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**Michigan Commission on Law Enforcement Standards**  
**Commission Meeting Minutes**  
**December 11, 2007**  
**Ingham County Sheriff's Office, Mason, Michigan**

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**MCOLES MEMBERS PRESENT:**

Sheriff Gene Wriggelsworth, representing the Michigan Sheriffs' Association  
Mr. John Buczek, representing the Fraternal Order of Police  
Sheriff James Bosscher, 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  
Sheriff Robert Pickell, representing the Michigan Sheriffs' Association  
Director Kurt Jones, representing the Michigan Association of Chiefs of Police  
Mr. Bill Dennis, representing the Attorney General Mike Cox  
Prof. Ron Bretz, representing the Criminal Defense Attorneys of Michigan  
Chief Richard Mattice, representing the Michigan Association of Chiefs of Police  
Mr. David Morse, representing the Prosecuting Attorneys Association of Michigan  
Assistant Chief Ralph Godbee, representing Chief Ella M. Bully-Cummings, Detroit  
Police Department  
Captain Jack Shepherd, representing Colonel Peter C. Munoz, Michigan State Police  
Mr. Raymond Beach, Executive Director  
Mr. Tom Furtaw, Commission Counsel

**COMMISSION MEMBERS EXCUSED:**

Trooper Michael Moorman, representing the Michigan State Police Troopers Association

**COMMISSION STAFF PRESENT:**

Ms. Hermina Kramp	Ms. Cheryl Hartwell
Mr. David King	Mr. John Steele
Mr. Dale Rothenberger	Ms. Nancy Grace
Mr. Gary Ruffini	Mr. Wayne Carlson

**GUESTS (signing in):**

Sgt. Mark Filice – Ingham County Sheriff’s Office  
Deputy Gregory LaFraugh – Ingham County Sheriff’s Office  
Deputy Director Dawn VanHoek – State Appellate Defender’s Office  
Chief James St. Louis – Midland Police Department  
Grant Manager Abby Meyer – Michigan State Police Forensic Science Division  
Sgt. Todd Scott – Livonia Police Department  
Director Ron Ivey – Kellogg Community College  
Sgt. Michael Chambers – Detroit Police Department  
Chief Howard Chanter – Huron Clinton Metro Parks Authority Police Department  
Chief Gary Hagler – Flint Police Department  
Grant Administrator Pat Brady – Flint Police Department  
Sgt. Todd Opperman – Monroe County Sheriff’s Office  
Operations Manager Edward E. Mize – Michigan Department of Corrections  
Director Audrey Martini – Michigan State University  
Secretary Amanda Frederick – Michigan Department of Corrections  
Ordnance Manager Rick Tischer – Michigan Department of Corrections  
D/Sgt. David Eady – Michigan State Police  
D/Sgt. Terry Young – Michigan State Police  
Accountant James Bissett – Michigan State University Police Department  
Sgt. Maureen Kennedy – Michigan State University Police Department  
Sgt. Michele Hernandez – Michigan State Police  
Ms. Brenda McDonald – Eastern Michigan University  
Mr. Bill McDonald – Eastern Michigan University  
Director Paul Kuwik – Eastern Michigan University

**CALL TO ORDER:**

The Commission meeting was called to order by Chairman Gene Wriggelsworth at 9:00 a.m. at the Ingham County Sheriff Office in Mason, Michigan.

Sheriff Wriggelsworth asked Commission members and all in attendance to introduce themselves. He then thanked all for attending the meeting on this weather-challenged morning.

**PUBLIC COMMENT:**

There was no public comment.

**ATTORNEY REPORT:**

Mr. Tom Furtaw explained that there is an issue that we are starting to see emerge across the state where licensed police officers are either formally charged with felonies or are under investigation and the investigation may be leading to felony charges, and prosecutors are requesting revocation of the MCOLES license as a condition of a plea to a misdemeanor.

MCOLES currently does not technically have jurisdiction over these types of voluntary revocations, or relinquishments and is developing a procedure to deal with these cases. In the interim, Mr. Furtaw proposes that we work closely with the Prosecutors Association to require an affidavit to be filled out by the defendant stating affirmatively that they do not meet the moral fitness standard and voluntarily agree to relinquish their MCOLES license. An Order reflecting this action would be placed in the file and the license would be recognized as permanently revoked.

