
Michigan Commission on Law Enforcement Standards
Commission Meeting Minutes
September 19, 2012
Lansing, Michigan

COMMISSION MEMBERS PRESENT

Mr. Thomas Cameron, representing Attorney General Bill Schuette
Sheriff James Bosscher, representing the Michigan Sheriffs' Association
Professor Ron Bretz, representing the Criminal Defense Attorneys of Michigan
Commander Russell DeCrease, representing Chief Ralph Godbee, Detroit Police Department
Director Kurt Jones, representing the Michigan Association of Chiefs of Police
Mr. Michael Wendling, representing the Prosecuting Attorneys Association of Michigan
Mr. James DeVries, representing the Police Officers Association of Michigan
Mr. Fred Timpner, representing the Michigan Association of Police
Sheriff Robert Pickell, representing the Michigan Sheriffs' Association
Sheriff Gene Wriggelsworth, representing the Michigan Sheriffs' Association
Mr. Richard Weiler, representing the Police Officers Labor Council
Captain Greg Zarotney, representing Col. Kriste Kibbey Etue, Michigan State Police
Mr. John Buczek, representing the Fraternal Order of Police
D/Sgt. Chris Luty, representing the Michigan State Police Troopers' Association

COMMISSION MEMBERS EXCUSED

Chief Doreen Olko, representing the Michigan Association of Chiefs of Police
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. Jacquelyn Beeson, MCOLES Staff
Mr. Danny Rosa, MCOLES Staff
Mr. David Lee, MCOLES Staff
Mr. Patrick Hutting, MCOLES Staff
Ms. Joyce Nelson, MCOLES Staff
Ms. Diane Horwath, MCOLES Staff
Mr. Wayne Carlson, MCOLES Staff
Mr. John Steele, MCOLES Staff
Ms. Holly Baer, MCOLES Staff

GUESTS (signing in)

Undersheriff Chris Swan, Genesee County Sheriff's Office
Lt. Michael Chatterson, Genesee County Sheriff's Office
Mr. Tim Bolles, Michigan State Police-STTB
Chief Rachel Sadowski, Hopkins Police Department
Mr. Steve Baker, Office of the Auditor General
Ms. Mary Jo Koschay, Office of the Auditor General
Mr. Patrick M. Clawson, Process Server

CALL TO ORDER

The Commission meeting was called to order by Vice-Chair Thomas Cameron at 10:30 AM on September 19, 2012 at the MCOLES Office, Lansing, Michigan.

INTRODUCTIONS

Vice-Chair Cameron introduced himself and explained that Chair Olko was unable to attend and he would chair the meeting. He introduced Commander DeCrease and welcomed him to his first meeting. The remainder of the Commission members, staff, and audience also introduced themselves.

ACCEPTANCE OF THE JUNE 6, 2012 COMMISSION MEETING MINUTES

A **MOTION** was made by Commissioner Wriggelsworth and supported by Commissioner Bosscher to approve the June 6, 2012 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

Vice-Chair Cameron asked for any public comment on an issue not listed on the agenda.

Sheriff Pickell addressed the Commission and advised that he brought with him Undersheriff Swan and paramedic Chatterson from his department. He then introduced the Undersheriff who addressed the Commission.

Undersheriff Swan advised the issue he was here to discuss concerned Paramedic Chatterson. Lt. Chatterson wants to attend the police academy and does not fulfill one requirement of the medical standards. Undersheriff Swan was asking that the Commission make an exception and allow Mr. Chatterson to enter the academy. Mr. Chatterson, due to a birth defect, was born with a cataract in his left eye and therefore does not have 20/20 vision in that eye. Undersheriff Swan feels that Mr. Chatterson has been able to compensate for this problem his whole life and believes that Genesee County should be given the opportunity to use their judgment and send Mr. Chatterson to the police academy.

Mr. Szczubelek advised the Commission that Mr. Chatterson sued MCOLES in 2001 on this issue and the case was dismissed. He stated that the same visual acuity standards still apply.

A **MOTION** was made by Commissioner Pickell and supported by Commissioners Wriggelsworth and Timpner to refer the issue to the Implementation Committee to have them review R28.14204 (a)(i) and R28.14204(a)(ii) of the medical selection qualifications of the Administrative Rules and report back to the Commission.

Pat Clawson addressed the Commission. He introduced himself as a private investigator in Washington, DC and a civil process server when in Michigan. He advised the Commission that he felt there was nothing to educate officers in regard to private law enforcement practices and the role they play in law enforcement. He suggested that the Commission amend the training standards so that the police academy curriculum includes civil law process services, organized crime investigations and the roll of organized crime in Michigan.

CHAIR'S REPORT

Law Enforcement Officer Position Report – Vice-Chair Cameron advised that the steady downward decline continued regarding the number of law enforcement positions and the number of law enforcement officers in Michigan.

Special Use Requests – Vice-Chair Cameron stated that the commission materials contained a report detailing the special use requests. There was no discussion or questions.

Grant Adjustment Requests – Commissioner Cameron advised that the Grant Adjustment Requests Activity Report was also part of the electronic distribution of Commission materials. There were no questions.

DIRECTOR'S REPORT

PSOB – Executive Director Harvey advised the Commission that MCOLES recently made three PSOB payments. There were two death benefits paid, one for Officer Weir and one for Officer Armour. The third payout was for disability and paid on behalf of Firefighter Milewski.

