

Legislative Analysis



LEIN CHECKS AND NOTICE TO CORRECTIONS OF PAROLEE ARRESTS AND WARRANTS

Mitchell Bean, Director
Phone: (517) 373-8080
<http://www.house.mi.gov/hfa>

House Bill 6181

Sponsor: Rep. Daniel Acciavatti

House Bill 6182

Sponsor: Rep. David Law

Committee: Judiciary

Complete to 8-29-06

A SUMMARY OF HOUSE BILLS 6181-6182 AS INTRODUCED 6-8-06

In general, House Bills 6181 and 6182 would require that (1) whenever a person is arrested and taken into custody, the arresting peace officer must perform a LEIN check to determine if the person is a parolee; and (2) that the Department of Corrections (DOC) be notified whenever a parolee is arrested or a warrant is issued for a parolee's arrest.

The notices required by both bills would have to contain the following information:

- The identity of the arrested person or the person named in the warrant.
- The fact that information in LEIN provides reason to believe that the person is a parolee.
- The charge or charges stated in the warrant.

House Bill 6181 would add a new section (MCL 764.15g) to the Code of Criminal Procedure to require that a peace officer who makes an arrest and takes a person into custody, with or without a warrant, must perform a Law Enforcement Information Network (LEIN) check to determine whether the arrested person is a parolee under the jurisdiction of the DOC. If so, the peace officer is required to promptly notify the DOC of the parolee's arrest by telephonic or electronic means and of the charges in the warrant.

House Bill 6182 would add a new section (MCL 764.1g) to the Code of Criminal Procedure to require that whenever a magistrate issues a warrant for the arrest of a person who is not in custody and the peace officer to whom the warrant is directed determines from information in LEIN that the person is a parolee, the peace officer would be required to promptly notify the DOC of the warrant.

FISCAL IMPACT:

House Bills 6181 and 6182 would have an indeterminate fiscal impact on state and local governments. There may be some administrative costs involved with utilizing the LEIN system and with cross communication between state and local level peace officers, magistrates' offices, and the DOC, but these costs cannot be determined since it is

unknown how many people will be arrested and taken into custody and how many of these will be parolees under the jurisdiction of the DOC.

Legislative Analyst: Shannan Kane
Fiscal Analyst: Jan Wisniewski

■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.