



**House  
Legislative  
Analysis  
Section**

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**REPORT WEAPONS IN SCHOOLS**

House Bill 4428 (Substitute H-1)  
First Analysis (6-11-87)

**RECEIVED**

**JUL 16 1987**

Sponsor: Rep. Bill Martin  
First Committee: Education  
Second Committee: Judiciary

Mich. State Law Library

***THE APPARENT PROBLEM:***

One of the most troubling problems in Michigan schools, particularly in impoverished urban areas, is that of students carrying weapons. Even when there is no particular intention to use a weapon, such as when a child finds a gun at home and brings it to school to show friends, a tragedy can occur. More alarming, however, is the frequency with which youths are routinely carrying weapons for both offensive and defensive use. Many believe that when school authorities discover that a student is carrying a weapon (or has one in a locker or car), they should notify parents and police so that they may be aware whether a problem is developing. Although many schools no doubt do this already, the matter is considered important enough to warrant a statutory mandate.

***THE CONTENT OF THE BILL:***

The bill would amend the School Code to require the local school superintendent (or designee) to immediately notify a student's parent or guardian and the local police when a dangerous weapon was found in the possession of that student while the student was attending school or a school activity, or was enroute to or from school on a school bus. A "dangerous weapon" would be a firearm, dagger, dirk, stiletto, knife with a blade of over three inches, switchblade, iron bar, or brass knuckles.

MCL 380.1313

***FISCAL IMPLICATIONS:***

According to the House Fiscal Agency, the bill does not appear to have fiscal implications to the state. (6-10-87)

***ARGUMENTS:***

***For:***

By ensuring that parents and police knew when a student was found with a weapon, the bill would combat the juvenile crime problem in a simple but effective way. Parents would be immediately involved, and could begin to do what they could to forestall further problems. Possession of a weapon is basically a law enforcement matter, not an educational issue, and it is important that police be told when a juvenile is found with a weapon, so that they, too, may take whatever measures are appropriate.

***Against:***

The bill's effect is uncertain, at best. Schools already notify parents when a student is found with a weapon, and the bill could simply serve to prematurely involve police in what was essentially a school disciplinary problem. Further, it could increase the liability exposure of school administrators: if the required reporting was not done, and

a student was later involved in some sort of trouble involving a weapon, the superintendent and others could find themselves the subject of a liability lawsuit.

***POSITIONS:***

The Michigan Association of School Boards supports the bill. (6-10-87)

The Michigan Sheriffs' Association supports the bill. (6-10-87)

The Prosecuting Attorneys Association of Michigan supports the bill. (6-10-87)

The Michigan Council on Crime and Delinquency opposes the bill. (6-9-87)

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