

Fiscal Analysis

LOCAL CORRECTIONS OFFICER TRAINING



Bill/Sponsor HOUSE BILL 4515 Substitute (H-1), Rep. Randy Richardville
HOUSE BILL 4516 with Committee Amendment, Rep. Frances C. Amos
HOUSE BILL 4517 Substitute (H-1), Rep. Lisa Wojno

House Committee Criminal Justice

Analysis

SUMMARY

The bills constitute a package of legislation to require county corrections officers to be certified by a sheriffs coordinating and training council to be established within the Department of Corrections. The package would have an indeterminate fiscal impact on the state and counties, depending upon whom was responsible for costs of implementation, the amount of those costs, and the amount of any offsetting revenue collected under the legislation.

Implementation costs largely would depend on the numbers of officers affected, whether they were paid while undergoing training, and what those pay levels were. Personnel employed as local correctional officers prior to January 1, 2005 would not have to undergo training, provided application for certification was made within six months after the bills took effect. The bills provide for establishment of a Local Correctional Officers Training Fund to support the training program; deposits into the fund would come from booking fees assessed offenders admitted to jails and county lockups. Although it is not clear how much revenue could reliably be expected, available data suggest that a maximum of \$3.8 million could be collected annually.

FISCAL IMPACT

HB 4515

House Bill 4515 would create a new public act that would:

- Establish a local corrections officer training council (and an associated advisory board) as an independent agency within the Department of Corrections (MDOC);
- Require local corrections officers to be certified by the training council; and
- Create a local corrections officer training fund to defray costs of implementing the bill.

Individuals employed as local correctional officers before January 1, 2005 would be certified if they applied to the council for certification within six months after the bill took effect. In addition, someone who exercised a right under a collective bargaining agreement that resulted in that person's being required to obtain certification would have at least two years to obtain that certification at the expense of the employer. Further, nothing in the bill could be construed to prohibit a county sheriff from temporarily transferring or assigning an uncertified employee to a position normally requiring certification, or from using an uncertified employee to function as a corrections officer during an emergency.

Administrative Costs

The bill calls for the 9-member council to meet at least four times each year, to be reimbursed for expenses, and to appoint an executive secretary.

Administrative support services for the council and executive secretary would be funded through a separate appropriation for the council.

Training Costs

A 160-hour course of training has been developed for local correctional officers under the Correctional Officers' Training Act (1982 PA 415, MCL 791.501 et seq.). Between August 7, 2002 and October 10, 2002, this course was offered at Kirtland Community College, supported in part by a grant from MCOLES. The previous year's costs for that program totaled about \$12,500, about \$1,500 of which was provided by the state grant.

At \$12,500 for a class capacity of 25, one can estimate that training costs for an individual officer would be a minimum of \$500. This figure is based on an assumption that classroom space could be obtained at no additional charge, as it is at Kirtland. Further, it does not include the costs of lodging or meals for officers while at the training course, nor the costs of the officers' salaries and benefits while at training, or overtime or other costs that might be incurred by local agencies while officers are at training.

Offsetting costs could be some savings in terms of deferred costs of litigation or other expenses that presumably could be avoided or minimized with a fully-trained staff; however, such savings are impossible to quantify. Finally, it is not clear whether Article IX, Section 29 of the state constitution, which requires the state to assume the costs of newly-imposed mandates for local units of government, would pertain.

Current Funding

Several training programs for local correctional officers currently are supported by grants from the Michigan Commission on Law Enforcement Standards (MCOLES). Seven grants were awarded in December 2002 for the current calendar year; they total \$252,415, and were awarded to Grand Traverse County Sheriff (\$19,927), Ingham County Sheriff (grants of \$22,408 and \$33,949), Kellogg Community College (\$43,480), Kirtland Community College (\$90,902), Monroe County Sheriff (\$13,071), and Ottawa County Sheriff (grants of \$19,958 and \$9,080).

House Bill 4516

House Bill 4516 would amend the Correctional Officers' Training Act of 1982 to delete references to local correctional officers (note: this would include both county and municipal officers), and to reduce the ten-member correctional officers training council to 8 members through the elimination of two members representing locals. The bill would have no significant fiscal impact on the state.

House Bill 4517

House Bills 4517 would amend the statute pertaining to county jails (1846 RS 171) to require each person incarcerated in a county jail to pay a \$12 fee upon admission. Failure to pay would subject the offender to a \$100 civil fine. Generally, a sheriff would have to forward all fees collected under the bill to the local correctional officers training fund. However, if a county had a training program that met or exceeded the standards developed under HB 4515, it could retain \$10 of each fee and remit \$2 to the local correctional officers training fund. Retained fees would have to be used for correctional officer training and would have to supplement, not supplant, existing spending for local correctional

officer training. Under HB 4515, only counties that forwarded 100% of the fees could receive grants from the local correctional officers training fund.

For those counties reporting jail data to the Department of Corrections in 2001 (representing about 90 percent of the jail beds statewide), there were a total of 287,380 admissions to jail. If \$12 was received for each of these admissions (a 100 percent collection rate), and the resulting revenue accounted for 90 percent of the statewide revenue, then the bill could be assumed to generate up to a maximum of \$3.8 million annually. However, the division of revenue between counties and the state would depend on how many jail admissions were in counties that had training programs that met state standards.

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