
Michigan Commission on Law Enforcement Standards
Commission Meeting Minutes
February 20, 2008
Delta Community College – Room G160, University Center, Michigan

MCOLES MEMBERS PRESENT:

Mr. John Buczek, representing the Fraternal Order of Police
Sheriff James Bosscher, representing the Michigan Sheriffs Association
Sheriff Gene Wriggelsworth, representing the Michigan Sheriffs Association
Mr. Jim DeVries, representing the Police Officers Association of Michigan
Chief Doreen Olko, representing the Michigan Association of Chiefs of Police
Director Kurt Jones, representing the Michigan Association of Chiefs of Police
Mr. Bill Dennis, representing the Attorney General Mike Cox
Professor Ron Bretz, representing the Criminal Defense Attorneys of Michigan
Chief Richard Mattice, representing the Michigan Association of Chiefs of Police
Director Deborah Robinson representing Chief Ella M. Bully-Cummings, Detroit
Police Department
Trooper Michael Moorman, representing the Michigan State Police Troopers Association
Lt. Colonel Timothy Yungfer, representing Colonel Peter C. Munoz, Michigan State
Police
Mr. Raymond Beach, Executive Director
Mr. John Szczubelek, Commission Counsel

COMMISSION MEMBERS EXCUSED:

Sheriff Robert Pickell, representing the Michigan Sheriffs Association
Mr. David Morse, representing the Prosecuting Attorneys Association of Michigan

COMMISSION STAFF PRESENT:

Ms. Hermina Kramp
Mr. Dale Rothenberger

Ms. Cheryl Hartwell
Mr. Gary Ruffini

GUESTS (signing in):

Director Tony Kleibecker, Muskegon Police Department
Professor G. Tetel, Delta Community College
Chief G. Cliff, Saginaw Police Department
Director Mike Wiltse, Delta Community College
Inspector Chuck Allen, Michigan State Police, Third District
Inspector Eugene Adamczyk, Michigan State Police, Third District
Instructor Brian Ducolon, Bay-Arenac Career Center
Chief Michael J. Cecchini, Bay City Police Department
Sheriff Ron Bouldin, Arenac County Sheriff Office
Assistant Attorney General Tom Furtaw
Administrative Assistant Dawn Jurik, Delta Community College

CALL TO ORDER:

The Commission meeting was called to order by Chairman John Buczek at 9:03 a.m. at Delta Community College, Room G160, University Center, Michigan.

Chair Buczek thanked Sheriff Gene Wriggelsworth for his years of service as past chair to the Commission. He also thanked Director Mike Wiltse from Delta Community College for hosting the meeting.

INTRODUCTIONS:

Chair Buczek asked the Commissioners to introduce themselves. He then asked members of the audience to introduce themselves.

Chair Buczek welcomed all to the meeting, especially the academy students.

PUBLIC COMMENT:

There was no public comment.

ATTORNEY REPORT:

Mr. Szczubelek reported that there are a number of projects that are ongoing that he is pursuing largely related to review of proposed legislation on legal matters that have occupied the Commission's business for the last year or so.

Mr. Szczubelek stated that there was a revocation hearing concerning a Mr. Dunn with a decision that is yet to be rendered by the hearing officer. The judge in this matter took the plea under advisement and delayed sentencing. The attorney representing Mr. Dunn at the hearing insisted that this did not amount to a plea for which a conviction could incur, therefore invoking revocation under Act 203. We expect the hearing officer to render a decision in the near future and if it is adverse, may consider an appeal of his decision.

Proposed Revisions to the Bylaws – Mr. Szczubelek explained that MCOLES staff recently reviewed a number of recent revisions and there are four minor suggested revisions that will address the matter of consistency in some of the provisions. In Article III sub B 1, concerning the makeup of the Executive Committee, the first sentence currently reads, "There shall be an Executive Committee of the Commission composed of 6 Commissioners." We want to change the word six to seven. In the third sentence of the same provision which reads, "In the event that the Director of the Department of State Police is already serving as Commission Chair or Vice Chair," we would propose this section to read as follows, "In the event that any member of the Executive Committee holds more than one position that would entitle him or her to membership on the Executive Committee, or in the event that the immediate past Chair of the Commission is no longer a Commission member, the Chair shall make any additional appointments necessary to ensure that the Executive Committee has seven members."

