
Michigan Commission on Law Enforcement Standards

Commission Meeting Minutes

June 15, 2011

Lansing, Michigan

COMMISSION MEMBERS PRESENT

Mr. John Buczek, representing the Fraternal Order of Police
Sheriff James Bosscher, representing the Michigan Sheriffs' Association
Chief Doreen Olko, representing the Michigan Association of Chiefs of Police
Colonel Kriste Kibbey Etue, representing the Michigan State Police
Mr. Fred Timpner, representing the Michigan Association of Police
Commander Dwayne Love, representing Chief Ralph Godbee, Detroit Police Department
Mr. Thomas Cameron, representing Attorney General Bill Schuette
Director Kurt Jones, representing the Michigan Association of Chiefs of Police
Mr. Michael Wendling, representing the Prosecuting Attorneys Association of Michigan
Mr. Martin Bandemer, representing the Detroit Police Officers Association
Mr. Richard Weiler, representing the Police Officers Labor Council
Mr. James DeVries, representing the Police Officers Association of Michigan
D/Sgt. Chris Luty, representing the Michigan State Police Troopers Association

COMMISSION MEMBERS EXCUSED

Sheriff Robert Pickell, representing the Michigan Sheriffs' Association
Professor Ron Bretz, representing the Criminal Defense Attorneys of Michigan
Sheriff Gene Wriggelsworth, representing the Michigan Sheriffs' Association
Chief Richard Mattice, representing the Michigan Association of Chiefs of Police

OTHERS PRESENT

Mr. David Harvey, MCOLES Executive Director
Ms. Hermina Kramp, MCOLES Deputy Executive Director
Mr. John Szczubelek, Assistant Attorney General and Commission Counsel

Ms. Donna Park, MCOLES Staff
Mr. Darnell Blackburn, MCOLES Staff
Ms. Jacquelyn Beeson, MCOLES Staff
Mr. David Lee, MCOLES Staff
Mr. Patrick Hutting, MCOLES Staff

Mr. John Steele, MCOLES Staff
Ms. Gina Saucedo, MCOLES Staff
Ms. Diane Horwath, MCOLES Staff
Mr. Wayne Carlson, MCOLES Staff

GUESTS (signing in)

Mr. Tim Bolles, Senior Executive Assistant to the Deputy Director, Michigan State Police
Sgt. John Meka, DNR-Law Enforcement Division
Conservation Officer Bobbi Lively, DNR-Law Enforcement Division
Mr. David Morse, Livingston County Prosecutor

CALL TO ORDER

The Commission meeting was called to order by Chairman Bosscher at 10:30 a.m. on June 15, 2011 at the MCOLES Offices, Lansing, Michigan.

INTRODUCTIONS

Chairman Bosscher introduced himself and asked the Commission members and audience to do the same.

ACCEPTANCE OF THE APRIL 20, 2011 COMMISSION MEETING MINUTES

A **MOTION** was made by Mr. DeVries and supported by Commander Love to approve the April 20, 2011 Commission meeting minutes as written.

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

ADDITIONS/CHANGES TO THE AGENDA

There were no additions or changes to the Agenda.

PUBLIC COMMENT

There was no public comment.

CHAIR'S REPORT

Law Enforcement Officer Position Report – Chairman Bosscher stated the LEO Population Report was sent to the Commission prior to the meeting. He pointed out that there continues to be a drop in the number of law enforcement officers as well as a drop in the number of positions.

Special Use Requests – Chairman Bosscher stated that the Special Use Request activity report was provided as part of the electronic distribution of Commission materials. There were no questions.

Grant Adjustment Requests - Chairman Bosscher stated that the Grant Adjustment Requests Activity Report was provided in the Commission materials. There were no questions.

DIRECTOR'S REPORT

Reorganization – Mr. Harvey advised that the reorganization of MCOLES and hiring of new staff members continues. Most recently Mr. Danny Rosa was promoted into the Performance Assessment Specialist position and Ms. Gina Saucedo was hired as the Grants and Contracts Specialist. The next two positions to be filled are a Field Representative and a Curriculum and Training Standards Developer. Both of these positions are in the hiring process.

Annual Report – Mr. Harvey advised the Commissioners that they had been provided with a copy of the MCOLES Annual Report. He stated there was some good information in the report and recommended they take time to read it over. Ms. Diane Horwath was thanked for her hard work on the report.

COMMITTEE REPORTS

Executive Committee – Chairman Bosscher advised that the Executive Committee met prior to the Commission Meeting. The following topics were discussed:

- ◆ Lobbyist registration of the Executive Director
- ◆ Policy changes for the Justice Training Grant process
- ◆ Legal discussion of probationary pleas
- ◆ Executive Director's performance objectives

Implementation Committee – Ms. Kramp advised that the Implementation Committee met on June 8, 2011 and the results of the meeting would be reported out under new business.

