

# HOUSE BILL No. 5153

October 9, 1989, Introduced by Reps. Kilpatrick, DeMars, Profit, Murphy, Gubow, Wallace, Bartnik, Gire, Martin, Bender, Perry Bullard, Jaye, Emerson and Saunders and referred to the Committee on House Oversight.

A bill to amend sections 3, 9, 10, 11, 12, and 13 of Act No. 415 of the Public Acts of 1982, entitled

"Correctional officers' training act of 1982,"

sections 10, 11, 12, and 13 as amended by Act No. 4 of the Public Acts of 1989, being sections 791.503, 791.509, 791.510, 791.511, 791.512, and 791.513 of the Michigan Compiled Laws.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Section 1. Sections 3, 9, 10, 11, 12, and 13 of Act No. 415  
2 of the Public Acts of 1982, sections 10, 11, 12, and 13 as  
3 amended by Act No. 4 of the Public Acts of 1989, being sections  
4 791.503, 791.509, 791.510, 791.511, 791.512, and 791.513 of the  
5 Michigan Compiled Laws, are amended to read as follows:

6       Sec. 3. The correctional officer's training council is  
7 created within the department and shall establish standards  
8 regarding training and education as prescribed in this act. The

1 council shall consist of 10 members appointed by the governor.

2 The members shall be appointed as follows:

3 (a) One member shall represent state corrections officers.

4 (b) One member shall represent local corrections officers.

5 (c) One member shall represent local agencies which maintain  
6 jails, corrections, or temporary holding facilities.

7 (d) One member shall represent the ~~Michigan commission of~~  
8 ~~corrections~~ DIRECTOR OF THE DEPARTMENT.

9 (e) One member shall represent the office of criminal  
10 justice.

11 (f) One member shall represent the state personnel  
12 director.

13 (g) Two members shall represent the public at large.

14 (h) Two members shall represent the academic community, at  
15 least 1 of whom shall represent Michigan community colleges.

16 Sec. 9. Beginning ~~6 months after the effective date of~~  
17 ~~this act~~ ON SEPTEMBER 30, 1983, a person shall not be a state  
18 correctional officer unless he or she is certified or recertified  
19 by the ~~Michigan commission of corrections~~ DEPARTMENT as pro-  
20 vided in section 10, 11, or 12. The ~~Michigan commission of~~  
21 ~~corrections~~ DEPARTMENT shall certify those persons and recertify  
22 on an annual basis those persons who satisfy the criteria set  
23 forth in sections 10 to 12.

24 Sec. 10. (1) Beginning September 30, 1983, a person who is  
25 employed as a state correctional officer on March 30, 1983, shall  
26 automatically be certified and annually recertified by the  
27 ~~commission of corrections~~ DEPARTMENT until December 31, 1985.

1 Beginning January 1, 1986, a person who is employed as a state  
2 correctional officer on March 30, 1983, shall not be recertified  
3 unless he or she has done both of the following:

4 (a) Completed successfully 320 hours of training with credit  
5 for training provided by the department allowed but limited to  
6 160 hours of credit for training received prior to July 1, 1982.

7 (b) Fulfilled other minimum standards and requirements for  
8 recertification developed pursuant to section 13 by the council  
9 and approved by the ~~commission of corrections~~ DIRECTOR OF THE  
10 DEPARTMENT.

11 (2) All minimum standards and requirements for recertifica-  
12 tion of persons under this section shall be subject to approval  
13 by the state civil service commission.

14 Sec. 11. (1) A person who is not employed as a state cor-  
15 rectional officer on March 30, 1983, but who becomes employed as  
16 a state correctional officer before January 1, 1985, shall not be  
17 certified or recertified by the ~~commission of corrections~~  
18 DEPARTMENT unless he or she has done both of the following:

19 (a) Obtained a high school diploma or attained a passing  
20 score on the general education development test indicating a high  
21 school graduation level.

22 (b) Fulfilled other minimum standards and requirements  
23 developed pursuant to section 13 by the council and approved by  
24 the ~~commission of corrections~~ DIRECTOR OF THE DEPARTMENT for  
25 certification and subsequently for recertification.

26 (2) All minimum standards and requirements for certification  
27 and subsequently for recertification of persons under this

1 section shall be subject to approval by the state civil service  
2 commission.

3       Sec. 12. (1) Except as provided ~~for~~ in subsections (2)  
4 and (3), a person who is not employed as a state correctional  
5 officer on March 30, 1983 and who is not employed as a state cor-  
6 rectional officer until after December 31, 1984, shall not be  
7 certified or recertified by the ~~Michigan commission of~~  
8 ~~corrections~~ DEPARTMENT unless he or she has done all of the  
9 following:

10       (a) Obtained a high school diploma or attained a passing  
11 score on the general education development test indicating a high  
12 school graduation level.

13       (b) Successfully completed all of the following:

14       (i) One of the following:

15       (A) A vocational certificate program as determined by the  
16 council, earned from an accredited postsecondary educational  
17 institution, which program shall require a minimum of 15 semester  
18 credit hours or 23 term credit hours.

19       (B) Equivalent course work to a vocational certificate pro-  
20 gram, as determined by the council, earned from an accredited  
21 postsecondary educational institution, which course work shall  
22 require a minimum of 15 semester credit hours or 23 term credit  
23 hours. The credit hours required under this subparagraph may be  
24 earned before or after the effective date of ~~the amendatory act~~  
25 ~~that added~~ this subparagraph, JUNE 14, 1989.

