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BILL ANALYSIS

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Senate Bill 35 (Substitute S-2 as passed by the Senate)

Sponsor: Senator Frederick Dillingham

Committee: Criminal Justice and Urban Affairs

Date Completed: 2-28-89

RATIONALE

The Correctional Officers Training Act specifies educational and training requirements that, according to some, are intended to ensure that correctional officers have the general academic background and knowledge of corrections issues and processes that are necessary to execute their duties and responsibilities satisfactorily. Specifically, the Act requires corrections officers to have a high school diploma or a passing score on the general education development (GED) test and to have completed an approved vocational certificate program of at least 15 credit hours at an accredited post-secondary educational institution, two months' paid supervised internship at a correctional facility, and 320 hours of training at the central academy. Recently, it has been argued that the vocational certificate program requirement is outdated and can actually restrict the pool of qualified candidates from which the Department of Corrections (DOC) recruits officers. For example, the DOC has received applications for correctional officer positions from people with associate, bachelor, and master's degrees in criminal justice, sociology, psychology, and related disciplines--applicants who may be less inclined to continue with the application process when they find that they must take an additional 15 credit hours of courses in a vocational certificate program.

Since the DOC is facing an increasing need for correctional officers and because, some argue, many of the current applicants have more than enough education in corrections-related disciplines to provide them with a sound academic background in corrections issues, it has been suggested that the vocational

certificate program requirement be waived for applicants with other degrees or equivalent course work. In addition, some Department of Mental Health (DMH) workers and some DOC work camp employees believe that they should be certifiable as correctional officers, provided that they complete the Act's certification requirements within specified time periods.

CONTENT

The bill would amend the Correctional Officers' Training Act to broaden the educational requirements necessary for certification or recertification as a correctional officer. The bill would allow correctional officers to qualify for certification or recertification by completing, in lieu of the vocational certificate program, either of the following:

- Course work equivalent to a vocational certificate program, if the course work consisted of a minimum of 15 semester credit hours or 23 term credit hours and was earned from an accredited post secondary educational institution.
- A degree granted by an accredited post secondary educational institution in a major discipline of study relative to the position of State correctional officer, as determined by the Council.

The degree, equivalent course work, or vocational certificate program could be completed either before or after the effective date of the bill. Minimum credit hours required for the existing vocational certificate

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program would be 15 semester credit hours or 23 term credit hours.

In addition, the bill would allow a DMH direct care employee of a State facility that was "officially designated for closure or phase-down due to deinstitutionalization", a DMH forensic security aide II or III employed at the Center for Forensic Psychiatry, or a DOC work camp supervisor to be certified as a correctional officer automatically and annually recertified for three years. The recertification, however, would be contingent upon the officer's obtaining a high school diploma or passing a GED test and successfully completing 320 hours of new employee training (with an allowable credit of up to 160 hours for previous training as approved by the Council) within one year. Also, in order to be recertified, such an employee would have to complete one of the following within three years:

- A vocational certificate program from an accredited post secondary institution with a minimum of 15 semester credit hours or 23 term credit hours.
- Course work equivalent to a vocational certificate program, if the course work consisted of a minimum of 15 semester credit hours or 23 term credit hours and was earned from an accredited post secondary educational institution. (The course work could be earned before or after the bill's effective date.)
- A degree granted by an accredited post secondary educational institution in a major discipline of study relative to the position of State correctional officer, as determined by the Council. (The degree could be earned before or after the bill's effective date.)

All minimum standards and requirements for certification and recertification would be subject to the approval of the Civil Service Commission. The bill would take effect 60 days after its enactment.

MCL 791.512

FISCAL IMPACT

The bill would result in an indeterminate decrease in State expenditures in FY 1988-89. The indeterminate impact would result from

the broadening of the educational requirements required for corrections officer certification, which in turn could increase the number of persons eligible for employment as correctional officers. The larger labor pool could result in reduced recruitment expenditures.

ARGUMENTS

Supporting Argument

The bill would enable the DOC to expand its pool of candidates for correctional officer positions and increase the caliber of its recruits by allowing it the flexibility of hiring applicants with degrees or course work related to the position, or with similar work experience as DMH employees or DOC work camp supervisors, rather than just applicants who have completed a vocational certificate program. The applicants still would receive specialized education in corrections issues through their internship at a correctional facility and training at the central academy.

Opposing Argument

Simply because applicants for correctional officer positions have degrees in what some consider disciplines related to criminal justice or work experience with mental health or work camps does not necessarily mean they have the academic grounding in corrections issues that is required for the job. Many community colleges have worked long and diligently to ensure that the required vocational courses such as Legal Issues in Corrections, Correctional Institutions and Funding Problems, and Social, Racial, and Psychological Problems in Correctional Facilities are properly designed and implemented and provide the applicants with an academic understanding of corrections issues that they would not receive through training programs or other degree programs.

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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.