The third proposed amendment is in Article III B 2, Legislative Committee, we propose to rewrite the first sentence to read as follows, "There shall be a legislative committee of the Commission composed of Commissioners reflecting the diversity of the Commission as a whole." The fourth proposed amendment is under the same provision dealing with the legislative committee, we propose rewriting the fourth sentence of that provision to read as follows "The legislative committee is created to advance the work of the Commission, including the objectives of effectuating the intent of Executive Order 2001-5 and the statutory mandate to recommend legislation.

A **MOTION** was made by Trooper Moorman supported by Sheriff Wriggelsworth to approve the recommendation of Mr. Szczubelek to amend the bylaws as stated.

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

ADDITIONS TO THE AGENDA:

Chair Buczek added Dedicated Funding to the New Business section of the agenda.

CONSENT AGENDA:

There was no consent agenda.

ACCEPTANCE OF DECEMBER 11, 2007 MEETING MINUTES:

A **MOTION** was made by Sheriff Wriggelsworth supported by Director Robinson to accept the December 11, 2007, Commission Meeting minutes as written.

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

CHAIRMAN'S REPORT:

Chairman Buczek stated that he looks forward to serving the Commission as chair for the next year. He explained that the Commission met yesterday in a working session and the Commission has a lot on their plate for the upcoming year. The Commission is currently working on updating the strategic plan. There were a number of stakeholder meetings conducted in December 2007, to advise the law enforcement discipline of the completion of half of the strategic plan initiatives and to gather input from the discipline with respect to the balance of the initiatives in the plan that are on-going.

Chairman Buczek explained that Commission members completed a visioning exercise during the Working Session. The leadership will be meeting next week to assemble a draft of the plan that will be brought back to the Commission in April.

Legislative Priorities – Chairman Buczek stated that the Commission discussed their legislative priorities for 2008 during the working session. The priorities are: 1) to secure dedicated funding; 2) to complete the consolidation of Public Act 203 and Public Act 302; 3) to combine the application requirements for the Public Safety Officer Benefits program with the Officer Survivor Tuition program; 4) to amend PA 330, private security licensing legislation which has three priorities, provide statutory authority over the program to MCOLES, provide MCOLES with rulemaking authority, and adjust the fee structure to support the program; and 5) enact legislation that would provide authority to MCOLES to administer the requirements of the national Law Enforcement Officers Safety Act (LEOSA).

CHAIRMAN'S REPORT Continued:

A **MOTION** was made by Sheriff Bosscher supported by Director Jones to accept the Commission's legislative priorities for 2008 as discussed.

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

Committee Appointments – Chairman Buczek made the following appointments to the Commission Committees as listed below:

Executive Committee: Mr. John Buczek, Chair
Sheriff James Bosscher, Vice Chair
Sheriff Gene Wriggelsworth, Immediate Past Chair
Lt. Colonel Timothy Yungfer, Michigan State Police
Director Deborah Robinson, Detroit Police Department
Director Kurt Jones, Michigan Association of Chiefs of Police (appointment at large)
Mr. David Morse, Prosecuting Attorneys Association of Michigan (appointment at large)

Legislative Committee: Sheriff James Bosscher, Chair
Chief Doreen Olko, Michigan Association of Chiefs of Police
Mr. David Morse, Prosecuting Attorneys Association of Michigan
Professor Ron Bretz, Criminal Defense Attorneys of Michigan
Trooper Michael Moorman, Michigan State Police Troopers Association
Director Deborah Robinson, Detroit Police Department
Mr. William Dennis, Attorney General's Office
Lt. Colonel Timothy Yungfer, Michigan State Police

Dedicated Funding Committee: Sheriff Gene Wriggelsworth, Chair
Mr. Jim DeVries, Police Officers Association of Michigan
Chief Richard Mattice, Michigan Association of Chiefs of Police
Director Deborah Robinson, Detroit Police Department
Mr. David Morse, Prosecuting Attorneys Association of Michigan
Professor Ron Bretz, Criminal Defense Attorneys of Michigan
Lt. Colonel Timothy Yungfer, Michigan State Police

CHAIRMAN'S REPORT Continued:

Ethics Committee: Chief Doreen Olko, Chair
Trooper Michael Moorman, Michigan State Police
Troopers Association
Chairman John Buczek, Fraternal Order of Police
Director Deborah Robinson, Detroit Police Department
Mr. Jim DeVries, Police Officers Association of Michigan
Lt. Colonel Timothy Yungfer, Michigan State Police

Regular Employment Committee: Sheriff Robert Pickell, Chair
Mr. Jim DeVries, Police Officers Association of Michigan
Director Kurt Jones, Michigan Association of Chiefs of Police
Sheriff James Bosscher, Michigan Sheriffs Association
Chief Doreen Olko, Michigan Association of Chiefs of Police

Public Act 330 Committee: Sheriff Gene Wriggelsworth, Chair
Chief Richard Mattice, Michigan Association of Chiefs of Police
Director Deborah Robinson, Detroit Police Department
Mr. David Morse, Prosecuting Attorneys Association of Michigan
Lt. Colonel Timothy Yungfer, Michigan State Police

EXECUTIVE DIRECTOR REPORT:

Mental Health Awareness – Mr. Beach explained that this fiscal year the MCOLES was given a one time appropriation of \$100,000 to work with the mental illness community to provide awareness training. The kick-off meeting of subject matter experts to discuss the training of law enforcement officers in response to those with mental illness was held on February 8, 2008. Those on the panel represented law enforcement training, the mental health profession, legal profession, and mental health practitioners. Senator Liz Brater (Ann Arbor) and Senator Alan Cropsey's legislative aid, John Lazet, were also in attendance at this meeting. Staff has begun writing specifications for a curriculum with anticipation of a Spring implementation of training that will take place state-wide.

EXECUTIVE DIRECTOR REPORT Continued:

Military Congruency Study - Mr. Beach stated that he had been contacted late last Fall by the military. Staff is currently working with the military to conduct a study of the military police training received by returning military police for congruency study with the basic training curriculum to determine what portions of the curriculum, if any, could be waived to allow these officers to enter law enforcement in Michigan. The military seems to be very excited over the potential that exists as they have a lot of qualified individuals. Funding should not be an issue since the military has funds available for their retraining efforts. Mr. Beach will keep the commission updated on this matter as it progresses. The contact from the military is the former sheriff from Kalkaska County, Major General Jerry Cannon of the 46th Military Police Command.

Public Safety Officer Benefit (PSOB) Update – Mr. Beach stated that staff is processing the request for payment to the estate of the daughter of the Grand Rapids Police Department officer who was fatally shot. We have also initiated the processing for the award for the Clinton Area Fire Department firefighter who had a fatal heart attack at the scene of a working fire. An application has also been received for the Olivet firefighter who died in November responding to the firehouse for a call. Mr. Beach accompanied by Sheriff Wriggelsworth, on behalf of the Commission, presented the resolution and the benefit check to Mrs. Wilbur whose husband died in Eaton Rapids as a result of a fire call.

Emergency Telephone Services Commission (ETSC) Transition – Mr. Beach explained that in December legislation was passed that removed MCOLES' responsibilities relative to the approval of training programs and curriculum for the ETSC. A meeting has been scheduled with members of the ETSC Training Committee to discuss the issues associated with the transition. An interim process was agreed upon in which the ETSC Training Committee will do the review and approval and will not be submitting courses to MCOLES for approval. ETSC will be sending out correspondence notifying all interested parties of this change. The use of the MCOLES course approval application has been discontinued as of January 2008.

Administrative Rules – The rules are progressing well. The Joint Committee on Administrative Rules (JCAR) Agency Report for the Recruit Training rules was submitted by the State Office on Administrative Hearings and Rules (SOAHR) on Monday, January 28, 2008. There is a 15 session day timeframe for the legislature to reject the rules, otherwise they will become law.

Administration of the Grants – Mr. Beach explained that the Competitive Grant Contract Workshops were held in January providing the contract documents to grantees who were awarded competitive grants, through the Michigan Justice Training Fund, at

EXECUTIVE DIRECTOR REPORT Continued:

the Commission's December 2007 meeting. The grant financial forms were converted to Excel spreadsheets for the convenience of the grantees. The workshops were held on January 18th in Roscommon at the DNR Center and January 23rd in Lansing at the Lansing Community College West Campus.