26       (C) A degree granted by an accredited postsecondary  
27 educational institution in a major discipline of study that is

1 relevant to the position of state correctional officer, as  
2 determined by the council. A degree required under this subpara-  
3 graph may be earned before or after the effective date of ~~the~~  
4 ~~amendatory act that added~~ this subparagraph, JUNE 14, 1989.

5 (ii) A minimum of 2 months of supervised, paid internship,  
6 as determined by the council, as an intern in a correctional  
7 facility.

8 (iii) A minimum of 320 hours of new employee training, as  
9 determined by the council, at the central training academy.

10 (c) Fulfilled other minimum standards and requirements  
11 developed pursuant to section 13 by the council and approved by  
12 the ~~commission of corrections~~ DEPARTMENT for certification and  
13 subsequently for recertification.

14 (2) A person who is employed as a correctional officer or an  
15 immediate supervisor of a correctional officer at the former  
16 Detroit house of correction on December 31, 1984 shall automati-  
17 cally be certified and annually recertified by the ~~Michigan com-~~  
18 ~~mission of corrections~~ DEPARTMENT until December 31, 1985.

19 Beginning January 1, 1986, a person who is employed as a correc-  
20 tional officer or an immediate supervisor of a correctional offi-  
21 cer at the former Detroit house of correction on December 31,  
22 1984 shall not be recertified unless he or she has done both of  
23 the following:

24 (a) Completed successfully a minimum of 160 hours of train-  
25 ing provided by the department.

26 (b) Fulfilled other minimum standards and requirements for  
27 recertification developed pursuant to section 13 by the council

1 and approved by the ~~commission of corrections~~ DIRECTOR OF THE  
2 DEPARTMENT.

3       (3) A department of mental health direct care employee of a  
4 state facility officially designated for closure or phase-down  
5 due to deinstitutionalization, or a forensic security aide II or  
6 III employed by the department of mental health center for foren-  
7 sic psychiatry, or a work camp supervisor employed by the depart-  
8 ment of corrections shall automatically be certified and annually  
9 recertified by the ~~commission of corrections~~ DEPARTMENT for 3  
10 years following the date he or she became employed as a state  
11 correctional officer provided he or she has done all of the  
12 following:

13       (a) Within 1 year of the date he or she became employed as a  
14 state correctional officer, obtained a high school diploma or  
15 attained a passing score on the general education development  
16 test indicating a high school graduation level.

17       (b) Within 1 year of the date he or she became employed as a  
18 state correctional officer, completed successfully 320 hours of  
19 new employee training with a credit up to 160 hours of previously  
20 acquired training, as approved by the council.

21       (c) Within 3 years of the date he or she became employed as  
22 a state correctional officer, completed 1 of the following:

23       (i) A vocational certificate program, as determined by the  
24 council, earned from an accredited postsecondary educational  
25 institution, which program shall require a minimum of 15 semester  
26 credit hours or 23 term credit hours.

1       (ii) Equivalent course work to a vocational certificate  
2 program, as determined by the council, earned from an accredited  
3 postsecondary educational institution which course work shall  
4 require a minimum of 15 semester credit hours or 23 term credit  
5 hours. The credit hours required under this subparagraph may be  
6 earned before or after the effective date of ~~the amendatory act~~  
7 ~~that added~~ this subparagraph, JUNE 14, 1989.

8       (iii) A degree granted by an accredited postsecondary educa-  
9 tional institution in a major discipline of study that is rele-  
10 vant to the position of state correctional officer, as determined  
11 by the council. A degree required under this subparagraph may be  
12 earned before or after the effective date of ~~the amendatory act~~  
13 ~~that added~~ this subparagraph, JUNE 14, 1989.

14       (d) Fulfilled other minimum standards and requirements  
15 developed pursuant to section 13 by the council and approved by  
16 the ~~commission of corrections~~ DIRECTOR OF THE DEPARTMENT for  
17 certification and subsequently for recertification.

18       (4) All minimum standards and requirements for certification  
19 and subsequently for recertification of persons under subsections  
20 (1), (2), and (3) shall be subject to approval by the state civil  
21 service commission.

22       Sec. 13. (1) Not later than June 30, 1983, and as often as  
23 necessary after that, the council shall develop minimum standards  
24 and requirements for state correctional officers with respect to  
25 the following:

26       (a) Recruitment, selection, and certification of new state  
27 correctional officers based upon at least, but not limited to,

1 work experience, educational achievement, and physical and mental  
2 fitness.

3 (b) New employee and continuing training programs.

4 (c) Recertification process.

5 (d) Course content of the vocational certificate program,  
6 required in section 12, the central training academy, and con-  
7 tinuing training programs.

8 (e) Decertification process.

9 (2) Standards and requirements developed by the council  
10 under this section shall be effective only if they are approved  
11 by the ~~commission of corrections~~ DEPARTMENT.

12 (3) Standards and requirements approved by the ~~commission~~  
13 ~~of corrections~~ DEPARTMENT under this section shall be subject to  
14 approval by the state civil service commission.

15 Section 2. This amendatory act shall not take effect unless  
16 Senate Bill No. \_\_\_\_\_ or House Bill No. 5150 (request  
17 no. 03623'89) of the 85th Legislature is enacted into law.