

HOUSE BILL NO. 5912

August 15, 2024, Introduced by Reps. Hill and Hope and referred to the Committee on Criminal Justice.

A bill to amend 1982 PA 415, entitled "Correctional officers' training act of 1982," by amending sections 2, 9, 12, 13, 15, and 15a (MCL 791.502, 791.509, 791.512, 791.513, 791.515, and 791.515a), sections 2 and 15 as amended by 2003 PA 121, section 12 as amended and section 15a as added by 2012 PA 526, and section 13 as amended by 1989 PA 4; and to repeal acts and parts of acts.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

- 1 Sec. 2. As used in this act:
- 2 (a) "Central training academy" means ~~the~~**a** central training

1 academy established ~~pursuant to~~ **under** section 15.

2 (b) "Correctional facility" means a facility or institution
3 ~~which that~~ houses an inmate population under the jurisdiction of
4 the department. ~~of corrections.~~

5 (c) "Council" means the correctional officers' training
6 council created under section 3.

7 (d) "Department" means the ~~state~~ department of corrections.

8 (e) "Executive secretary" means the executive secretary of the
9 council.

10 (f) "State correctional officer" means any ~~person~~ **individual**
11 employed by the department in a correctional facility as a
12 correctional officer or a corrections medical aide, or that
13 ~~person's~~ **individual's** immediate supervisor.

14 Sec. 9. Beginning ~~6 months after the effective date of this~~
15 ~~act, a person shall~~ **September 30, 1983, an individual must** not be a
16 state correctional officer unless ~~he or she~~ **the individual** is
17 certified or recertified by the ~~Michigan commission of corrections~~
18 ~~as provided in section 10, 11, or~~ **department under section 12.** The
19 ~~Michigan commission of corrections~~ **department** shall certify those
20 ~~persons and~~ recertify, on an annual basis, ~~those persons an~~
21 **individual** who ~~satisfy~~ **satisfies** the criteria ~~set forth in sections~~
22 ~~10 to~~ **under section 12.**

23 Sec. 12. (1) ~~Except as provided in subsections (2), (3), and~~
24 ~~(4), a person~~ **The department shall not certify or recertify an**
25 **individual** who is not employed as a state correctional officer on
26 ~~March 30, 1983 and who is not employed as a state correctional~~
27 ~~officer until after December 31, 1984, shall not be certified or~~
28 ~~recertified by the Michigan commission of corrections~~ **January 1,**
29 **2025** unless ~~he or she~~ **the individual** has done all of the following:

1 (a) Obtained a high school diploma or attained a passing score
 2 on the general education development test indicating a high school
 3 graduation level.

4 (b) Successfully completed all of the following:

5 ~~(i) One of the following:~~

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

10 ~~(B) Equivalent course work to a vocational certificate~~
 11 ~~program, as determined by the council, earned from an accredited~~
 12 ~~postsecondary educational institution, which course work shall~~
 13 ~~require a minimum of 15 semester credit hours or 23 term credit~~
 14 ~~hours. The credit hours required under this subparagraph may have~~
 15 ~~been earned at any time.~~

16 ~~(C) A degree granted by an accredited postsecondary~~
 17 ~~educational institution in a major discipline of study that is~~
 18 ~~relevant to the position of state correctional officer, as~~
 19 ~~determined by the council. A degree required under this~~
 20 ~~subparagraph may have been earned at any time.~~

21 ~~(i) (ii)~~ A minimum of 2 months of supervised ~~,~~ **and** paid
 22 ~~internship,~~ **job training within a correctional facility during**
 23 **which the individual learns and practices the skills of being a**
 24 **state correctional officer,** as determined by the council. ~~,~~ ~~as an~~
 25 ~~intern in a correctional facility.~~

26 ~~(ii) (iii)~~ A minimum of 320 hours of new employee training, as
 27 determined by the council, at ~~the~~ **a** central training academy or at
 28 a college or community college as provided under section 15a.

29 (c) Fulfilled other minimum standards and requirements

1 developed under section 13 by the council and approved by the
2 department for certification and subsequently for recertification.

3 (2) ~~A person~~ **The department shall not recertify an individual**
4 ~~who was~~ **is** employed as a **state** correctional officer ~~or an immediate~~
5 ~~supervisor of a correctional officer at the former Detroit house of~~
6 ~~correction on December 31, 1984 shall automatically be certified~~
7 ~~and annually recertified by the department until December 31, 1985.~~
8 ~~Beginning January 1, 1986, a person who was employed as a~~
9 ~~correctional officer or an immediate supervisor of a correctional~~
10 ~~officer at the former Detroit house of correction on December 31,~~
11 ~~1984 shall not be recertified unless he or she has done both of the~~
12 ~~following:~~ **on January 1, 2025 unless the individual meets the**
13 **minimum standards and requirements developed under section 13 by**
14 **the council and approved by the department for recertification.**

15 ~~(a) Completed successfully a minimum of 160 hours of training~~
16 ~~provided by the department.~~

17 ~~(b) Fulfilled other minimum standards and requirements for~~
18 ~~recertification developed pursuant to section 13 by the council and~~
19 ~~approved by the department.~~

20 ~~(3) A department of mental health direct care employee of a~~
21 ~~state facility officially designated for closure or phase-down due~~
22 ~~to deinstitutionalization, or a forensic security aide II or III~~
23 ~~employed by the department of mental health center for forensic~~
24 ~~psychiatry, or a work camp supervisor employed by the department of~~
25 ~~corrections shall automatically be certified and annually~~
26 ~~recertified by the department for 3 years following the date he or~~
27 ~~she became employed as a state correctional officer, if he or she~~
28 ~~has done all of the following:~~