Mr. Harvey also stated that there are five more cases currently pending. He thanked Larry Jones and Deb Thelen for their hard work regarding the PSOB program.

Annual Report- Executive Director Harvey also announced that each of the Commissioners received a copy of the MCOLES Annual Report. He thanked Diane Horwath for her hard work on the report.

New Employee – Licensing and Administrative Services manager David Lee advised the Commission that MCOLES had a new staff member. He introduced Holly Baer and advised she was responsible for MCOLES business solutions.

Grants – Deputy Executive Director Kramp reported to the Commission on the 2013 grant applications. She stated there were 37 applications submitted. The total requested was approximately \$2.9 million. Last year MCOLES had \$1.8 million to distribute. Keeping that in mind, she felt that all grants would eventually be partially cut this year. She stated the process would be the same as in the past. The grant applications were currently being reviewed. MCOLES would present a recommendation at the November meeting and the final amounts and awards would be presented at the December meeting.

COMMITTEE REPORTS

Executive Committee – Vice-Chair Cameron advised that the Executive Committee met prior to the Commission meeting that morning. He advised that the major issue discussed was the Military Initial Validation Report. Joyce Nelson presented to the Executive Committee members the information concerning the Military Program. The Committee directed the MCOLES staff to flush it out, create an implementation plan, and develop the criteria for delivery sites. The Implementation Committee would then report to the full Commission.

NEW BUSINESS

Office of the Auditor General - Mr. Steve Baker and Ms. Mary Jo Koschay both from the Office of the Auditor General attended the meeting. Mr. Baker addressed the Committee and advised they had completed their audit. He provided some background information

regarding their authority to audit, the type of audits they complete, and the time frame involved.

Mr. David Harvey added that the audit went well and thanked David Lee, Hermina Kramp, Deb Thelen and Gina Rosendall-Saucedo for their hard work during the audit process.

Revocations- Executive Director Harvey stated there were five revocations for consideration. All five were for felony convictions. He also stated that all five failed to appear and the license revocation hearing and the recommendation was made to revoke all five licenses. It was decided to combine all five revocations and hold one vote.

A **MOTION** was made by Commissioner Buczek and supported by Commissioner Wriggelsworth to revoke the licenses of Jeffery A. Card, Daniel L. Parker, Dale L. Tompkins, Donald B. Cole, and Jefferey S. Pindzia.

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

Commission Resolution 2012-09 – Chair Olko requested that the Commission author a resolution in support of the Below 100 Initiative. Executive Director Harvey stated that the federal government started the initiative and the states, as well as IADLEST, are now supporting it. Director Harvey said that the five tenants included in the Below 100 Initiative are all supported by MCOLES.

A **MOTION** was made by Commissioner Buczek and supported by Commissioner Wriggelsworth to approve Commission Resolution 2012-09 supporting the Below 100 Initiative.

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

Affidavit in Support of Receipt and Expenditure of Justice Training Law Enforcement Distribution Funds for Coloma Police Department – Ms. Kramp addressed the Commission and provided background that the Commission developed a process for dealing with agencies that failed to report their use of LED funds. If the agency did not have receipts but could show that their officers attended training, an affidavit could be used to substitute for the close-out report. Ms. Kramp explained that Coloma was one such agency. They had training records but did not file the final report. She was asking the Commission to accept the affidavit in lieu of the close-out report.

A **MOTION** was made by Commissioner Pickell and supported by Commissioner Weiler to accept the Affidavit signed by Coloma Police Department.

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

Affidavit in Support of Receipt and Expenditure of Justice Training Law Enforcement Distribution Funds for Bloomingdale Police Department – Deputy Executive Director Kramp advised that Bloomingdale Police Department was another agency utilizing the affidavit. This agency received funds for only one year and used the funds immediately. Bloomingdale Police Department failed to file a report. The clerk verified the use of the funds and the affidavit was brought before their Commission. Ms. Kramp asked the commissioners to approve the affidavit on behalf of the Bloomingdale Police Department.

A **MOTION** was made by Commissioner Pickell and supported by Commissioner Wriggelsworth to accept the Affidavit for Bloomingdale Police Department.

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

A **MOTION** was made by Commissioner Buczek and supported by Commissioner Wriggelsworth to grant Executive Director Harvey permission to approve the remainder of the affidavits and present a list of agencies to the Commission when complete.

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

OLD BUSINESS - None

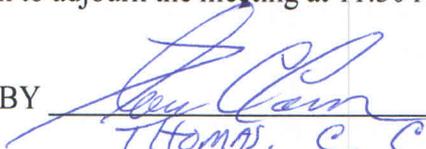
MISCELLANEOUS

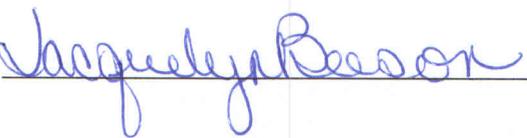
Director Harvey addressed the Commission and advised that Commissioner Mattice had decided to retire. Therefore the November 7, 2012 meeting would be his last Commission meeting.

NEXT MEETING: Wednesday, November 17, 2012
Lansing, Michigan

ADJOURNMENT

A **MOTION** was made by Commissioner Buczek and supported by Commissioner Wriggelsworth to adjourn the meeting at 11:30 AM on September 19, 2012.

APPROVED BY  ON 12-12-12
THOMAS. C. CAMERON

WITNESSED BY  ON 12-12-12