
Michigan Commission on Law Enforcement Standards
Commission Meeting Minutes
December 5, 2018
Lansing, Michigan

COMMISSION MEMBERS PRESENT

Mr. Michael Wendling, representing the Prosecuting Attorneys Association of Michigan
Chief David Molloy, representing the Michigan Association of Chiefs of Police
Captain Greg Zarotney, representing the Michigan State Police
Sheriff Doug Wright, representing the Michigan Sheriffs' Association
Mr. Jason Evans, representing Attorney General Bill Schuette
Mr. Ken Grabowski, representing the Police Officers Association of Michigan
Sheriff Timothy Donnellon, representing the Michigan Sheriff's Association
Mr. Duane Smith, representing the Police Officers Labor Council
Mr. Richard Heins, representing the Michigan Association of Police
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
Mr. David Hiller, representing the Michigan Fraternal Order of Police
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
Cpl. Brian Earle, representing the Deputy Sheriff's Association of Michigan

STAFF PRESENT

Mr. Timothy Bourgeois, MCOLES Executive Director
Ms. Hermina Kramp, MCOLES Deputy Executive Director
Ms. Jacquelyn Beeson, MCOLES Staff
Mr. David Lee, MCOLES Staff
Mr. Wayne Carlson, MCOLES Staff
Mr. Joe Kempa, MCOLES Staff
Ms. Joyce VanMeter, MCOLES Staff

GUESTS (SIGNING-IN)

Deputy Matthew Korona, Washtenaw County Sheriff's Office
Corporal Jeremy Hilobuk, Washtenaw County Sheriff's Office

CALL TO ORDER

The Commission meeting was called to order by Chair Michael Wendling on December 5, 2018 at 10:35 AM. The meeting was held at the MCOLES Office, 927 Centennial Way, Lansing, Michigan.

INTRODUCTIONS

Chair Wendling introduced himself. He stated that this would be his last meeting as the Chair of the Commission. He then asked the Commissioners, staff and audience members to do the same.

ACCEPTANCE OF THE NOVEMBER 7, 2018 COMMISSION MEETING MINUTES

A **MOTION** was made by Commissioner Adams and supported by Commander Bliss to approve the November 7, 2018 Commission Meeting Minutes as written.

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

ADDITIONS/CHANGES TO THE AGENDA – None

CHAIR'S REPORT

Commissioner Vacancy – Chair Wendling advised the Commission that Sheriff Scott Stephenson had resigned his position. The Chair thanked him for his service. Commissioner Donnellon advised that the Michigan Sheriff's Association had submitted three names to the Governor and hopefully a decision will be made regarding Sheriff Stephenson's replacement before January 1, 2019.

LEO Population Report – Chair Wendling advised that the LEO Population Report for the month of November was provided for the Commissioners' review. He added that the number of officers and positions remained static over the past month.

Special Use Request - The Special Use Request report was electronically provided to the Commissioners. There were no questions or comments.

A **MOTION** was made by Commissioner Adams and supported by Commissioner Molloy to approve the Chair's Report.

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

DIRECTOR'S REPORT

2019 Meeting Dates – Director Bourgeois advised that each Commissioner was given a copy of the final of the 2019 meeting dates.

MCOLES New Staff – Executive Director Bourgeois stated that MCOLES had hired two new employees. He introduced Joe Kempa stating that he was the new curriculum developer in the Career Development Section. He added that Mr. Kempa retired from the Border Patrol and brings with him a great deal of training experience. Mr. Kempa added that he had 24 years of experience and most recently worked in curriculum development for leadership. He was looking forward to working with staff at MCOLES.

Executive Director Bourgeois then introduced the second new employee, Joyce VanMeter. He stated that she had previously been with MCOLES but most recently was the Training Director for Washtenaw Community College Police Academy. Joyce expressed that she was happy to be back at MCOLES. She added that she has a passion for training.

Legislative Update – Executive Director Bourgeois advised that he wanted to give an update on PA 128 of 2017. He reminded the Commissioners that this Bill requires that when officers separate from an agency, that agency must retain a record with the reason for the separation and the circumstances surrounding it. These records must be made available to any inquiring police agency.

Director Bourgeois advised that there were three bills in the House and three bills in the Senate that were basically identical that were associated with PA 128 of 2017. The bills are as follows:

SB 1149, SB 1150 and SB 1151
HB 6571, HB 6572, and HB 6573

SB 1149 and HB 6571 modifies the Law Enforcement Officer Separation from Service Record Act to allow Michigan Commission on Law Enforcement Standards to obtain records.

SB 1150 and HB 6572 refers to the Bullard-Plawecki Act. This Bill modifies employee release requirements for certain information related to employment records of a law enforcement employee.

SB 1151 and HB 6573 would create an exemption for the Michigan Commission on Law Enforcement Standards in the statute relating to occupational licenses for former offenders.

HB 6317 – Representative Lucido wants X-Chrome lenses allowed to be used to pass the MCOLES color standard. Director Bourgeois stated he met with MCOLES staff to discuss the vision standard and then met with Dr. Swan from Ferris' School of Optometry and has determined that the X-Chrome lens do not restore color.

