



Senate Fiscal Agency  
P.O. Box 30036  
Lansing, Michigan 48909-7536



Telephone: (517) 373-5383  
Fax: (517) 373-1986

Senate Bill 473 (as introduced 5-25-21)  
Sponsor: Senator Roger Victory  
Committee: Judiciary and Public Safety

Date Completed: 5-26-21

### **CONTENT**

**The bill would amend the Michigan Commission on Law Enforcement Standards Act to do the following:**

- **Require the Michigan Commission on Law Enforcement Standards (MCOLES) to develop guidelines for the investigation of officer-involved deaths and to send a copy of the guidelines to all law enforcement agencies in the State.**
- **Require each law enforcement agency in the State to develop, within 120 days after receiving the guidelines from MCOLES, a written policy regarding the investigation of officer-involved deaths, and to give a copy of the policy to each law enforcement agency in its employ.**
- **Require the MCOLES guidelines and the law enforcement agency written policies to be publicly available.**

Under the bill, beginning 120 days after the bill's effective date, MCOLES would have to develop guidelines for the investigation of officer-involved deaths that involved a law enforcement officer licensed under the Act. "Officer-involved death" would mean the death of an individual caused directly by an action or an omission of a law enforcement officer while the law enforcement officer is on duty or while the law enforcement officer is off duty but performing activities that are within the scope of his or her law enforcement duties.

The Commission would have to do all of the following:

- Ensure that the guidelines were easily accessible and publicly available on its website.
- Send a copy of its guidelines to all law enforcement agencies in the State.
- Review and update the guidelines as it considered necessary.

Within 120 days after receiving the guidelines from MCOLES, each law enforcement agency would have to create a written policy regarding the investigation of officer-involved deaths that involved and officer employed by that agency. The policy would have to meet the requirements set forth in the Commission's guidelines. Each law enforcement agency would have to submit the written policy to MCOLES for review and approval. If the Commission approved an agency's policy, the agency would have to do all of the following:

- Give a copy of its policy to a law enforcement officer in its employ.
- Reproduce the policy in an electronic or digital format that was easily accessible to the public.
- Post a copy of the policy on its website.

**FISCAL IMPACT**

The bill would have a moderate fiscal impact on State and local law enforcement. The Commission would have to develop and distribute to law enforcement agencies, within 120 days after the bill's effective date, investigative guidelines to each law enforcement agency in the State. Each agency then would have to create a written policy within 120 days after receiving the MCOLES guidelines. The cost to MCOLES of developing these guidelines within a 120-day period could require using outside contractual services, at a cost that cannot be determined at this time. In addition, the requirement for MCOLES to review each of the policies submitted by Michigan's 580 law enforcement agencies could require additional overtime costs in order to complete a thorough review and approve them in a timely manner.

Fiscal Analyst: Bruce Baker

SAS\S2122\s473sa

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.