
Michigan Commission on Law Enforcement Standards
Commission Meeting Minutes
February 15, 2017
Lansing, Michigan

COMMISSION MEMBERS PRESENT

Mr. Michael Wendling, representing the Prosecuting Attorneys Association of Michigan
Chief David Molloy, representing the Michigan Association of Chiefs of Police
Colonel Kriste Etue, representing the Michigan State Police
Sheriff Doug Wright, representing the Michigan Sheriffs' Association
Ms. Anica Letica, representing Attorney General Bill Schuette
Mr. Ken Grabowski, representing the Police Officers Association of Michigan
Trooper Nate Johnson, representing the Michigan State Police Troopers Association
Mr. David Hiller, representing Michigan Fraternal Order of Police
Mr. Thomas Zulch, representing Police Officers Labor Council
Sheriff Timothy Donnellon, representing Michigan Sheriff's Association
Mr. Richard Heins, representing Michigan Association of Police
Cpl. Brian Earle, representing Deputy Sheriff's Assoc. of Michigan
Mr. Mark Diaz, representing Detroit Police Officers Association
Chief Tim Bourgeois, representing Michigan Association of Chiefs of Police

COMMISSION MEMBERS EXCUSED

Professor Ron Bretz, representing the Criminal Defense Attorneys of Michigan
Sheriff Jerry Clayton, representing the Michigan Sheriffs' Association
Mr. Thomas Adams, representing the Public
Chief Donald Mawer, representing the Michigan Association of Chiefs of Police

STAFF PRESENT

Mr. David Harvey, MCOLES Executive Director
Ms. Hermina Kramp, MCOLES Deputy Executive Director
Mr. John Szczubelek, Assistant Attorney General and Commission Counsel
Ms. Jacquelyn Beeson, MCOLES Staff
Mr. Danny Rosa, MCOLES Staff
Mr. David Lee, MCOLES Staff
Mr. Wayne Aldrich II, MCOLES Staff
Mr. Ryan Speidel, MCOLES Staff
Ms. Deb Thelen, MCOLES Staff
Ms. Barbara Johns, MCOLES Staff
Ms. Diane Horwath, MCOLES Staff
Mr. Pat Hutting, MCOLES Staff

Ms. Rhonda Hooson, MCOLES Staff
Ms. JuaQuita Grady, MCOLES Staff
Mr. Darnell Blackburn, MCOLES Staff
Mr. John Steele, MCOLES Staff
Mr. Lynn Ried, MCOLES Staff
Ms. Sandi Luther, MCOLES Staff

GUESTS (SIGNING-IN)

Sgt. Robert Ford, Oakland County Sheriff's Office
Professor Chris Nye, Michigan State University
Professor Ann Marie Ryan, Michigan State University
Director Jonathan Sacks, Michigan Indigent Defense Commission

CALL TO ORDER

The Commission meeting was called to order by Chair Michael Wendling on February 15, 2017 at 10:30 AM. The meeting was held at the MCOLES Office in Lansing, Michigan.

INTRODUCTIONS

Chair Wendling introduced himself and asked the Commissioners, staff and members of the audience to do the same.

ACCEPTANCE OF THE JANUARY 11, 2017 COMMISSION MEETING MINUTES

A **MOTION** was made by Commissioner Earle and supported by Commissioner Etue to approve the January 11, 2017 Commission Meeting Minutes as written.

A **VOTE** was taken. The **MOTION** carried.

ADDITIONS/CHANGES TO THE AGENDA - None

CHAIR'S REPORT

Corrective Action – Executive Director Harvey advised that the Commissioners must sign an Oath of Office that is then filed with the Office of the Great Seal. This was delayed due to legislative action. This week Director Harvey received a call from the Appointments Office stating that the oaths needed to be signed before today's meeting. It was also decided that to

assure there were no questions concerning the validity of the votes from the January meeting a re-enactment of those votes would take place at today's meeting.

Mr. John Szczubelek, legal counsel, requested to voice his opinion regarding the Governor's appointments. He stated that the statute has contained the same language for years that once a term expires the Governor has not more than 90 days to name a replacement. In the meantime a Commissioner remains as a Defacto Appointee. Mr. Szczubelek added that he had the Office of the Great Seal put together a list of the appointees. He found that in January all but three of the Commissioners were Defacto Appointees and therefore feels that if they didn't re-enact the January meeting they would still be fine with the business that transpired.

A **MOTION** was made by Commissioner Heins and supported by Commissioner Molloy to add Mr. Szczubelek's opinion regarding the Oaths to the February 15, 2017 Commission Meeting Minutes.

