
Michigan Commission on Law Enforcement Standards
Commission Workshop Minutes
February 19, 2014
Lansing, Michigan

COMMISSION MEMBERS PRESENT

Chief Doreen Olko, representing the Michigan Association of Chiefs of Police
Mr. Thomas Cameron, representing Attorney General Bill Schuette
Sheriff James Bosscher, representing the Michigan Sheriffs' Association
Chief Donald Mawer, representing the Michigan Association of Chiefs of Police
Mr. Michael Wendling, representing the Prosecuting Attorneys Association of Michigan
Mr. Ken Grabowski, representing the Police Officers Association of Michigan
Captain Greg Zarotney, representing Michigan State Police
Mr. John Buczek, representing the Fraternal Order of Police
Sheriff Leo Mioduszewski, representing the Michigan Sheriffs' Association
Mr. Fred Timpner, representing the Michigan Association of Police
Professor Ron Bretz, representing the Criminal Defense Attorneys of Michigan
Sheriff Jerry Clayton, representing the Michigan Sheriffs' Association
Director John Calabrese, representing the Michigan Association of Chiefs of Police
Mr. Richard Weiler, representing the Police Officers Labor Council

COMMISSION MEMBERS EXCUSED

D/Sgt. Chris Luty, representing the Michigan State Police Troopers Association

OTHERS PRESENT

Mr. David Harvey, MCOLES Executive Director
Mr. John Szczubelek, Assistant Attorney General and Commission Counsel
Ms. Hermina Kramp, MCOLES Deputy Executive Director
Ms. Jacquelyn Beeson, MCOLES Staff
Mr. John Steele, MCOLES Staff
Ms. Holly Baer, MCOLES Staff
Ms. Gina Rosendall-Saucedo, MCOLES Staff
Mr. Patrick Hutting, MCOLES Staff
Mr. Wayne Carlson, MCOLES Staff
Mr. David Lee, MCOLES Staff
Ms. Sandi Luther, MCOLES Staff

Ms. Diane Horwath, MCOLES Staff
Ms. Joyce Nelson, MCOLES Staff
Mr. Darnell Blackburn, MCOLES Staff
Ms. Deb Thelen, MCOLES Staff
Mr. Lynn Ried, MCOLES Staff
Mr. Michael Logghe, MCOLES Staff
Mr. Danny Rosa, MCOLES Staff

GUESTS (signing in)

Sgt. Chris Hawkins, Michigan State Police
Tpr. Nate Johnson, Michigan State Police Troopers Assoc.
Sgt. John Meka, DNR-Law Enforcement Division

CALL TO ORDER

The Commission Workshop was called to order by Chair Thomas Cameron on February 19, 2014 at 10:00 AM. The meeting was held at the MCOLES Office in Lansing.

INTRODUCTION

Chair Cameron thanked everyone for attending. He explained the purpose of the Workshop was to discuss the redraft of Senate Bills 411 and 412. The goal of the meeting was to go over the amended bill and come up with agreed upon changes. Prior to the Commission meeting that afternoon, a Commission Resolution would be drafted for approval of the SB 411 and SB 412 redrafts.

Senate Bill 411 – PA 203 Redraft

Mr. John Szczubelek, Commission Counsel, addressed the Commissioners and staff. He stated that the major point of contention dealt with the revocations. He wanted to start at this point because he felt this discussion was the most important. He advised there were 15 specified misdemeanors that would call for a license revocation due to an adjudication of guilt. He wanted to go over the list one by one and see where the Commissioners stood with the hope of getting complete agreement on which misdemeanors should be included.

A discussion ensued with the Commissioners each expressing their opinions, the pros and cons of including the misdemeanors, and other suggestions on how to achieve the goal of holding the standards to the profession. The majority agreed that this list of offenses compromises the standards that MCOLES stands for in the eyes of the public. It was also agreed that this does not take away from the responsibility of the chiefs and sheriffs to do their job. But even if they do their job and terminate officers, without license revocation, these officers can be picked up by another agency. As a licensing body, MCOLES needs to guarantee that this does not happen.

Commissioner Grabowski advised that he objected to the entire list of misdemeanor violations under consideration. He felt it was not necessary and the process should be left up to the agencies and unions to do what was needed.

Conclusion


The final suggestion was to bring before the Commission for a vote Commission Resolution 2014-03 (redraft of SB 411) which would include license revocations for all misdemeanor convictions with a sentence of more than one year and the below listed misdemeanors:

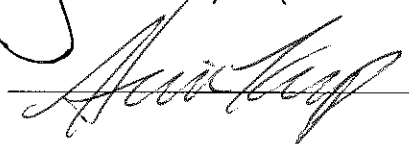
- (i) MCL 750.81(3).
- (ii) MCL 750.81a(1).
- (iii) MCL 750.81a(2).
- (iv) MCL 750.411h(2)(a).
- (v) MCL 333.7403(2)(c).
- (vi) MCL 333.7404(2)(a).
- (vii) MCL 333.7404(2)(b).
- (viii) MCL 333.7404(2)(c).
- (ix) MCL 257.625(9)(b).

The redraft of SB 412 was also discussed. Commission Resolution 2014-02 would also be brought before the Commission for a vote. The resolution would include the redraft of SB 412 with the only change being the definition of an "Eligible entity".

(d) "Eligible entity" means a governmental agency of the executive branch of this state or a subdivision of this state that is established and maintained in accordance with the laws of this state and that is authorized by the laws of this state to employ or appoint law enforcement officers licensed under sections 9 and 9a of the Michigan commission on law enforcement standards act, 1965 PA 203, MCL 28.609 and MCL 28.609a.

Commission Chair Tom Cameron concluded the workshop session.

APPROVED BY  ON 4/16/14

WITNESSED BY  ON 4-16-14