29 ~~(a) Within 1 year of the date he or she became employed as a~~

1 ~~state correctional officer, obtained a high school diploma or~~
2 ~~attained a passing score on the general education development test~~
3 ~~indicating a high school graduation level.~~

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

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

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

14 ~~(ii) Equivalent course work to a vocational certificate~~
15 ~~program, as determined by the council, earned from an accredited~~
16 ~~postsecondary educational institution. The course work shall~~
17 ~~require a minimum of 15 semester credit hours or 23 term credit~~
18 ~~hours. The credit hours required under this subparagraph may have~~
19 ~~been earned at any time.~~

20 ~~(iii) A degree granted by an accredited postsecondary~~
21 ~~educational institution in a major discipline of study that is~~
22 ~~relevant to the position of state correctional officer, as~~
23 ~~determined by the council. A degree required under this~~
24 ~~subparagraph may have been earned at any time.~~

25 ~~(d) Fulfilled other minimum standards and requirements~~
26 ~~developed under section 13 by the council and approved by the~~
27 ~~department for certification and subsequently for recertification.~~

28 ~~(4) An employee of the department of community health who is~~
29 ~~employed as a forensic security aide at the Huron valley center of~~

~~1 the department of community health or the center for forensic
2 psychiatry of the department of community health, and who is
3 transferred to a position as a state correctional officer employed
4 by the department of corrections, shall be automatically certified
5 and recertified by the department for 3 years after the date on
6 which he or she became employed as a state correctional officer, if
7 he or she meets all of the requirements established by law or by
8 the department for employment as a state correctional officer and
9 does all of the following:~~

~~10 (a) Before February 4, 2005, declares his or her intent to
11 accept the transfer to a position as a state correctional officer.~~

~~12 (b) Within 1 year of the date he or she became employed as a
13 state correctional officer, obtained a high school diploma or
14 attained a passing score on the general education development test
15 indicating a high school graduation level.~~

~~16 (c) Within 3 years of the date he or she became employed as a
17 state correctional officer, completed 1 of the following:~~

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

~~22 (ii) Equivalent course work to a vocational certificate
23 program, as determined by the council, earned from an accredited
24 postsecondary educational institution, which course work shall
25 require a minimum of 15 semester credit hours or 23 term credit
26 hours. The credit hours required under this subparagraph may have
27 been earned at any time.~~

~~28 (iii) A degree granted by an accredited postsecondary
29 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~~
3 ~~subparagraph may have been earned at any time.~~

4 ~~(d) Within 1 year of the date he or she became employed as a~~
5 ~~state correctional officer, completed successfully 320 hours of new~~
6 ~~employee training with a credit up to 160 hours of previously~~
7 ~~acquired training, as approved by the council.~~

8 ~~(e) Fulfilled other minimum standards and requirements, except~~
9 ~~for physical fitness requirements, developed under section 13 by~~
10 ~~the council and approved by the department for certification and~~
11 ~~subsequently for recertification.~~

12 ~~(3) (5)~~All minimum standards and requirements for
13 certification and subsequently for recertification of ~~persons~~
14 **individuals** under subsections (1) ~~, and~~ (2) ~~, (3), and (4)~~ are
15 subject to approval by the state civil service commission.

16 Sec. 13. (1) Not later than June 30, 1983, and as often as
17 necessary after that, the council shall develop minimum standards
18 and requirements for state correctional officers with respect to
19 **all of** the following:

20 (a) Recruitment, selection, and certification of new state
21 correctional officers based upon at least, but not limited to, work
22 experience, educational achievement, and physical and mental
23 fitness.

24 (b) New employee and continuing training programs.

25 (c) Recertification process.

26 (d) Course content of ~~the vocational certificate program,~~
27 ~~required in section 12, the~~ **each** central training academy ~~, and~~
28 continuing training ~~programs.~~ **program.**

29 (e) Decertification process.

1 (2) Standards and requirements developed by the council under
2 this section ~~shall be~~ **are** effective only if they are approved by
3 the ~~commission of corrections.~~ **department.**

4 (3) Standards and requirements approved by the ~~commission of~~
5 ~~corrections~~ **department** under this section ~~shall be~~ **are** subject to
6 approval by the state civil service commission.

7 Sec. 15. The department shall establish ~~a~~ **1 or more** central
8 training ~~academy~~ **academies** for use as ~~an~~ employee training ~~center~~
9 **centers** for state correctional officers. Funds necessary for the
10 establishment and use of ~~the~~ **a central** training academy ~~shall~~ **must**
11 be provided by the department and supported by separate
12 appropriation.

13 Sec. 15a. (1) Beginning April 1, 2013, and as often as
14 necessary after that, the council shall develop minimum standards
15 and requirements for a certification program for new employee
16 training under section ~~12(1)(b)(iii)~~ **12(1)** to be offered by community
17 colleges and colleges. Only the council or a community college or
18 college that is approved by the council may provide training or a
19 certificate of completion for new employee training as described in
20 section ~~12(1)(b)(iii)~~ **12(1)** and this section. The council shall
21 designate the form for a certificate of completion for individuals
22 completing new employee training at community colleges or colleges
23 under this section.

24 (2) The council may provide for the decertification of
25 programs that fail to meet the standards developed by the council
26 under subsection (1).

27 Enacting section 1. Sections 10 and 11 of the correctional
28 officers' training act of 1982, 1982 PA 415, MCL 791.510 and
29 791.511, are repealed.