A **VOTE** was taken. The **MOTION** carried.

Chair and Vice-Chair Nominations – Chair Wending advised that in January the Commission voted to elect the new Chair and Vice-Chair. That vote was going to be re-enacted.

The nomination process was opened for the Chair. Commissioner Donnellon nominated Commissioner Wendling as the Chair. Commissioner Molloy supported the nomination. There were no other nominations.

The chair opened the nominations for the Vice-Chair. Commissioner Etue nominated Commissioner Molloy and was supported by Commissioner Grabowski. There were no other nominations.

A **MOTION** was made by Commissioner Hiller and supported by Commissioner Zulch to close the nominations with Commissioner Wendling as the new Chair and Commissioner Molloy as the new Vice-Chair.

A **VOTE** was taken. The **MOTION** carried.

Medical Marijuana

A **MOTION** was made by Commissioner Etue and supported by Commissioner Molloy to restrict the use of the money to the training of officers on the marijuana laws with no allocation for administrative costs. Once the funds are received a review of what will be needed by MCOLES will be conducted and the use of the funds will be revisited.

A **VOTE** was taken. The **MOTION** carried.

There was no further discussion regarding the motion.

April Meeting Date

A **MOTION** was made by Commissioner Earle and supported by Commissioner Grabowski to change the April meeting date to April 19th for the commission meeting.

A **VOTE** was taken. The **MOTION** carried.

There was no further discussion regarding the motion.

Law Enforcement Officer Population Report -The electronic distribution contained the LEO Population report for the month of January. After the slight increase in the number of officers in December the downward trend resumed in January.

Special Use Requests - This report was contained in the electronic distribution and made available prior to the meeting. There were no questions or comments.

Grant Adjustments – The Grant Adjustment Report was included in the electronic distribution of commission documents. There were no questions or comments.

Executive Director Announcement – Executive Director Harvey stated that earlier that morning he had advised the Executive Committee that he would be leaving MCOLES at the end of May. He added that the Executive Directive would be his final project. Director Harvey stated that it has been a pleasure and a great experience to serve this Commission. He also added that the MCOLES staff has been exceptional. He said he would like to stay until the end of May so that he could complete the Executive Directive. He felt it was very important to the Governor and stated that MCOLES is suited for this type of project. Director Harvey said that his contract states that he will give a 30 day notice however he wanted to give 90 days. He also added that he is willing to assist with the process of hiring his replacement.

Director Harvey stated that this summer is going to be busy for MCOLES and he was recommending that Hermina Kramp be named the interim Director until the position is filled.

Executive Director Harvey added that he felt this was a good time to leave. He said that the new hires are exceptional and MCOLES is now fully staffed, the budget is positive and he will have completed all of his projects. He asked that the Commission allow him to stay until the end of May.

Chair Wendling thanked Director Harvey for his service. He added that he had done an exceptional job and that they would be losing a great resource.

Commissioner Wendling stated that they needed to put together a process for hiring a new Executive Director. The first step would be to create the Selection Committee who would make a recommendation for the new Executive Director. He added that this Committee should be a representative group including someone from the Sheriffs, Police Chiefs, Labor and the AG Office. Chair Wendling said that the Executive Committee discussed it earlier in their meeting and they were happy with the previous process that was used. It was discussed that they would like to take

the search national by utilizing IADLEST and the IACP. He explained the process consisted of gathering resumes, vetting the candidates and requiring a writing assignment. Then the committee will choose five candidates. The final five will be given one hour to provide a response to a given situation and then present it. An oral interview would follow and a candidate chosen. The candidate would be brought before the Commission as a whole for questions and a vote.

A **MOTION** was made by Commissioner Hiller and supported by Commissioner Wright to give permission to the Executive and Nominating Committees to follow a similar process in selecting a new Executive Director.

A **VOTE** was taken. The **MOTION** carried.

DIRECTOR'S REPORT

Public Forums – Executive Director Harvey gave an update on the Executive Directive. He stated he attended a meeting of the Detroit Police Commission and introduced the Executive Directive and the survey. He also provided the following information for the upcoming public forums:

February 18th
9:00 AM- 12:00 PM
WCCCD Northwest Campus
8200 West Outer Drive
Detroit, MI 48219

February 23rd
6:00 PM-8:00PM
Genesee County Action Resource Department (GCARD)
605 North Saginaw Street, #1A
Flint, MI 48502

February 27th
6:00 PM-8:00PM
Northern Michigan University
131 Jacobetti Complex
Marquette, MI

Grand Rapids
Date and Time to be determined

Budget Update – Director Harvey advised that he had met with Colonel Etue regarding the budget. He said it was very positive. It appeared that MCOLES would get a \$400,000 increase to cover the administrative costs. This would allow for all of the TTL funds to go to the agencies for reimbursement. Last year MCOLES was unable to reimburse the agencies that sponsored a recruit for the academy. In 2018 the agencies will possibly be fully refunded.

