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# Michigan Commission on Law Enforcement Standards

## Commission Meeting Minutes

October 27, 2010

MCOLES Offices, Lansing, Michigan

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### COMMISSION MEMBERS PRESENT:

Sheriff James Bosscher, representing the Michigan Sheriffs' Association  
Mr. Marty Bandemer, representing the Detroit Police Officers Association  
Mr. Jim DeVries, representing the Police Officers Association of Michigan  
Mr. John Buczek, representing the Fraternal Order of Police  
Mr. Thomas Cameron, representing Attorney General Mike Cox  
Mr. David Morse, representing the Prosecuting Attorneys Association of Michigan  
Mr. Fred Timpner, representing the Michigan Association of Police  
Mr. Richard Weiler, representing Police Officers Labor Council  
Deputy Chief Duane Love, representing Chief Ralph Godbee, Detroit Police Department  
Sheriff Gene Wriggelsworth, representing the Michigan Sheriffs' Association  
Trooper Chris Luty, representing the Michigan State Police Troopers Association  
Chief Richard Mattice, representing the Michigan Association of Chiefs of Police  
Lt. Col. Kriste Etue, representing Colonel Eddie L. Washington, Michigan State Police  
Mr. John Szczubelek, Commission Counsel

### COMMISSION MEMBERS EXCUSED:

Professor Ron Bretz, representing the Criminal Defense Attorneys of Michigan  
Director Kurt Jones, representing the Michigan Association of Chiefs of Police  
Chief Doreen Olko, representing the Michigan Association of Chiefs of Police  
Sheriff Robert Pickell, representing the Michigan Sheriffs' Association

### COMMISSION STAFF PRESENT:

Ms. Cheryl Hartwell	Mr. David King
Ms. Hermina Kramp	Mr. Wayne Carlson
Mr. John Steele	Mr. Danny Rosa

### GUESTS (signing in):

There were no guests present.

### CALL TO ORDER:

The Commission meeting was called to order by Sheriff Jim Bosscher at 10:02 a.m., at the MCOLES Offices, Lansing, Michigan.

**INTRODUCTIONS:**

With only MCOLES staff and Commission members present, there were no introductions.

**ADDITIONS/CHANGES TO THE AGENDA:**

There were no changes to the Agenda.

**CONSENT AGENDA:**

There were no items on the Consent Agenda.

**ACCEPTANCE OF THE SEPTEMBER 15, 2010 COMMISSION MEETING MINUTES:**

A **MOTION** was made by Sheriff Wriggelsworth and supported by Mr. Morse to approve the September 15, 2010, Commission Meeting minutes as written noting a modification to the department director's name.

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

**PUBLIC COMMENT:**

There was no public comment.

**EXECUTIVE DIRECTOR REPORT:**

Field Contact – Mr. Harvey stated that he will be giving regular updates to Commission members via email to keep the membership up-to-date on his activities. He stated that his first six weeks has involved attending a lot of meetings in the field, in which he has been favorably received.

Director Goals and Objectives – Mr. Harvey explained his list of performance objectives were provided to the Executive Committee. He stated that as a result of the meetings that he has attended, there appears to be a significant distrust of MCOLES in the field which has resulted from the Regular Employment Standard. He asked the Commission for time to review the new standard and develop an implementation plan to accommodate the standard taking into consideration some of the comments that have been made to him during his meeting attendance. The Commission supported his request.

## **COMMISSION ATTORNEY REPORT:**

Mr. Szczubelek stated there would be one license revocation later in the meeting that will be very brief. He further stated that he had sent an email last week to the membership to ask each organization if they would be willing to provide a letter, signed by their leadership, supporting the Law Enforcement Officer Memorial Commission. He explained the progress of the project to date and that there were private donations pending, but the private donors want to see support by the law enforcement community prior to making their donations.

## **CHAIRMAN'S REPORT:**

Law Enforcement Distribution Report – Sheriff Bosscher outlined the Law Enforcement Distribution payments that were made recently. The distribution report can be found on the MCOLES website.

Law Enforcement Officer Position Report – Sheriff Bosscher stated that the number of law enforcement positions continues to decline. Currently, Michigan is down 2,639 law enforcement positions since September 11, 2001.

Special Use Requests – Sheriff Bosscher stated that the Special Use Request activity that has been handled by staff since the last meeting is outlined in the Commission materials. There were no questions raised on any of these requests.

Grant Contract Adjustments – Sheriff Bosscher stated that the Grant Contract Adjustment activity that has been handled by staff since the last meeting is outlined in the Commission materials. There were no questions raised relative to these activities.

