

SFA

BILL ANALYSIS

Senate Fiscal Agency

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Senate Bill 566 (as reported without amendment)**Sponsor: Senator Jack Welborn****Committee: Criminal Justice, Urban Affairs, and Economic Development****Date Completed: 2-16-88*****RATIONALE***

The Department of Corrections Act allows probation officers, parole officers, and peace officers to arrest and detain a paroled prisoner, if the officer has "reasonable grounds" to believe the prisoner had violated the terms of his or her parole or a warrant had been issued for the prisoner's return. Some of the Department's other employees are given the authority and responsibility to recover parole violators, but, under current law, are not permitted to make arrests. Some people believe that Departmental employees should be permitted to make such arrests, if authorized to do so by the Director of the Department of Corrections.

CONTENT

Senate Bill 566 would amend the Department of Corrections Act to allow Department of Corrections employees, other than probation or parole officers, to arrest without a warrant and detain a paroled prisoner, if the employee had "reasonable grounds" to believe the prisoner had violated parole or a warrant had been issued for the prisoner's return. The bill would not remove such authority from parole, probation, and peace officers.

MCL 791.239

FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

ARGUMENTS***Supporting Argument***

Agents of the Department of Corrections' abscond and recovery units are charged with the responsibility to recover suspected parole violators. Parole or probation officers often contact the Department to have these employees recover the parolees; yet, the abscond and recovery agents are not authorized to make arrests, while the parole or probation officers do have that authority. The bill would correct this inconsistency by allowing the Director to give additional employees the authority to make arrests.

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