



*Commission Resolution 2015-02*  
*Resolution In Opposition To Senate Bills 384 And 385*

**WHEREAS**, Senate Bill 384, by amending section 43b of the Social Welfare Act, confers substantial peace officer authority to agents of the Michigan Office of Inspector General, including the power to:

- Enforce the general laws of this state as they pertain to enforcement of the Social Welfare Act;
- Make warrantless arrests if the agent believes a felony, or specifically enumerated felonies, have been committed; and
- Make warrantless arrests if the agent is informed by an authoritative source that a warrant has been issued for a person's arrest; and,

**WHEREAS**, this authority is conferred without any corresponding requirement that the agent be trained and otherwise deemed qualified to exercise such authority; and,

**WHEREAS**, the current section 43b of the Social Welfare Act limits the authority of such agents to investigation of fraud, waste, and abuse in programs administered by the Department of Health and Human Services; and,

**WHEREAS**, Senate Bill 385, by amending sections 224 and 224d of the Michigan Penal Code, exempts such agents from criminal prohibitions and penalties for manufacture, sale, or possession of a machine gun, muffler or silencer, bomb, bombshell, blackjack, slingshot, billy club, metallic knuckles, sand club, sandbag, a firearm that shoots or is designed to shoot automatically more than 1 shot without manual reloading, by a single function of the trigger, a device, weapon, cartridge, container, or contrivance designed to render a person temporarily or permanently disabled by the ejection, release, or emission of a gas or other substance, and a self-defense spray or foam device; and,

**WHEREAS**, Senate Bill 385, by amending section 224a of the Michigan Penal Code, exempts such agents from criminal prohibitions and penalties for sale, offering to sell, and possession of a portable device or weapon from which an electrical current, impulse, wave, or beam may be directed, which current, impulse, wave, or beam is designed to incapacitate temporarily, injure, or kill; and,

**WHEREAS**, Senate Bill 385, by amending section 224b of the Michigan Penal Code, exempts such agents from criminal prohibitions and penalties for manufacture, transfer, or possession of a short-barreled shotgun or a short-barreled rifle; and,

**WHEREAS**, Senate Bill 385, by amending section 224c of the Michigan Penal Code, exempts such agents from criminal prohibitions and penalties for manufacture, distribution, sale, or use of armor piercing ammunition; now

**THEREFORE, BE IT RESOLVED** that the Michigan Commission on Law Enforcement Standards opposes enactment of Senate Bills 384 and 385 as drafted.

*Adopted by the Michigan Commission on Law Enforcement Standards on September 16, 2015.*

  
John Calabrese, Acting Chair