Wayne County Regional Police Academy – Mr. Beach explained that the Wayne County Regional Police Academy had lost their Training Director last fall. The Wayne County Regional Police Academy has selected a new Training Director, Fred Stanton. Training Director Stanton has been involved in the academy for a number of years as an instructor. He is a retired Sergeant from the Dearborn Police Department. His anticipated start date as the Training Director is March 3, 2008. MCOLES welcomes Training Director Stanton.

External Constituency Contacts – Mr. Beach explained that he and Chairman Buczek made a presentation to Senator Garcia's appropriations subcommittee on State Police and Military Affairs. A report was prepared that would give clarity to the issue of law enforcement officer strength in the state and current trends in Michigan relative to law enforcement agencies and populations. The report was well received. Follow-up calls have been favorable and the report has created an expectation for a continuation of this information being provided annually. Trends continue to show a significant loss of law enforcement positions.

Stakeholder Meetings – Mr. Beach explained that a series of five stakeholder meetings were held across the state in early December 2007, to gather input relative to the MCOLES Strategic Plan. Follow-up meetings with the Detroit Police Department and the Michigan State Police were also held to gather input from a large agency perspective. In addition, a special meeting to clarify the Commission's position on regular employment was held on January 29th for the benefit of small agencies. Mr. Beach thanked all commissioners that participated in the February 6th meeting at Michigan Association of Chiefs of Police Conference presentation on emerging issues of MCOLES. This presentation also provided another opportunity for input from the field on the MCOLES Strategic Plan.

Special Use Requests & Grant Adjustments – Mr. Beach stated that the Special Use Requests and Grant Adjustments were also included in the Commission meeting documentation and he would entertain any questions that the membership may have on these actions.

Sheriff Wriggelsworth asked for a clarification on the grant adjustment by the Michigan Appellate Assigned Council (MAAC) wherein they requested an extension to deal with errors made by a contractor. Mrs. Hartwell stated that the grantee had obtained a new

EXECUTIVE DIRECTOR REPORT Continued:

vendor to develop training materials as part of the competitive grant. When the materials were received from the vendor, the MAAC found errors in the materials and needed time for the vendor to make the changes before payment was made for their services. Since the end of the grant contract was within a very short period of time, the MAAC requested an extension of the grant contract that expired on December 31, 2007 to allow for the vendor to correct the errors in the product and subsequently be paid for their services.

Mr. Beach thanked immediate past chair, Sheriff Wriggelsworth for his leadership over the past year. His efforts assisted Mr. Beach in carrying out his Commission responsibilities, one of the most important being the first in-service training standard with the Active Duty Firearms Standard that will be presented for adoption later in the meeting.

COMMITTEE REPORTS:

Executive Committee – Chairman Buczek stated that the committee met yesterday. Mr. Rothenberger provided us with a PowerPoint presentation on the 2009 recommended budget. Mr. Szczubelek provided an update on the consolidation of Public Act 203 and Public Act 302. The committee briefly discussed the Internal Organization Agreement between the State Police and MCOLES. Mr. Buczek asked the Commission to review the agreement and forward any comments or concerns to him or Mr. Beach. The committee also discussed the dedicated funding status that will be discussed later in the agenda. The committee also reviewed the legislative priorities for 2008 and had a presentation by Mr. Beach and Staff on reorganization and succession planning for MCOLES.

Regular Employment Committee - Chairman Buczek stated that Sheriff Pickell could not be at the meeting today due to recent hip replacement surgery. However, Chairman Buczek explained that the committee had received a lot of input from the field relative to the efforts to define regular employment. After a lengthy discussion, this issue was referred back to committee for further review with a recommendation to be brought back to the Commission in April.

PA 330 Committee – Sheriff Wriggelsworth explained that the committee had met with the security companies and had a good discussion. He further stated that they don't want any new rules or regulations that would cost them money. Overall the meeting went very well. Sheriff Wriggelsworth stated that the group would keep the lines of communication open.

NEW BUSINESS:

Commission Resolution – Mr. Tom Furtaw

The Commission recognized Mr. Tom Furtaw, former counsel to the Commission, for his service to the Commission and Michigan law enforcement. Chairman Buczek read a resolution recognizing his service to the Commission.

A **MOTION** was made by Mr. DeVries supported by Chief Mattice to adopt the resolution for Mr. Tom Furtaw, recognizing his service to the Commission and to Michigan's law enforcement discipline.