Also in the 2018 budget was \$200,000 for a job task analysis. Director Harvey stated that some projects have been on hold because a JTA was needed to complete the project. He added that when the JTA is completed they will need to update curriculum, the waiver program and regulate reserves. He thought that a search for a vendor to do the JTA should start in June so that they are ready to go October 1 with the new budget.

COMMITTEE REPORTS

Executive Committee – Chair Wendling advised that there were two Executive Committee meetings, one held February 7th and the other meeting was February 15th.

At the February 7, 2017 meeting there were four items discussed:

1. Budget update by Colonel Etue – Colonel Etue advised that the Governor’s recommended budget includes \$200,000 for a JTA and \$1 million for Fair and Impartial Police training
2. Commission Business Process – The Executive Committee discussed the process for holding upcoming meetings. Due to the large number of Commissioners, it will be necessary to follow Robert’s Rules of Order so that commission business can be dealt with efficiently. Any new business before the commission will follow an established procedure whenever possible. This procedure involves:
 - a. Full commission discussion
 - b. Referral to MCOLES staff for research and background (if needed)
 - c. Referred to either the Executive Committee or the Implementation Committee for input and feedback
 - d. Referred back to MCOLES staff for agenda item or draft resolution preparation
 - e. Back to the full commission for discussion and approval or back to staff for modification based on commission discussion.
3. Research Grant Support – MSU is requesting our support on a project. They will be making a presentation later in the meeting.
4. Update on Executive Directive 2016-2 – This was already discussed earlier in the meeting.

At the February 15, 2017 meeting Director Harvey advised the Committee of his resignation. The process for his replacement was discussed.

Recruiting Work Group – Commissioner Molloy advised that his group had not met since the last report. He stated that the recruiting survey is out and they are waiting for the responses.

Community Engagement Work Group – Colonel Etue advised that they had a brief conversation over the phone. She advised that they are also waiting for the survey results.

Process Committee – Commissioner Wendling advised that everything is moving through the established process which included the surveys, website and public forums along with research.

Training Committee – This workgroup has not met yet. They are waiting for the results from the surveys to make their recommendations.

CONSENT AGENDA - None

NEW BUSINESS

Request for Support of a Research Grant – Deputy Executive Director Hermina Kramp stated that Dr. Ryan and Dr. Nye from Michigan State University were in the audience. She said that they had contacted her regarding a research grant. Dr. Ryan stated that she was on the Recruiting Workgroup and introduced Dr. Nye to explain the request. Dr. Nye stated that MSU is looking at a grant through the Institute for Justice that will do research regarding how to improve officer decision-making, and specifically on how personality traits relate to decision making. Dr. Nye added that MCOLES would be an ideal partner for facilitating connections to policing agencies statewide who may choose to participate in the research. The role of MCOLES would be to provide information on the research studies to agencies and academies. MCOLES would write a letter of support for the grant proposal (due in March) that would indicate their willingness and capacity to serve in this role.

A **MOTION** was made by Commissioner Zulch and supported by Commissioner Donnellon to provide the letter of support from MCOLES to MSU with regard to their grant through the Institute for Justice that will do research in how to improve officer decision-making.

A **VOTE** was taken. The **MOTION** carried.

Commission Resolution 2017-01 – Resolution honoring Cpl. Myron Anthony Jarrett

Darnell Blackburn and Commissioner James White joined Chair Michael Wendling at the podium. Chair Wendling read into record Commission Resolution 2017-01 honoring City of Detroit Police Department Cpl. Myron Anthony Jarrett and extending Public Safety Officer Benefits. Darnell Blackburn accepted the plaque and \$25,000 check on behalf of the Jarrett family.

A **MOTION** was made by Commissioner Diaz and supported by Commissioner Wright to approve Commission Resolution 2017-01 honoring Cpl. Jarrett and extend the Public Safety Officer Benefit.

A **VOTE** was taken. The **MOTION** carried.

Career Development Presentation – Executive Director Harvey reminded the Commission that at each Commission meeting we would highlight one section of responsibility for MCOLES. At this meeting the Career Development Section would be discussed.

