-21-87)