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

On behalf of the Commission and MCOLES staff, Director Beach presented Mr. Furtaw with a Michigan Commission on Law Enforcement Standards plaque commemorating his service to the Commission. Mr. Beach stated that Tom was assigned to the Commission during difficult times. The Commission was facing budget issues and many other things and Tom was able to hit the ground running. He thanked Tom for his service to the Commission.

Mr. Furtaw thanked the Commission and extended his appreciation to commission staff and Commission members individually. He gave special thanks to Sheriff Gene Wriggelsworth, Mr. John Buczek, and Executive Director Beach. The diversity of the Commission and the different perspective each group brings to the Commission provided him a much broader perspective on each issue. Mr. Furtaw specifically acknowledged that even though the group is diverse, the Commission is able to work together for the betterment of law enforcement as a whole. Mr. Furtaw expressed his sincere appreciation for the opportunity to work with the Commission.

Delta Community College Overview – Mr. Mike Wiltse thanked the Commission for the opportunity to address the Commission. Sixteen recruits from the academy attended the meeting. He commended Assistant Academy Director Smith. Mr. Wiltse stated that Chairman Buczek participated in the academy inspection earlier this morning and explained that his appearance at the academy was important to the staff and recruits as he represents both the academy and MCOLES.

Mr. Wiltse explained that the Delta Police Academy has an instructional staff of 105 and he also brings in other law enforcement specialists during the training. Their academy curriculum is 740 hours. He stated that with the elimination of boxing, the academy has implemented ground fighting. The academy's Advisory Board has recommended the inclusion of Taser training into academy curriculum and they are looking into doing this.

NEW BUSINESS Continued:

Recruits are issued laptops at the beginning of each academy session on which to complete assignments and take notes. The academy's future goal is to have all coursework on the computers in the future. The recruits also participate in a number of community service programs including reading to local students in the elementary schools. The Academy has had a 90% employment rate among their recruits over the past 2 ½ yrs.

Delta Community College also provides in-service training to area law enforcement officers. Sgt. Schaub is in charge of the in-service training program at Delta. Director Wiltse stated that in 2007 the Training Consortium was revitalized. During the first six months of 2007, Delta held 25 training classes providing training to approximately 500 officers. Delta College received three competitive grants this year providing topics such as: Reid for Street Crimes, Evidence Technician & an Evidence Technician refresher course.

Mr. Wiltse also stated that the Criminal Justice Training Department has recently merged with the Public Safety Department at Delta. This merger will offer better services to the community. Mr. Wiltse thanked the Commission for holding their meeting at Delta Community College.

2008 – 2012 Strategic Initiatives Planning Process – Mr. Rothenberger explained that the Commission undertook its first strategic plan in 1998. The Commission began with a visioning session with a professional planner. In 2002, the Commission adopted the plan that they had evolved from the visioning sessions. MCOLES staff reported to the law enforcement discipline on each of the 10 initiatives during the recent stakeholder meetings.

Mr. Rothenberger explained that during the Working Session of the Commission that was held yesterday, the Commission undertook another visioning exercise with the same facilitator who will write a report for the Commission. Staff will then work to formulate the draft plan to be presented to the Commission at the April meeting for review with formal adoption of the plan anticipated at the June meeting.

MCOLES License Relinquishment Affidavit – At the December 11, 2007, Commission meeting Mr. Furtaw brought a draft affidavit to the Commission to facilitate the practice of prosecutors asking law enforcement officers to voluntarily relinquish their licenses as a condition of plea agreements. Mr. Szczubelek explained that since plea agreements are generally not coordinated with MCOLES license revocation efforts, it is

NEW BUSINESS Continued:

necessary to structure the agreements in a way that does not hinder MCOLES' separate authority to revoke a license.

A form affidavit has been developed which includes the officer's sworn statement that he or she is voluntarily relinquishing licensure for specific reasons that would legally justify revocation by MCOLES. While the basic format of the affidavit should remain consistent, the specific terms of the affidavits would change from case to case. This affidavit process would provide solid evidence in the form of a sworn admission that would expedite a separate administrative revocation action, if needed. It also provides a simple process that includes a documentary record of the relinquishment that can be formally acknowledge by the Commission and maintained in the MCOLES Network.

