



STATE OF MICHIGAN  
DEPARTMENT OF CORRECTIONS  
LANSING

RICK SNYDER  
GOVERNOR

HEIDI E. WASHINGTON  
DIRECTOR

January 7, 2016

Sgt. Tim Fitzgerald  
Michigan State Police  
PO Box 30634  
Lansing, MI 48909

**RE: Information to Clerks for Processing letters from the MDOC under 2015 PA 206 and 2015 PA 207 which revised MCL 28.425o, MCL 28.421, MCL 28.425b, MCL 28.428, and MCL 28.432a, effective December 1, 2015.**

Dear Sgt. Fitzgerald,

This letter is a follow-up to our prior discussion regarding 2015 PA 206 and 2015 PA 207, effective December 1, 2015. This letter is provide guidance and clarification to the MSP and the County Clerks regarding the classifications of employees and the immediate supervisor(s) of those employees the Department believes would be eligible for the no carry zone exception.

This legislation is specific regarding who is eligible for this exemption. The exemption permits a current or retired parole, probation or corrections officer or absconder recovery unit (ARU) member and their immediate supervisor to be considered, if that individual obtained a Michigan Department of Corrections (MDOC) weapons permit. Retired employees must not only have obtained an MDOC weapons permit but must also have retired in good standing.

“Corrections Officer” is defined as any person employed by the department in a correctional facility as a correctional officer or a corrections medical aide or that person’s immediate supervisor. Employees classified as a Corrections Transportation Officer or Resident Unit Officer would also fall under the definition of Corrections Officer. Immediate supervisor means a Sergeant or Assistant Resident Unit Supervisor (ARUS) if the person was in the ARUS position prior to February 1, 2015. Immediate supervisor does not mean positions throughout the officer’s chain of command.

“Parole” or “Probation Officer” means any individual employed by the department of corrections to supervise felony probationers or parolees or that individual’s immediate supervisor. Immediate supervisor in parole and probation is typically the Parole Probation Manager – 2 (13). Again, immediate supervisor does not mean positions throughout the chain of command.

“Absconder Recovery Unit Member” is a department employee assigned as a member of the ARU, typically classified as a Corrections Security Representative, and the immediate supervisor of the unit.

“Good standing” does not include;

A retired employee who was discharged and subsequently retires,  
An employee who retired while under investigation,  
An employee who retired in lieu of discharge, and  
An employee who retired as a result of a grievance settlement.

If a current employee is not presently employed in one of the above-listed classifications he or she is ineligible for the statutory exception. Likewise, if a former employee, at the time of separation from the Department, was not listed as being in one of the above-listed classifications at the time of separation, he or she is ineligible for the statutory exception.

Also, due to the retention and disposal of the Department, it may or may not have records of whether a current or former employee was issued a Departmental weapons permit. Therefore, it is possible that a former employee did have a Department weapons permit, but that prior Department records have been destroyed.

The difficulty created by the statutory language is that the terms “retired” and “in good standing,” have not been defined. The MDOC can only comment regarding the date of separation from state service. However, the Department will attempt to verify the Retiree’s information for the County Clerk. Each County Clerk will have to make a recommendation to grant or deny an applicant’s concealed pistol carry request and/or exception based on the limited information the Department is able to provide.

The Department has established a process where current and former employees are required to fill out a request form to obtain a letter from the Department addressing the above statutory changes. Once submitted, the Human Resources Office will obtain the information, draft a letter response and return it to the requestor for submission to the County Clerk’s office. Please note that current or former employees are not required to ask the Department for a letter. They are free to file a request for a CPL permit with the County Clerk without obtaining any accompanying letter from the Department. The decision, whether to request a letter from the Department for submission to the County Clerk, is a personal decision to be made by the requestor.

Thank you for your attention to these important matters. I hope this information is helpful. If you have any questions, feel free to contact me.

Sincerely,



Kyle Kaminski, Legislative Liaison  
Michigan Department of Corrections