Mr. Danny Rosa addressed the Commission. He stated that Career Development consisted of himself, Pat Hutting, JuaQuita Grady and Wayne Carlson, the section manager. He said he would

start off with his job functions. Mr. Rosa worked as an officer with LA County for 15 years. He added that his specialty is use of force. Danny said that Career Development does research on topics brought to the Commission, they then present their findings and a decision is made by the Commission. As an example he described the process by which the Firearms Standard was developed.

Mr. Pat Hutting was next to address the Commission. He stated that he had been in law enforcement for 43 years. He added that his son was with the Ingham County Sheriff's Office and his wife was retired from the Detroit Police Department. He said he spent 26 years with Eaton County Sheriff's Department and retired as Sheriff in 2001.

Mr. Hutting stated that he was responsible for three programs within Career Development. Those programs are the Law Enforcement Officers Safety Act (LEOSA), Medical Standards and In-Service Training. Mr. Hutting touched on each of the areas. He stated that the most common medical standard that he dealt with was color vision. With regard to in-service training, he stated that he does not "certify" training. He stated that his job was to get the trainings registered so that 302 money could be used for the training and to get the training on the officer's individual training history.

Ms. JuaQuita Grady introduced herself to the Commission. She stated that she had been an officer with the Detroit Police Department for nine years. Her title is Curriculum Developer and she is responsible for the 494 hours of basic training, teaching methodologies and the military academy training.

OLD BUSINESS

Executive Directive Update - Ms. JuaQuita Grady stated that since she has been with MCOLES her main focus has been working on the Executive Directive. She stated that Curriculum Development is working with the three workgroups, Recruiting, Training and Community Engagement. She added they were tasked with doing the research, development of the surveys, attending the forums and finally compiling and analyzing the data so that it can be used by the work groups to make their recommendations. Ms. Grady stated they are hoping for 10,000 surveys and asked that the Commissioners reach out to their communities. She also stated that they are doing weekly dumps of the data from the surveys. They are finding that the information from the forums, surveys and research are all saying the same thing.

Deputy Executive Director Hermina Kramp said that each Commissioner was given a stack of cards that directs individuals to the survey. We need as many surveys completed as possible to insure every group has a voice. She encouraged the Commissioners to assist by passing out the flyers.

PUBLIC COMMENT - None

MISCELLANEOUS

Director Harvey advised the Commissioners if anyone wanted to volunteer for the Selection Committee to contact him within the next two weeks.

NEXT MEETING

Date: April 19, 2017

Location: Lansing

ADJOURNMENT:

A **MOTION** was made by Commissioner Wright and supported by Commissioner Donnellon to adjourn the meeting.

APPROVED BY *McWadey* ON 4/17/17

WITNESSED BY _____ ON _____



MCOLES

Michigan Commission on Law Enforcement Standards

Commission Resolution 2017-01
Resolution to Honor Fallen City of Detroit Police
Department *Corporal Myron Anthony Jarrett*
And Extend Public Safety Officer Benefits

WHERE AS, the Michigan Commission on Law Enforcement Standards is the duly appointed body of state government providing for the training and licensure of Michigan law enforcement officers; and,

WHERE AS, Corporal Myron Anthony Jarrett served as a Police Officer with the Detroit Police Department; and,

WHERE AS, Corporal Myron Anthony Jarrett was a dedicated public servant who performed his duties in a manner that has brought honor to the entire law enforcement profession; and,

WHERE AS, Corporal Myron Anthony Jarrett demonstrated commitment and care in the exercise of his duties and was an eager protector of the public, demonstrated by his dedication to the City of Detroit; and,


WHERE AS, Corporal Myron Anthony Jarrett, devoted to his family, was married for seventeen years to his wife, Sacha, dedicated father to Christian, Caitlin, Cameron, and Cassidy; beloved son, friend, and mentor to many; and,

WHERE AS, the Michigan Commission on Law Enforcement Standards, on behalf of all Michigan public safety officers, expresses profound sympathy to the family, fellow law enforcement officers, friends, and loved ones of Myron Anthony Jarrett.

NOW, THEREFORE BE IT RESOLVED, that the members of the Michigan Commission on Law Enforcement Standards pay their highest tribute to the service and sacrifice of Corporal Myron Anthony Jarrett ; and,

BE IT FURTHER RESOLVED that all eligible benefits provided through the Public Safety Officer Benefits Act shall be extended to the survivors of Corporal Myron Anthony Jarrett.

Unanimously adopted by the Michigan Commission on Law Enforcement Standards on February 15, 2017.


Michael Wendling, Chair