SB 924 is the private policing bill. Per Director Bourgeois the rumor is that they are going to try and get this pushed through during lame duck.

Director Bourgeois also added that if any commissioner knows of a bill that needs discussed to contact him.

Update on MCOLES legal counsel replacement – Director Bourgeois stated that he has been in contact with Mr. Richard Cunningham from the Office of the Attorney General. He added that names have been chosen and they are moving forward in the process for replacing for Mr. Szczubelek.

Academy Contracts – Executive Director Bourgeois advised that this is the time of the year when each academy must renew their contract. He added that all, but one contract has been completed and they are currently working on the outstanding one.

Grants – Executive Director Bourgeois reminded the Commissioners that due to lack of funds there were no grants given for the past two years. He added that the 2017 grants were extended into 2018 for any agency that could continue to do the same training. All of those grants are now closed.

Commissioner Orientation – Director Bourgeois advised that MCOLES staff members met to decide the best method for providing the Commissioners with information. The recommendation was to do it in small chunks. At each meeting a topic will be discussed. An electronic and paper version will be provided. After four to five meetings each commissioner will have a complete book. The first topic will be presented at the February meeting.

A **MOTION** was made by Commissioner Molloy and supported by Commissioner Grabowski to accept the Executive Director's report.

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

COMMITTEE REPORTS

Executive Committee – Commissioner Wendling advised that an Executive Committee meeting was held that morning prior to the Commission meeting. He stated that the members discussed the same issues that were in the Director's Report as well as the Chair and Vice-Chair vacancies.

A **MOTION** was made by Commissioner Adams and supported by Commissioner Wright to accept the Executive Committee report.

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

Nominating Committee – Commissioner Wright advised that the Committee was nominating Commissioner David Molloy for Chair. Chair Wendling then opened the floor for any other nominations. No other nominations were received.

A **MOTION** was made by Commissioner Adams and supported by Commissioner Donnellon to close the nomination process.

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

A **MOTION** was made by Commissioner Adams and supported by Commissioner Grabowski to approve Commissioner Molloy as the new chair of the commission.

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

Chair Wendling requested that Commissioner Wright advise who the committee was recommending for Vice-Chair. Commissioner Wright stated that the committee was nominating Commissioner Timothy Donnellon for Vice-Chair. Chair Wendling then opened the floor for any other nominations. No other nominations were received

A **MOTION** was made by Commissioner Hiller and supported by Commissioner Donnellon to close the nomination process.

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

A **MOTION** was made by Commissioner Adams and supported by Commissioner Grabowski to approve Commissioner Donnellon as the new Vice-Chair of the commission.

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

On January 1, 2019 the nominees will take their seats. At the February 13, 2019 meeting we will have the new Chair and Vice-Chair presiding.

CONSENT AGENDA - None

NEW BUSINESS

Annual Registration – David Lee addressed the commission regarding Annual Registration. He stated that each calendar year all Michigan law enforcement agencies are required by statute and administrative rules to complete an Annual Registration with MCOLES. All steps of the registration are done using the MCOLES Information and Tracking Network (MITN). There are six items the agency must complete:

1. Update the law enforcement agency profile;
2. Review the agency's roster of MCOLES-licensed law enforcement officers;
3. Indicate compliance with the MCOLES mandatory training requirements, currently consisting of the Active Duty Firearms Standard;
4. Report the hours worked by each MCOLES-licensed law enforcement officer in the previous calendar year.
5. Indicate whether the agency elects to receive Law Enforcement Distribution (LED) funds for the current calendar year.
6. Report expenditures of LED funds for the previous calendar year.

Annual Registration will open January 7, 2019 and conclude on March 8, 2019. Notifications have been sent to in-service training providers as a reminder to properly register their courses with MCOLES and enter training rosters prior to the end of 2018.

Law enforcement agencies will be notified of the registration period and reporting requirement by letter in mid-December, then email reminders will be sent at the opening of the reporting period and at the mid-point. Agencies not reporting will receive an additional reminder as the deadline approaches, followed by personal contact by staff if they still fail to report. The final step would be to send a field rep to make contact at the agency.

MCOLAS 50,000 License – Deputy Matthew Korona and Corporal Jeremy Hilobuk of the Washtenaw County Sheriff's Office joined the Executive Director. Deputy Korona was presented with his license as the 50,000th law enforcement officer licensed in the state of Michigan.

OLD BUSINESS - None

MISCELLANEOUS - None


PUBLIC COMMENT - None

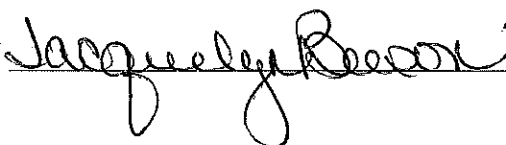
NEXT MEETING

Date: February 13, 2019 at 10:30 AM.

ADJOURNMENT:

A **MOTION** was made by Commissioner Molloy and supported by Commissioner Grabowski to adjourn the meeting at 11:05 AM.

APPROVED BY  ON 2/12/19

WITNESSED BY  ON 2/13/19