NEW BUSINESS

Commission Resolution 2011-05 Honoring Fallen Officer Brian E. Huff – Chairman Bosscher read into the record Commission Resolution 2011-05 honoring fallen officer Brian E. Huff and extending Public Safety Officer Benefits.

A **MOTION** was made by Commander Love and supported by Mr. Bandemer to adopt the Resolution honoring fallen Officer Brian E. Huff of the Detroit Police Department.

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

Commander Love was asked to accept Resolution 2011-05 on behalf of the Huff family. Commander Love gladly accepted the resolution and stated that even though he did not know Officer Huff, his reputation was that of a very hard working and dedicated officer.

Commission Resolution 2011-04 Honoring the Service of Commissioner David L. Morse – Chairman Bosscher read into the record Commission Resolution 2011-04 honoring the service of David L. Morse to the Michigan Commission on Law Enforcement Standards.

A **MOTION** was made by Mr. DeVries and supported by Mr. Timpner to adopt the Resolution honoring David L. Morse.

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

Chairman Bosscher and Executive Director Harvey presented Mr. Morse with the Resolution, his name plate and a plaque. Mr. Morse thanked the Commission and stated that it was a pleasure to have served.

Revocations – Mr. Szczubelek presented one revocation case, 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 Peter L. Plummer.

Roderick V. Calhoun – Mr. Calhoun was convicted of a Common Law Offense (MCL 750.227b). MCL 750.227b defines Felony Firearm as a felony. Mr. Calhoun was also convicted of MCL 750.520d and by statute Criminal Sexual Conduct of the 3rd degree is deemed a felony. Mr. Calhoun’s conviction was issued and entered on November 24, 2010, in the Third Circuit Court, County of Wayne, by the Honorable Daniel P. Ryan.

A **MOTION** was made by Mr. Buczek and supported by Colonel Etue to accept the Proposal for Decision of the Administrative Law Judge and revoke the law enforcement license of Mr. Calhoun.

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

Revisions to the Michigan Justice Training Grant -- Mr. Carlson advised with the decline of personnel due to retirements, it was time to review the Michigan Justice Training Grant process. He stated that staff had interacted at the grant workshops with grantees and were now recommending some changes to improve the program. These changes are being presented in Resolution 2011-06.

The recommendations are listed below:

- 1) Eliminate the 8% administrative cost restriction and instead allow for a “reasonable percentage” for administrative costs that would be determined by the MCOLES staff.
- 2) Encourage grantees to include administrative costs as part of their matching share.
- 3) Reconfirm that delinquency letters shall be sent to grantees not in compliance with required reporting deadlines, with the third notification serving as the Commission’s intent to terminate the grant.
- 4) Consider the grantee’s delinquency history when reviewing their application for future grant funding.
- 5) Use the grantee’s non-compliance in reporting as a possible basis for denial of future grants.

A **MOTION** was made by Mr. Bandemer and supported by Commander Love to adopt the Resolution making changes to the Michigan Justice Training Grant process.

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

OLD BUSINESS – None

MISCELLANEOUS

Mr. Cameron inquired as to the status of the PSOB program and the Tuition Waiver program since it is now being administered by the Treasury Department. Ms. Kramp reported that the Treasury has been very cooperative and helpful.

Mr. DeVries had some questions with regard to the annual report. Mr. Steele responded to Mr. DeVries with statistics regarding the Waiver Program, Academy enrollment, and statistics on the number of academies taking place per year.

NEXT MEETING

Date: Friday September 9, 2011 hosted by the POAM

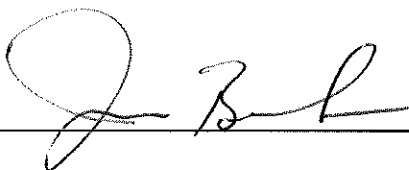
Location: MGM Grand, Detroit, Michigan – Details to follow.

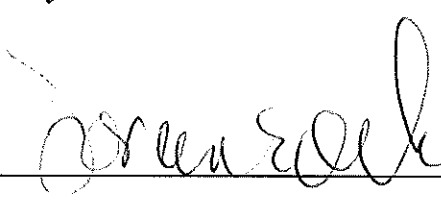
ADJOURNMENT

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

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

The meeting was adjourned at 11:16 a.m.