MCOLES also needs to begin coordinating with the Prosecutor's Association to ensure that prosecutors recognize the impact of reduced pleas in felony cases, and to work with MCOLES in cases where the officer wishes to rescind their license to ensure that the relinquishment is handled in accordance with law.

**CONSENT AGENDA:**

There was no consent agenda.

**ACCEPTANCE OF NOVEMBER 8, 2007 WORKING SESSION MINUTES:**

A **MOTION** was made by Sheriff Bosscher and supported by Director Jones to accept the November 8, 2007, working session minutes as written.

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

**ACCEPTANCE OF NOVEMBER 8, 2007 MEETING MINUTES:**

A **MOTION** was made by Mr. Buczek and supported by Sheriff Bosscher to accept the November 8, 2007, commission meeting minutes as written.

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

## **CHAIRMAN'S REPORT:**

### **Commission Resolution – Chief James St. Louis**

The Commission recognized Chief James St. Louis of the Midland Police Department and former Commission member for his service to law enforcement. Chairman Wriggelsworth read a resolution recognizing Chief St. Louis' contributions to the Commission and to the law enforcement discipline.

A **MOTION** was made by Chief Olko and supported by Chief Mattice to adopt the resolution for Chief James St. Louis recognizing his service to the Commission and to the law enforcement discipline.

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

On behalf of the Commission and MCOLES staff, Director Beach presented Chief James St. Louis with a Michigan Commission on Law Enforcement Standards plaque commemorating his service to the Commission from 2001 to 2007.

Chief St. Louis stated that the 5 or 6 years that he had on the Commission was one of the most rewarding experiences in his 24 years as Chief of Police. MCOLES reputation is very high across the state and the staff is unbelievable, professional, and skilled. This is an experience that he will never forget and he really enjoyed the time he spent on the Commission. Chief St. Louis thanked the Commission and staff for his recognition.

**Public Hearings** – Chairman Wriggelsworth reported that the last month was busy with several public hearings. The meetings were spread throughout the state with commissioners at all the meetings. The meetings went very well. The Commission received input at a few of those meetings.

**Private Security Meeting** – There was a recent meeting on private security licensing. The input from the various constituents was very valuable. This is an ongoing project as we are going to have more and more people in the private sector that want security services.

**Last Meeting as Chairman** – Chairman Wriggelsworth stated that this would be his last meeting as Chairman. It has been a very fast 2 years with all the funding issues that we have dealt with over the last couple of years.

## **EXECUTIVE DIRECTOR REPORT:**

The Commission still has many challenges to face, funding is one of those. The next year will most likely be similar, so he asked all present to keep that in mind. We still have work to do with this Legislature to fund not only MCOLES but many other services. It has been a great 2 years that went very quickly and he hopes he lived up to everyone's expectations. Thank you all.

**Automation of Testing** – Director Beach stated automation of the licensing examination is now fully operational at all of our regional training academies. Staff is now working on automating the Recognition of Prior Training and Experience (RPTE), the former Waiver program, to accommodate both the initial testing of the RPTE students and retesting of those who initially fail the licensing examination.

**Contact by Michigan Military Officials** – Director Beach was contacted by Michigan military officials with regard to a recent large group of military police returning from active duty in Iraq who are asking for some consideration in pursuing a career in law enforcement. The military is very interested in collaborating with MCOLES to look at the development of a federally funded special session that could be run in a couple of locations in the state that would allow for the retraining of these individuals in law enforcement.

**2008 Budget** – Director Beach explained MCOLES was fortunate enough to enter into a partnership with Office of Highway Safety Planning (OHSP). They have asked MCOLES to partner with them in the development of speed measurement standards for the state as well as imbedding the radar curriculum into our mandatory basic police training curriculum. OHSP would also like to see standards in the area of Standardized Field Sobriety Testing.

**STOP Violence Against Women Grant** – MCOLES was successful in receiving another STOP Violence Against Women grant award. The STOP grant in-service training has begun for fiscal year 2008. Both the University of Michigan Public Safety Department and the Oakland University Police Department have hosted training. In addition, cross professional training in partnership with PAAM and the Wayne County Prosecutor's Office have been scheduled for early March 2008.

