

GOETHEL · ENGELHARDT, PLLC
CIVIL JUSTICE ATTORNEYS

STEPHEN GOETHEL
steve@cmtjustice.com

CHAD ENGELHARDT
chad@cmtjustice.com

JENNIFER A. ENGELHARDT
jennifer@cmtjustice.com

3049 MILLER ROAD
ANN ARBOR, MICHIGAN 48103
734.769.6838
www.cmtjustice.com

MICHELLE KREGER
Firm Administrator, Paralegal
michelle@cmtjustice.com

DEBRA RICE
Paralegal
debra@cmtjustice.com

JENNA HARPER
Intake Coordinator
jenna@cmtjustice.com

May 25, 2021

Hon. Steve Marino
Chair, Commerce and Tourism Committee
Anderson House Office Building
124 N. Capitol Ave.
Lansing, MI 48933

**Re: Public Comment in Support of HB4639 (2021) to Extend PA312 to County
Corrections Deputies.**

I am a civil justice attorney. I previously served as the Assistant General Counsel to the Oakland County Deputy Sheriff's Association (OCDSA). During my tenure in that role, I was involved in negotiation and enforcement of collective bargaining agreements, including binding arbitration under Public Act 312.

Prior to my career as an attorney, I served as a Deputy Sheriff with the Oakland County Sheriff's Office (OCSO). From approximately September 1993 until December 1996, I served as a PTNE Deputy Sheriff in Patrol Services in the Mounted Division, Marine Division, and Parks Division. From December 1996 until approximately November 2006, I served as full time Deputy Sheriff in various assignments in the

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Corrections Division, including Court Services and Satellites Division as well as various other departmental correctional facilities.

While employed as a Deputy Sheriff, I served as member of a tactical unit, the Cell Extraction Team, and further received training as a Defensive Tactics Instructor. Additionally, I received advanced police training through the Oakland Police Academy and other institutions in the areas of Police Supervision, Corrections Training Officer, Hostage Negotiation, Crisis Intervention, Suicide Intervention, Interview and Interrogation Techniques, and other areas.

Based upon my training and experience, I have personal knowledge of the complexity of county-level correctional facilities, and the skill, knowledge and professionalism required to serve as a Deputy Sheriff assigned to Corrections, and the hazards of such service.

Deputies assigned to Corrections, and the other subject assignments, enforce the laws of this state, collect evidence, and protect life, safety, and property of Michigan's citizens. By virtue of their assignment, Deputies assigned to Corrections have a greater exposure rate to violent criminals than any other assignment. Deputies assigned to Corrections and the other subject assignments investigate crimes, secure crime scenes, collect and secure evidence (i.e., secure in property room, forward to crime lab, etc), establish chains of custody, complete police reports, prepare and swear to warrant packages, and testify in court for criminal prosecution, just like road patrol officers.

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In many departments, Deputies assigned to Corrections have primary responsibility for prisoner transports and hospital watches, which require Deputies to carry their issued firearms. Deputies, regardless of assignment, are required to be in full uniform (including firearms and other issued weapons systems) whenever they are outside the secured correctional facilities.

Act 312 of 1969, codified as MCL 423.231, *et seq*, provides for binding arbitration of labor disputes by certain employees of police and fire departments. The statute provides that it was enacted, as a matter of public policy of the State of Michigan that:

"...in public police and fire departments, where the right of employees to strike is by law prohibited, it is requisite to the high morale of such employees and the efficient operation of such departments to afford an alternate, expeditious, effective and binding procedure for the resolution of disputes, and to that end the provisions of this act, providing for compulsory arbitration, shall be liberally construed." MCL 423.231

Whether County-level Corrections Deputies should have always been included in this law, given their essential role in public safety, is water under the bridge. But the time is right to correct this issue of fundamental fairness and stability in public safety labor relations.

The size, scope and complexity of County Corrections operations have evolved over the last several decades and provide significant public safety benefits. In most Sheriff's offices across Michigan there is significant interplay between Corrections and Road Patrol, especially in times of emergency that require a mass mobilization of manpower as well as day to day operations.

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County Corrections has advanced over the last several decades. The pre-hire and training requirements and essential job duties mirror those in other aspects of law enforcement. Providing means of peaceful and binding labor disputes for these law enforcement professionals is absolutely in the public's interest and a matter of sound public policy.

Extending 312 arbitration and unit consolidation will provide additional flexibility to management by combining units and allowing command staff to assign officers in various positions as agency and public needs dictate. Further, this would allow for parity in recruitment and retention of highly qualified officers. I urge the committee to advance this Bill with strong bipartisan support.

Very truly yours,

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Chad D. Engelhardt