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**Michigan Commission on Law Enforcement Standards**  
**Commission Meeting Minutes**  
**April 10, 2019**  
**Lansing, Michigan**

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**COMMISSION MEMBERS PRESENT**

Chief David Molloy, representing the Michigan Association of Chiefs of Police  
Sheriff Timothy Donnellon, representing the Michigan Sheriff's Association  
Mr. Michael Wendling, representing the Prosecuting Attorneys Association of Michigan  
Colonel Joe Gasper, representing the Michigan State Police  
Mr. Brian Kolodziej, representing Attorney General Dana Nessel  
Mr. Duane Smith, representing the Police Officers Labor Council  
Commander Mark Bliss, representing the Detroit Police Department  
Mr. Arthur Weiss, representing the Criminal Defense Attorneys of Michigan  
Mr. Thomas Adams, representing the Public  
Trooper Nate Johnson, representing the Michigan State Police Troopers Association  
Deputy Matthew Hartig, representing Deputy Sheriff's Association of Michigan  
Sheriff Matthew Saxton, representing the Michigan Sheriffs' Association  
Chief Karianne Thomas, representing the Michigan Association of Chiefs of Police  
Chief Donald Mawer, representing the Michigan Association of Chiefs of Police

**COMMISSION MEMBERS EXCUSED**

Mr. Mark Diaz, representing the Detroit Police Officers Association  
Mr. Ken Grabowski, representing the Police Officers Association of Michigan  
Mr. David Hiller, representing the Michigan Fraternal Order of Police  
Mr. Richard Heins, representing the Michigan Association of Police  
Sheriff Doug Wright, representing the Michigan Sheriffs' Association

**STAFF PRESENT**

Mr. Timothy Bourgeois, MCOLES Executive Director  
Ms. Lauryl Scott, Commission Counsel  
Ms. Jacquelyn Beeson, MCOLES Staff  
Mr. David Lee, MCOLES Staff  
Ms. Kayla Hanselman, MCOLES Staff  
Mr. Danny Rosa, MCOLES Staff  
Ms. Deb Thelen  
Ms. Rhonda Hooson

**GUESTS (SIGNING-IN)**

Mr. Matt Heins, LEAF Coordinator

## **CALL TO ORDER**

The Commission meeting was called to order by Chair David Molloy on April 10, 2019 at 10:30 AM. The meeting was held at the MCOLES Office, 927 Centennial Way, Lansing, Michigan.

## **INTRODUCTIONS**

Chair Molloy introduced himself. He then asked the remaining Commissioners, staff and audience members to do the same. Chair Molloy welcomed the two newest members, Brian Kolodziej representing the Office of the Attorney General and Michael Sauger representing the Fraternal Order of Police.

## **ACCEPTANCE OF THE FEBRUARY 13, 2019 COMMISSION MEETING MINUTES**

A **MOTION** was made by Commissioner Adams and supported by Commissioner Kolodziej to approve the February 13, 2019 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.

A **MOTION** was made by Commissioner Kolodziej and supported by Commissioner Smith to approve the agenda for the April 10, 2019 meeting.

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

## **CHAIR'S REPORT**

**LEO Population Report** – Chair Molloy advised that the LEO population report for the month of March was made available to the commissioners. There was a decrease in the number of officers and the number of positions.

**Special Use Request** – Chair Molloy also stated that the Special Use Request report was provided electronically to the Commissioners.

## DIRECTOR'S REPORT

**Retirement** – Executive Director Bourgeois requested Sandra Luther join him. He advised that Sandra Luther was retiring after 27 years with the Michigan State Police. He presented her with a plaque and added that she had received her accoutrements earlier at a gathering in her honor. Director Bourgeois advised that Sandra had most recently worked in Standards Compliance and was responsible for the Recognition of Prior Training and Experience Program. He thanked her for her service.

**MCOLES Staffing Changes** – Director Bourgeois advised that there have been some recent staffing changes.

### Resignations:

- Ryan Speidel was the Chief Investigator was MCOLES and recently took a promotion and is now working for the Office of Children's Ombudsmen.
- Joyce VanMeter was most recently hired as the Section Manager for Standards Compliance. She recently resigned for personal reasons.
- Barbara Johns who was fiscal control for MCOLES also took a promotion and is now with the Department of Health and Human Services.

### Pending Retirement:

- Director Bourgeois advised the Commissioners that Wayne Carlson would be retiring on June 1, 2019. Mr. Carlson is the manager of the Career Development section. The Director added that he has been an institution at MCOLES with a special skill set that will be difficult to replace.

### New Employee:

- Director Bourgeois introduced Ms. Lauryl Scott from the Office of the Attorney General as the new legal counsel for MCOLES. He added that she has been with MCOLES for approximately one month and is the replacement for John Szczubelek. Ms. Scott advised that she has been an attorney since 1994 and has been with the Office of the Attorney General since 2004. She said that she handled child abuse and neglect cases in Wayne County for 20 years. She also prosecuted child neglect and welfare fraud cases.
- Executive Bourgeois advised that MCOLES has hired a new Field Representative to fill a position that has been vacant for many months. He stated that Ms. Gretchen Galloway will be joining the staff in April. She is retired from Grand Rapids Police Department.

### Promotion:

- Danny Rosa who has worked in the Curriculum Development Section has been promoted to the section manager position for Standards Compliance. Congratulations to Mr. Rosa.

Executive Director Bourgeois stated that the open positions created by Sandra Luther, Ryan Speidel and Barbara Johns will be posted in the near future. Wayne Carlson's position will also be posted after his retirement date.