**Curriculum Review** – Our mandated training curriculum continues to be reviewed. We are reviewing the curriculum in light of the information gathered during the job-task analysis in areas such as computer crimes, amber alert, autism, vulnerable adult, LEIN, and active shooter.

## **EXECUTIVE DIRECTOR REPORT Continued:**

**Corrections Appropriation** - In the 2008 budget, MCOLES was asked to administer a \$100,000 appropriation that would provide for mental illness awareness training to law enforcement. Senator Liz Brater is the legislator that sponsored the effort and we will be meeting with her to get direction relative to the Legislature's intent on what is to be accomplished with these funds. Additional information will be provided to the Commission at the next meeting.

**Annual Registration** – The Commission was provided with a handout that outlines the upcoming timelines for the 2008 annual registration and Law Enforcement Distribution expenditure reporting. The window for the registration will open January 7, 2008 and remaining open through March 7, 2008.

**MCOLES Network** – Director Beach explained that it is time to obtain a purchase order from the Department of Information Technology for the second year of a multi-year contract that will become effective February 1, 2008.

**Employee Recognition** – Director Beach explained that MCOLES has two employees that were recently recognized for their state service. Mr. Dale Rothenberger and Mrs. Cheryl Hartwell were both recognized for 30 years of service with the state of Michigan. We are very pleased to have their experience on the MCOLES staff.

**Special Use Request and Grant Adjustments** – Director Beach explained that included in the documentation for this meeting are the Law Enforcement Distribution Special Use Requests and Competitive Grant Contract Adjustments that have been recently acted upon. He stated that he would be happy to answer any questions regarding these actions.

**Stakeholder Meetings** – Director Beach stated that he would like to echo the Chair's comments on the recent stakeholder meetings. We had a successful swing through the state over a six day period last week. He expressed his sincere thanks to Commission members who took time to participate.

## **COMMITTEE REPORTS:**

**Executive Committee** – Chairman Wriggelsworth stated that the Executive Committee met prior to the regular meeting hosted by the Detroit Police Department. The topics of discussion will be coming before the Commission at the February meeting.

## **COMMITTEE REPORTS Continued:**

**Legislative Committee** – Mr. John Buczek reported that the committee is monitoring approximately 15 pieces of legislation that will affect MCOLES. We have added a few new pieces of legislation: two new bills deal with a senior medic alert; a bill that requires officers to make indication of race on traffic citations; and a bill that will regulate the conduct of physical and photo lineups. We are still dealing with SB 410 & SB 411 which would amend the emergency telephone service enabling act. The Act will sunset December 31st if nothing is done. Last week the Senate passed a bill that would extend the sunset until February. There has not been action on this bill in the House. There are also two bills that would extend the sunset for a year that have not seen any action.

**Public Act 330 Committee** – The committee met on November 27. The meeting was previously mentioned by the Chair. The meeting went well and requires no further comment.

**Nomination Committee** – Sheriff Pickell explained that he, Mr. DeVries, and Director Jones have discussed the nominations for Chairman and Vice Chairman on a number of occasions. The committee would like to present two names for these offices and they are: for Chairman the committee recommends Mr. John Buczek and for Vice Chairman Sheriff Jim Bosscher. These selections were unanimous selections by the Nominations Committee.

A **MOTION** was made by Sheriff Pickell and supported by Director Jones for the Commission to accept the names of Mr. John Buczek for Chairman and Sheriff James Bosscher for Vice Chairman of the Commission.

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

Chairman Wriggelsworth asked whether there were any nominations from the floor. There were no nominations from the floor.

A **MOTION** was made by Assistant Chief Godbee supported by Mr. DeVries to close the nominations from the floor.

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

Chairman Wriggelsworth stated that nominations from the floor are closed.

## **COMMITTEE REPORTS Continued:**

A **MOTION** was made by Mr. Bretz and supported by Mr. Morse to elect Mr. John Buczek as Chairman and Sheriff James Bosscher as Vice Chairman of the Commission.

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

Chairman Wriggelsworth explained that the Commission Director Beach had received an email from Commissioner Moorman in support of the committee's choices.