A **MOTION** was made by Sheriff Wriggelsworth supported by Lt. Colonel Yungfer to adopt the MCOLES License Relinquishment Affidavit process to allow an officer to voluntarily relinquish his or her law enforcement license in connection with a plea agreement.

A **VOTE** was taken. Trooper Michael Moorman voted to oppose the motion.

The **MOTION** carried.

Merignac License Relinquishment – Mr. Szczubelek stated that on January 29, 2008, Mr. Joseph Merignac executed an affidavit in which he stated, among other terms, that he is relinquishing his license as a Michigan law enforcement officer. A copy of the affidavit was provided to the Commission. Mr. Szczubelek explained that should the Commission issue an order rescinding Mr. Merignac's law enforcement license, staff will enter pertinent information into the MCOLES Information and Tracking Network and promptly advise Eaton County Prosecutor, Jeffrey L. Sauter, that Mr. Merignac has relinquished his license in compliance with his plea agreement.

A **MOTION** was made by Professor Bretz supported by Lt. Colonel Yungfer to accept the form affidavit submitted by Mr. Joseph R. Merignac as relinquishing his license as a law enforcement officer in Michigan as part of his plea agreement.

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

NEW BUSINESS Continued:

Revocations: Mr. Szczubelek presented the following cases recommending the Commission consider the proofs, finding of facts, and conclusions of law found in the “Proposals for Decision” issued by Administrative Law Judge (ALJ) Michael Zimmer.

Andrew R. Hinkle – Mr. Hinkle was found guilty by way of a plea of Fraudulent Insurance Act (MCL 500.4511(1)). His conviction was entered on July 27, 2007.

A **MOTION** was made by Chief Olko and supported by Mr. Dennis to accept the Proposal for Decision of the Administrative Law Judge and revoke the law enforcement license of Mr. Andrew R. Hinkle.

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

David Glover – Mr. Glover was found guilty by a plea of Tapping/Cutting Telephone Lines (MCL 750.540). His conviction was entered on July 3, 2007.

A **MOTION** was made by Director Jones and supported by Sheriff Bosscher to accept the Proposal for Decision of the Administrative Law Judge and revoke the law enforcement license of Mr. David Glover.

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

Joseph G. Bucuren – Mr. Bucuren was found guilty by conviction by a judge to Arson – Personal Property (MCL 750.74(1)(c)(i)). His conviction was entered on July 26, 2007.

A **MOTION** was made by Lt. Colonel Yungfer and supported by Sheriff Wriggelsworth to accept the Proposal for Decision of the Administrative Law Judge and revoke the law enforcement license of Mr. Joseph G. Bucuren.

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

Christian Lee Hanson – Mr. Hanson was found guilty by a jury of Arson – Dwelling House (MCL 750.72). (MCL 750.540). His conviction was entered on July 23, 2007.

A **MOTION** was made by Mr. DeVries and supported by Professor Bretz to accept the Proposal for Decision of the Administrative Law Judge and revoke the law enforcement license of Mr. Christian Lee Hanson.

NEW BUSINESS Continued:

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

Daniel Black – Mr. Black was found guilty by a plea of no contest to four counts of Criminal Sexual Conduct 1st Degree (MCL 750.520b(1)(b)), two counts of Criminal Sexual Conduct 2nd Degree (MCL 750.520c), and four counts of Criminal Sexual Conduct 3rd Degree (MCL 750.520d(1)(b)). His conviction was entered on August 8, 2007.

A **MOTION** was made by Mr. Dennis and supported by Chief Olko to accept the Proposal for Decision of the Administrative Law Judge and revoke the law enforcement license of Mr. Daniel Black.

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

Jitu Kinte Green – Mr. Green was found guilty by a jury of one count of Felonious Assault (MCL 750.82) and one count of Felony Firearm (MCL 750.227b). His conviction was entered on January 17, 2007.

A **MOTION** was made by Director Jones and supported by Sheriff Bosscher to accept the Proposal for Decision of the Administrative Law Judge and revoke the law enforcement license of Mr. Jitu Kinte Green.

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

Robin E. Harrington – Ms. Harrington was found guilty by a plea of Operating a Motor Vehicle While Intoxicated – Causing Serious Injury (MCL 257.625(5)). Her conviction was entered on May 11, 2007.

A **MOTION** was made by Chief Olko and supported by Mr. Dennis to accept the Proposal for Decision of the Administrative Law Judge and revoke the law enforcement license of Ms. Robin E. Harrington.