Commission Schedule for 2011 – Sheriff Bosscher outlined the draft 2011 meeting schedule. Commissioners were asked to check their schedules to see if the proposed dates will work with their schedules. The February meeting is proposed to be held in conjunction with the MACP Winter Conference in Grand Rapids.

Academy Graduations – Sheriff Bosscher stated that a calendar of upcoming academy graduations had been provided to each member. There are three academy graduations scheduled in the immediate future that needed Commission representation. He asked the membership to check their calendars and notify Mr. David King of their availability to attend a graduation.

## **COMMITTEE REPORTS:**

Executive Committee – Sheriff Bosscher stated that the committee met this morning and spent the majority of the meeting discussing the status of the five Commission re-appointments and the related legislative activity. In addition, the committee also discussed the Executive Director’s goals for the upcoming year.

## **NEW BUSINESS:**

Revocations – Mr. Szczubelek presented one revocation cast, recommending that the Commission consider the proofs, finding of facts, and conclusions of law found in the “Proposal for Decision,” issued by Administrative Law Judge Michael Zimmer.

Leshaud V. Welcome – Mr. Welcome was convicted of a Common Law Offense (MCL 750.505). MCL 250.505 defines Common Law Offense as a felony. Mr. Welcome’s conviction was issued and entered on April 13, 2010, in the Third Circuit Court, County of Wayne, by the Honorable Linda Parker.

A **MOTION** was made by Mr. Morse and supported by Chief Mattice to accept the Proposal for Decision of the Administrative Law Judge and revoke the law enforcement license of Mr. Welcome.

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

Grant Application Discussion – Mr. Harvey stated that the staff has taken the Commission’s direction outlined in Commission Resolution 2010-03 to proceed with the application reviews. He further stated that Mrs. Cheryl Hartwell and Mr. Wayne Carlson have completed a significant amount work on the grants and are present to facilitate any questions or comments.

Mr. Carlson explained the process that the staff utilized during the review process consistent with Commission Resolution 2010-03. Mrs. Hartwell explained the process that was utilized to arrive at the staff’s recommended levels of funding for each grant. She stated the same process would be followed once the exact amount of available funding is established.

Questions were presented regarding the following grants:

DEF-02 – In previous years this grant requested funding for their interactive defender books and materials with no training. Now it appears that the grant applicant has thrown in token training opportunities to rationalize the funding of the interactive defender books themselves. There was concern raised over the number of trainees compared to the number of interactive books that are requested to be funded. The development costs appear excessive for a repeat process. It is recommended that this grant be further reduced.

## **NEW BUSINESS Continued:**

LE-02 – It appears that this grant exceeds the \$50 per hour in contractual instructor fees as stated in the staff narrative. This grant should be looked at once again and reduced if necessary to ensure compliance with the guidelines.

LE-20 – There was concern that this grant was not being recommended for any funding. Mrs. Hartwell explained that the grantee had requested an extension of the current grant which has a remaining balance higher than what would have been recommended based upon past grant awards.

LE-03 and LE-11 – There was concern over paying for legal update training when this service may be provided through the local prosecutor's office. Mrs. Hartwell explained that the grant applicant is first required to contact the local prosecutor's office to seek this training and if it is not available, then they can request grant funding. The grant applicant must document that the contact was made and the outcome of the request.

Commission Appointments & Term Expirations – Sheriff Bosscher stated that there are five members whose terms will expire on November 1<sup>st</sup>. The Governor has made the re-appointments twice and the Senate has disallowed them both times. He explained that as of November 1<sup>st</sup> these members can not continue to serve on the Commission.

Mr. Szczubelek explained the options available to the Commission to conduct the December meeting. Sheriff Bosscher stated that there have been ongoing conversations with both parties running for Governor and all indications are that there will be no action forthcoming until after the election.

Sheriff Bosscher stated that pending no further action on the five re-appointments, Mr. Buczek will chair the December meeting. He stressed the importance of the attendance of the remaining members so there will be a quorum present to act on the grant applications.

## **OLD BUSINESS:**

There were no items of Old Business for discussion.

## **MISCELLANEOUS:**

There were no miscellaneous items.

**NEXT MEETING:**

Date: Wednesday, December 8, 2010


Location: MCOLES Offices – Hollister Building, Lansing, Michigan


**ADJOURNMENT:**

A **MOTION** was made by Mr. DeVries and supported by Sheriff Wriggelsworth to adjourn the meeting.

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

The meeting was adjourned at 11:05 a.m.

APPROVED BY  ON 12/8/10

WITNESSED BY  ON 12/8/10