### **Recognition of Chairman Wriggelsworth**

The first act of newly elected Chairman Buczek was to recognize Gene Wriggelsworth's service to the Commission. On behalf of the entire Commission he thanked him for his hard work over the past 2 years. Chairman Buczek stated that it was a bumpy road for two years because of the funding problems. At times it took on a life of its own, but on Chairman Wriggelsworth's watch the Commission addressed ethics, regular employment and set our first in-service training standard for law enforcement in the state of Michigan, with the Active Duty Firearms Standard. On behalf of the entire Commission Chairman Buczek presented Sheriff Wriggelsworth with a plaque.

Sheriff Wriggelsworth stated it was an honor to be the Chairman of this Commission and with his being in Lansing it was a lot easier to meet with the Executive Director in addressing the Commission's business. It was made even easier by having both the Chairman and Vice Chairman in Lansing. Vice Chairman Buczek did a lot of the heavy lifting during my last year as Chairman, and I would like to recognize him for that. He is a hard worker and has a lot of institutional knowledge that he brings to the Commission. Sheriff Wriggelsworth also thanked Commission staff for all their assistance. He stated that the staff does a great job in providing support for the daily responsibilities of MCOLES and the Commission functions.

## **NEW BUSINESS:**

**Strategic Direction** – Mr. Dale Rothenberger provided everyone with a copy of the strategic plan report "Strategic Direction for Public Safety: A Report to Michigan" (see attached). He then presented a PowerPoint presentation (see attached copy of slides) outlining the progress to date on the plan.

The plan's objectives are:



## **NEW BUSINESS Continued:**

- 1 – Secure Dedicated Funding – numerous alternative funding sources have been explored. A funding coalition was formed with Fire, MCOLES, LEIN and PACC. The status of this initiative is ongoing.
- 2 – Implement the MCOLES Network – A paperless real time Web-enabled communication network between MCOLES, academies and law enforcement agencies. The status of this initiative is completed, however enhancements to the system are continuing.
- 3 – Update MCOLES Employment Standards – A review of all standards was undertaken with recommendations for updates. The hearing and vision standard were updated significantly 5 years prior and through this effort minor adjustments were made. The status of this initiative is completed with ongoing maintenance to maintain their validity.
- 4 – Update MCOLES Administrative Rules – There was a significant revision to PA 203 in 1998 that necessitated this effort. In addition, then Justice Training Rules were severely out of date. There were four rule sets that were combined into one 7 part Law Enforcement Standards and Training rule set. The rules were adopted in 2006. The Justice Training Rules were updated and became law in January of 2006. An act that was assigned to MCOLES by the Legislature in 2004 was the Public Safety Officers Benefit Act (PSOB), which required rules for implementation. The PSOB rules were written, then adopted in 2005. The status of this initiative is completed.
- 5 – Modernize Training Standards – In recruit training the Commission was interested in implementing adult learning. Staff conducted extensive research and met with subject matter experts to develop facilitator guides and conducted train-the-trainer sessions. A facilitated academy session was conducted at Ferris State University. A year ago, we held a regional conference in Lansing for twelve states where information was shared among the participants. The status of this initiative is ongoing.
- 6 – Modernizing Testing Standards – In 2002 we adopted an automated pre-employment test that came on-line. In 2006, the licensing examination was automated in October. The status of this initiative is completed, with responsibility to stay contemporary.
- 7 – Implement Mandatory In-service Training Standards – This has been an unexecuted statutory requirement of the Commission since 1965. In 2006, the Commission directed the development of the active duty firearms standard, driven by the federal Law Enforcement Officer Safety Act (LEOSA) which requires the passing of the state firearms standard; Michigan does not have one. In January of 2008, the firearms standard will be the first in-service training standard. The status of this initiative is ongoing.
- 8 – Implement Graduated Licensing – This initiative would replace the issuance of a permanent license upon gradation and employment. This would require the employer to complete an assessment of the recruit before the permanent license is issued. If the assessment is failed by the officer, an additional opportunity to gain licensure would

**NEW BUSINESS Continued:**

be afforded the officer through a second assessment with another employer. Currently we have determined the authority for this is not in Act 203, as there is a “shall issue” a license provision in the Act. The status of this initiative is ongoing, pending revision of Act 203.