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

Mental Health Awareness – Ms. Hermina Kramp explained that in February 2004, Governor Granholm convened a special Mental Health Commission consisting of participants from multiple mental health backgrounds across the state. In October 2004, Governor Granholm received 71 recommendations for improvements to the system by

NEW BUSINESS Continued:

some of the Commission. In fiscal year 2008, through the joint efforts of Senator Brater and Senator Cropsey, MCOLES received a \$100,000 appropriation to create meaningful training for active duty law enforcement officers in order to improve their response to those with mental illness or developmental disabilities.

On February 8th, MCOLES facilitated a cross disciplinary meeting in order to explore the relevant issues and to discuss how law enforcement can best respond to situations involving individuals with mental illness. The group had significant discussions on cross disciplinary training. The group determined that MCOLES would produce the first draft of an awareness training module for law enforcement, including an instructor guide, and distribute the materials to the group for their input and review. It is anticipated that another meeting will be facilitated in the near future to talk about the first draft and to make additional plans for statewide implementation.

Ms. Kramp explained that this project has a very aggressive timeline. It is anticipated that the training would begin in early summer. Ms. Kramp stated that this training will also be incorporated into the basic training curriculum where appropriate.

Traffic Safety Training Development – Ms. Kramp explained that the National Highway Traffic Safety Administration (NHTSA) has identified speed enforcement as a nationwide priority issue for 2008. MCOLES was contacted by the Office of Highway Safety Planning (OHSP) who asked that MCOLES take a leadership role in the establishment of formal speed measurement standards for the state of Michigan. MCOLES received a grant in the amount of \$69,400 to establish and maintain speed measurement standards for law enforcement in Michigan. A contractor has been obtained by MCOLES who will deliver radar and lidar operator and instructor standards. A contractor is still being sought who will deliver equipment performance specifications and equipment procurement procedures, and standard field sobriety testing standards. Ms. Kramp explained that some of the components will be incorporated into the basic training curriculum.

Annual Registration Update – Mr. Ruffini explained the MCOLES Annual Registration requirements for law enforcement agencies to the academy recruits in the audience. He stated that the reporting period began on January 7, 2008, and will close on March 7, 2008. We are at the halfway point in the registration process with approximately 50% of all law enforcement agencies in Michigan having completed their reporting requirements. Another notification was sent to law enforcement agencies on February 15, 2008, to remind them of the deadline. MCOLES staff will contact the individual law enforcement agencies who do not complete the reporting requirements by the close of the registration period.

NEW BUSINESS Continued:

Fiscal Year 2009 Governor's Recommended Budget – Mr. Rothenberger stated that the Governor's recommended budget was introduced to the legislature on February 7, 2008. He stated that Section 108 deals with the bulk of the Commission's budget which is essentially the same as the current budget, with the exception of the reduction in employee strength. He further explained that there was an appropriation reduction of \$150,000 to both the Secondary Road Patrol Fund (training to locals) and the Michigan Justice Training Fund (MJTF) appropriations which was moved to the Department of Information Technology (DIT) line to maintain the MCOLES Information and Tracking Network maintenance and maintenance contract. Mr. Rothenberger explained that the budget is developed using a cost allocation method. He explained that the budget process is a multi-step process and that this is only step one. The budget now goes into the legislative process beginning in the House and then will progress to the Senate.

PSOB Update – Mr. Rothenberger explained that the PSOB program appropriation was structured to provide for funding of five payments for a death or total disability benefit to the spouse/family of an individual injured or killed in the line of duty. These benefits are available to law enforcement officers, firefighters, correction, probation, parole, court officers, and emergency medical personnel. MCOLES has made two payments this fiscal year for deaths from the previous fiscal year. Staff is actively working on three more payments to be made in the near future, leaving seven cases pending. The funding for this fiscal year is not adequate to accommodate any other claims until the fiscal year 2009 budget is in place. MCOLES will be putting the Governor and Legislature on notice of this under-funding concern.

Questions were raised relative to whether or not there is any chance that a supplemental request for funding could be entertained. Lt. Colonel Yungfer recommended that MCOLES request supplemental funding from the legislature as soon as possible. There will be two opportunities to submit supplemental requests to the legislature. Lt. Colonel Yungfer stated that he would have the budget staff contact Mr. Beach to assist MCOLES with the supplemental request for funding.

