



Senate Fiscal Agency  
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**BILL ANALYSIS**

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House Bill 5121 (Substitute H-1 as reported without amendment)

Sponsor: Representative Tupac Hunter

House Committee: Education

Senate Committee: Education

Date Completed: 9-21-04

**RATIONALE**

Two of the State's largest urban school districts, Detroit and Grand Rapids, employ law enforcement officers to protect their students, staff, and visitors, as well as their districts' facilities, from crime. The officers operate as a division separate from, but must be affiliated with, their city police departments. Like their city and State counterparts, public school police officers must be certified by the Michigan Commission on Law Enforcement Standards (MCOLES). In April 2004, MCOLES announced that as of September 15, 2004, it no longer would certify individuals affiliated with organizations not established in statute. The public safety departments in Detroit Public Schools and the Grand Rapids Public Schools are examples of organizations not established in statute and, according to those departments, are in jeopardy of closing if their officers cannot obtain State certification.

**CONTENT**

The bill would amend the Revised School Code to permit a school district with at least 20,000 pupils and a city in its territory with a population of at least 180,000 to employ public safety officers or police officers, and grant them the same powers and authority of peace officers under the Code of Criminal Procedure and the Michigan Vehicle Code. (As of the 2000 census, this would apply to the school districts of Detroit and Grand Rapids.)

Before granting these powers and authority to a peace or law enforcement officer, a school board would have to conduct at least two public hearings.

In addition, the board would have to create a public safety advisory committee. The committee would have to be composed of three to five members appointed by the chief administrator of the school district, with the concurrence of the school board. The public safety advisory committee would have to receive and address grievances against the public safety officers or police officers, or against the public safety department or police department of that school district. The committee could recommend to the board or the school administration that disciplinary measures be taken against a public safety officer or police officer found responsible for misconduct in office.

The jurisdiction of school public safety officers or police officers granted powers and authority under the bill would include all territory within the boundaries of the school district and all property outside the boundaries of the school district that was owned, leased, or rented by or was otherwise under the legal control of the school district that employed the public safety officers.

A school's public safety department or police department and each local law enforcement agency with which it had overlapping jurisdiction would be required to enter into a memorandum of understanding that established reasonable communication and coordination efforts between them.

A school district's public safety or police officers would be required to meet the minimum standards of the Commission on

Law Enforcement Standards Act. Also, a school district's public safety or police department would be required to submit monthly uniform crime reports concerning crimes committed within the department's jurisdiction, in the same manner as reports are submitted under the uniform crime reporting Act.

Proposed MCL 380.1240

## **ARGUMENTS**

*(Please note: The arguments contained in this analysis originate from sources outside the Senate Fiscal Agency. The Senate Fiscal Agency neither supports nor opposes legislation.)*

### **Supporting Argument**

The bill would enable Detroit and Grand Rapids public schools to continue to hire trained, certified police officers to maintain order and safety in their educational communities. If these officers lose certification, the districts will have to rely entirely on their city police for protection. Maintaining a separate police force for the Detroit Public Schools is especially important due to the district's size, as its campus contains 300 buildings and the number of students and staff members combined is larger than the population of the State's five biggest universities, according to the Detroit Public Schools' public safety director. It is unlikely that the City of Detroit police department would effectively serve such a large community in addition to performing its regular duties. By establishing public school police departments as independent agencies within the Revised School Code, the bill would ensure that the police and safety officers in two of the State's largest urban districts continued to be certified and, therefore, that their public safety departments would continue to exist.

Legislative Analyst: Claire Layman

## **FISCAL IMPACT**

The bill would have no fiscal impact on State government. There could be an indeterminate cost to the two eligible school districts (Detroit and Grand Rapids) associated with the administrative costs of creating and operating the public safety advisory committee. The newly created public safety or police department also could incur some minimal costs associated with the submission of the monthly crime reports

to the Department of State Police, as the bill would require.

Fiscal Analyst: Joe Carrasco

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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.