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## COMMITTEE REPORTS

**Executive Committee** – Commissioner Molloy advised that the Executive Committee met that morning prior to the Commission meeting. He stated that committee members discussed the following issues:

- Update on Active Violence
- Reserves
- Executive Director's Compensation

Chair Molloy stated that the Executive Director's salary was discussed. He added that currently Director Bourgeois is a Level 17 unclassified employee. Under the reorganization of MSP, the level 17 employee is now a level 18 with the exception of Director Bourgeois. Also, all unclassified employees received a 2% pay raise in October of 2018 except for Executive Director Bourgeois. In addition, the employees will receive another 2% salary increase in October of 2019 plus a 2% one time lump sum payment. Chair Molloy stated he would like to bring a resolution to the Commission offering the Executive Director a new compensation package with the salary at Level 18 with a pay increase of 2% from last year and the upcoming increases in October 2019.

A **MOTION** was made by Commissioner Wendling and supported by Commissioner Hartig to approve the new compensation package for Executive Director Bourgeois.

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

**Reserves Committee** – Director Bourgeois stated that the survey has been completed and it has been out for about a week. The survey was done using Survey Monkey and an email was sent to all agencies. In the first week about 200 responses were received.

The Director added that the next step will be a meeting of SMEs. He said they are currently asking for volunteers for the SME panel.

**CONSENT AGENDA - None**

**NEW BUSINESS - None**

**OLD BUSINESS**

**Adoption of Background Investigations Advisory Standard** – Director Bourgeois stated that at the last Commission meeting everyone received a hard copy of the draft document for Background Investigations Best Practices. He added that last week he also sent each Commissioner an electronic version. At this meeting he is recommending that the Commission adopt this document as an Advisory Standard for all agencies. He said that the statute requires a background investigation be

completed for all candidates in the licensing process. However, they have noticed that background investigations are not being done well or in some situations not done at all.

The document that was presented took into account all of the state's minimum standards. They also considered that agencies had varying amounts of staff, time and resources to complete the background investigations. Therefore, the Background Investigations Best Practices was broken down into Good, Better, and Best categories. The guide uses the minimum standards and the expectation is that the agencies will use higher standards than those found in the guide.

A **MOTION** was made by Commissioner Smith and supported by Commissioner Thomas to approve the Background Investigation Best Practices document as an Advisory Standard for all agencies.

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

**Active Violence Training Update** – The law states that MCOLES must develop training for all active and new officers regarding active violence. New officers will receive the training in the academy. This training will not add hours to the academy because most of the material is already being taught. MCOLES staff revised some of the basic curriculum to meet the standards under the law. This will be in place for all of the fall academies. For in-service training, this will start January 1, 2020. There is no funding for the training and this is problematic. Per Director Bourgeois, MCOLES is asking for a supplemental to fund the project. Since there is a timeline, MCOLES is moving forward in anticipation of the funding coming through. Yesterday a group on SMEs met in reference to the active violence training.

**Commissioner Orientation – Career Development** – Executive Director Bourgeois introduced Wayne Carlson, the section manager for Career Development. Mr. Carlson stated that the main objective for Career Development is to maintain validity and reliability of all standards required to be a law enforcement officer.

Validity - Mr. Carlson stated that for validity, all standards must be job related. Everything we train, require and test for are all related to the job via the Job Task Analysis. He added there are three types of validity: content validity, construct validity, and criterion validity. MCOLES does not use the criterion validity.

Mr. Carlson explained there are five major steps in what they do in Career Development.

1. Receive an assignment – Can get it from JTA, the Commission or the Governor
2. Conduct foundational research
3. Bring in Subject Matter Experts – Usually 10-12 people who brainstorm the topic and determine what the standard should look like
4. Use academic literature – This would include studies and findings with the purpose to see if the theoretical matches the practical
5. Test Drive the standard

Once the steps are complete either it will come back to the Commission for approval or if it is a minor change it will just move forward to the field.

Validity and reliability apply to the following standards:

1. Training Standard – which includes licensing, physical fitness and reading & writing exams
2. Good Moral Character Standard
3. Medical Standards

Validation reports are completed for each standard.

## MISCELLANEOUS

Commissioner Weiss wanted to advise that Commissioner Heins has been ill. He had knee surgery some time back and it became infected. He has been in a medically induced coma while recovering. He wanted everyone to put him in their thoughts and prayers.

Commissioner Mawer inquired about the MCOLES process when an officer has been indicted on charges. Director Bourgeois stated that the Statute provides for revocation of an officer's license for the following violations: felony conviction, certain misdemeanor convictions, and fraud in the licensing process. Prior to a conviction if MCOLES is made aware of the charges the process is as follows:

- MCOLES opens an investigation
- The individual is flagged in MITN and will show up in red
- MITN would not allow a person to be licensed who was under investigation
- Once convicted there are two options:
  - Voluntarily relinquish license
  - Revocation

The revocation is done by the following steps:

- Executive Director sends a Summary Suspension
- Commission counsel sends a complaint to the Administrative Hearing System
- Person is provided due process via the above step
- Commission grants approval for revocation
- MCOLES reports revocation to a National Volunteer Registration
- MCOLES flags subject in MITN as revoked

If the subject is not convicted on the felony (pleads to a misdemeanor) they will be flagged in MITN with a yellow status. An agency would be directed to contact MCOLES for details.


**PUBLIC COMMENT** - None

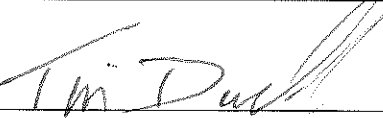
## NEXT MEETING

Date: June 19, 2019 at 10:30 AM  
Lansing

**ADJOURNMENT:**

A **MOTION** was made by Commissioner Wendling and supported by Commissioner Adams to adjourn the meeting.

APPROVED BY  ON JUNE 19, 2019

WITNESSED BY  ON 6-19-2019