Dedicated Funding – Chairman Buczek explained that as a result of discussions with the Executive Committee this morning, Sheriff Wriggelsworth will be scheduling a meeting with the Dedicated Funding Coalition in the near future. The purpose of this meeting is to advise the coalition that the Commission will no longer be participating in an umbrella effort to secure dedicated funding. It is the intent of this meeting to reach an agreement between the various factions of the coalition to proceed independently with respect to each faction's efforts to secure independent funding. The Commission will be looking at potential sources of dedicated funding to support the MCOLES statutory responsibilities. Mr. Buczek asked the Commission to forward any thoughts that they might have regarding a potential funding source to him or Mr. Beach.

OLD BUSINESS:

Active Duty Firearms Standard Implementation – Ms. Kramp stated that it was her privilege to bring the first in-service training standard to the Commission. The Active Duty Firearms Standard has been pilot tested in 20 agencies involving more than 1,000 officers. One adjustment was made to the course of fire to accommodate the discipline's need for sighted fire. This is the only change from the original proposed standard.

Ms. Kramp stated that the recommendation before the Commission is to adopt the Active Duty Firearms Standard. MCOLES staff will utilize 2008 as a familiarization year. Law enforcement agencies can begin the implementation process with the assistance of MCOLES staff. Any additional issues that arise during 2008 will be worked through with law enforcement agencies and trainers. All materials relative to the standard will be distributed to the field and placed on the MCOLES website to assist agencies with the development of the educational component and course of fire, as well as to provide an overview and purpose behind the development. The compliance reporting for the Active Duty Firearms Standard would become mandatory for 2009. The first mandatory reporting would be in 2010 in conjunction with the MCOLES Annual Registration and Law Enforcement Distribution expenditure reporting.

There are a few issues that need to be worked out with respect to reporting. The standard is a two part standard; one is an education component that covers legal decision-making and the other is the course of fire. The components do not have to be completed all at once. Agencies can customize the standard to their individual agency needs.

Chairman Buczek stated that this is a historical event for the Commission and he commended the staff for all the work that went into making this standard a reality.

A **MOTION** was made by Mr. Dennis and supported by Mr. DeVries to adopt the mandatory Active Duty Firearms Standard. The first mandatory compliance reporting period will begin in 2009, with reporting in 2010, during the Annual Registration process.

Chief Olko also commended the staff on the excellent job they did in developing this standard.

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

2008 Grant Award Process Review – Mr. Rothenberger explained that the staff reviews the Competitive Grant award process annually. He outlined the various steps in the Competitive Grant Program. Mr. Rothenberger explained that a meeting was held with the grant reviewers regarding modification/streamlining of the process. Last year there

OLD BUSINESS Continued:

were a number of suggestions and modifications as a result, this year the process went very smoothly. This year there are only two recommendations to the process. One is to institutionalize the review of grant applications where there are differing opinions among practitioners. In these cases, staff will review the program onsite to ensure compliance with all requirements.

The second suggestion is that when multiple grants of the same training topic come to the Commission and the Commission is not able to fund them all, a contract condition be imposed on the funded grants to provide for training positions to the eligible applicants in the unfunded grants. These modifications will be brought back to the Commission in April for review and adoption.

Chairman Buczek stated that staff has done an excellent job in streamlining this process, which makes his job easier, and he appreciates that. He asked that any ideas that Commissioners may have regarding modifications to the Competitive Grant process be forwarded to Mr. Beach to be included with the staff's recommendations to be brought back before the Commission in April.

MISCELLANEOUS:

Chair Buczek asked the Commissioners to remain in the room for a group photo after adjournment of the meeting.

PUBLIC COMMENT:

Sheriff Ron Bouldin, Arenac County, commended the Commission for putting the Active Duty Firearms Standard in place. He further stated that he would like to see the Commission move forward with additional standards.

NEXT MEETING:

Date: April 23, 2008

Location: Kentwood Police Department
Kentwood, Michigan

ADJOURNMENT:

A **MOTION** was made by Mr. Bretz and supported by Chief Olko to adjourn the meeting.

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

The meeting was adjourned at 10:57 am.

APPROVED BY _____ ON _____

WITNESSED BY _____ ON _____