APPROVED BY  ON 9-9-11

WITNESSED BY  ON 9/9/11



MCOLES
Michigan Commission on Law Enforcement Standards

***Commission Resolution 2011-04
A Resolution to Honor the Service of David L. Morse***

*It is with tremendous respect and appreciation that the members of the Michigan Commission on Law Enforcement Standards offer their tribute to **David L. Morse** for his distinguished career and his long service to the Michigan Commission on Law Enforcement Standards.*

WHEREAS, David L. Morse graduated from Thomas M. Cooley Law School in 1981, and became a practicing attorney; and,

WHEREAS, David L. Morse, established a prestigious law career while employed with the Livingston County Prosecutor's Office, Burchfield & Morse, Ralls & Mackey and most recently, the Calhoun County Prosecutor's Office; and,

WHEREAS, David L. Morse received numerous awards and honors for his work including the Justice Leadership Award, Unit Citation for Professional Excellence from the Michigan State Police, Citation for Professional Excellence from the Battle Creek City Police Department as well as several others; and,

WHEREAS, David L. Morse represented the Prosecuting Attorney's Association Of Michigan as a member of the Michigan Justice Training Commission from October, 1990 until 2001 and then by virtue of Executive Order 2001-5 became a member of the Michigan Commission on Law Enforcement Standards; and


WHEREAS, throughout his service to the Michigan Justice Training Commission and the Michigan Commission on Law Enforcement Standards, David L. Morse has demonstrated outstanding dedication to his duties and responsibilities; and,

WHEREAS, David L. Morse has made sustaining contributions to the betterment of law enforcement and criminal justice in Michigan.

THEREFORE, BE IT RESOLVED, that, by the adoption of this resolution, the members of the Michigan Commission on Law Enforcement Standards extend their gratitude to **David L. Morse** for his service to the Michigan Commission on Law Enforcement Standards; and,

BE IT FURTHER RESOLVED that the members of the Michigan Commission on Law Enforcement Standards wish **David L. Morse** success and happiness in all of his future endeavors.

Unanimously adopted by the Michigan Commission on Law Enforcement Standards on June 15, 2011.



Sheriff James Bosscher, Chair



MCOLES
Michigan Commission on Law Enforcement Standards

***Commission Resolution 2011-5
A Resolution to Honor Fallen Police Officer Brian E. Huff
And Extend Public Safety Officer Benefits***

WHEREAS, 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,

WHEREAS Officer Brian E. Huff served as a licensed police officer in the State of Michigan for a period of twelve years with the Detroit Police Department; and,

WHEREAS Officer Brian E. Huff was a decorated public servant who was dedicated to preserving public safety and performing his duties in an exemplary manner; and,

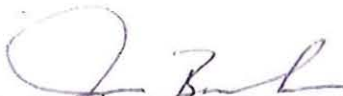
WHEREAS Officer Brian E. Huff was fatally wounded by an assailant's bullet while investigating a residential breaking and entering on May 3, 2010; and,

WHEREAS the Michigan Commission on Law Enforcement Standards, on behalf of all Michigan law enforcement officers, expresses profound sympathy to the family, fellow officers, friends, and loved ones of Officer Brian E. Huff.

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 ***Officer Brian E. Huff***;

AND, BE IT FURTHER RESOLVED that all eligible benefits provided through the Public Safety Officer Benefits Act shall be extended to the survivors of ***Officer Brian E. Huff***.

Unanimously adopted by the Michigan Commission on Law Enforcement Standards on June 15, 2011.



Sheriff James Bosscher, Chair



MCOLES
Michigan Commission on Law Enforcement Standards

*Commission Resolution 2011-06
to Provide Policy Direction for the Michigan Justice Training Fund
Competitive Grant Program Mandated by Public Act 302 of 1982.*

WHEREAS, Public Act 301 of 1982 (MCL 257.907) levied an assessment of \$5.00 for each civil infraction for traffic offenses to be deposited into the Michigan Justice Training Fund; and

WHEREAS, Public Act 302 of 1982 (MCL 18.421) created the Michigan Justice Training Commission to make annual distributions of the justice training funds to eligible criminal justice entities; and,

WHEREAS, Executive Reorganization Order 2001-5 (MCL 28.621) consolidated the former Michigan Justice Training Commission and the former Commission on Law Enforcement Standards into the Michigan Commission on Law Enforcement Standards; and,

WHEREAS, the Michigan Commission on Law Enforcement Standards is the duly appointed body to: 1) annually distribute 60% of the Justice Training Fund to eligible entities under the law enforcement distribution, and 2) annually distribute, through a competitive grant process, the balance of the fund after administrative costs have been deducted; and,

WHEREAS, the Michigan Commission on Law Enforcement Standards has sought ways to ensure that the Criminal Justice Community, and grant applicants specifically, will continue to benefit from the Competitive Grant Program to the greatest degree possible; now,

THEREFORE BE IT RESOLVED, that the Michigan Commission on Law Enforcement Standards shall modify its policy regarding the competitive grant process and shall:

- a. Eliminate the absolute 8% administrative cost restriction and instead allow for “a reasonable percentage” for administrative costs;
- b. Encourage grantees to include administrative costs as part of their matching share;
- c. Reconfirm that delinquency letters shall be sent to grantees not in compliance with required reporting deadlines, with the third notification serving as the commission’s notice of grant termination;
- d. Use a grantee’s non-compliance in reporting as a possible basis for denial of future grants; and
- e. Use a grantee’s delinquency history in determining the funding priority given an application for future grant funding.

Adopted by the Michigan Commission on Law Enforcement Standards on June 15, 2011

Sheriff James Bosscher, Chair