- 9 – Revise Recognition of Prior Training and Experience Program – Currently the program is 40 hours in length with a firearms skill assessment and licensing exam. Staff has conducted research and the rules have been revised to allow for flexibility in adjusting this program to recognize both training and experience levels and take into consideration the position the individual will be taking. The status for this initiative is ongoing.
- 10 – Implement Academy Accreditation – The model is built around the Administrative Rules, Policy & Procedure Manual, and the academy operating plan. Academies are currently issued an Academy Operating Contract, to operate for the coming year. The status of this initiative is completed.

**Competitive Grant Awards** – Mr. Rothenberger provided an overview of the 2008 Competitive Grant process that was utilized to complete the grant assessments. Mr. Rothenberger explained the grants will be read in groups of five, then a representative of any of the five grants would have an opportunity to speak. ADJ-01 through C0-04

There were no comments.

**CO-05 through DEF-01**

Mr. Ed Mize – Operations Manager for Correctional Facilities Administration for the Michigan Department of Corrections explained Corrections’ interest in the tactical tracking. He stated that with dwindling resources in the state of Michigan this training is important to the department in partnering with the law enforcement community. The department has 21 emergency response teams throughout the state. These teams are specially trained in search and recovery, hostage, and other similar emergency situations. They have coupled with local law enforcement and other entities on several occasions.

One instance was the Ricky Holland case where the Department of Corrections helped do some tracking in Jackson. We have also assisted in the tracking of lost hunters in the Upper Peninsula. We have helped local schools with some drills. Because resources are short as we all know, our folks can muster a lot of people in a short period of time. We use the National Incident Management System (NIMS) and the unified command centers where we all work together to try to resolve emergencies quickly. He stressed that the

**NEW BUSINESS Continued:**

program that Michigan State Police uses the NIMS program as well. We try to be consistent with the State Police as the Director is committed to ensuring that Corrections is part of the community and will assist whether or not it is directly related to corrections. He stressed that tracking is a huge because they are clearly the individuals that respond with us when it is a corrections related incident and I would like you to consider that. Thanks.

**DEF-02 through LE-01**

Deputy Director Dawn VanHoek of State Appellate Defenders Office thanked the Commission for funding support of their programs. She further stated that as the Deputy Director she is interacting with the legislature much more now on budgetary matters for her agency and as a stakeholder in the training community. MCOLES can continue rely on her personally and the criminal defense community for securing dedicated funding for training. She was happy to work with legislators this year to that end and the Commission can count on her next year as it sounds like it probably will be needed. So hopefully the Commission can hold on to the Justice Training Fund money.

**LE-02 through LE-06**

There were no comments.

**LE-07 through LE-11**

Chief Gary Hagler from the Flint Police Department stated that over the last eight years two Flint police officers have been killed in the line of duty during emergency vehicle operations. The department views this training initiative as an opportunity to add training as it is an important component in reducing this type of tragedy through the advanced emergency vehicle operations training that the department will provide to its 263 sworn officers. In addition to that, as a member of the local regional training commission in Flint that supplies three counties with training, we have 50 member agencies that will have the opportunity to send their officers to this training. This training will then reach approximately 1,000 officers across the three county area. He thanked the Commission for its consideration and the recommended funding level for us.

Paul Kuik – Director of Centers of Institutes at Eastern Michigan University representing the Center for Regional and National Security. He thanked the Commission for their support. He also reminded the Commission that the Staff and Command program that has been in existence for almost 20 years now has been totally revised this year. They are looking for some new and exciting training activities in the new training program which

**NEW BUSINESS Continued:**

is going to be both on campus and at the Detroit Police Department. He also asked for reconsideration for upgrading hardware support of their computer systems in the near future. There is a difference in the Forensics and Cyber Crime programs of about \$14,000. He asked the Commission to take second note of that in the review process. Thank you for continued support of programs at Eastern Michigan University.

**LE-12 through LE-16**

Sgt. Mark Filice – The Ingham County Sheriff’s Office thanked the Commission on behalf of the Sheriff’s Office for their continued funding support of emergency vehicle operations and firearms training and recognizing the importance of this training.

**LE-17 through LE-21**

Commissioner Jones stated that on the Northern Law Enforcement Training Grant (Kirtland Community College) there is a reduction for Skid Car use and Range 3000. In the narrative analysis it is because the guidelines state that they can’t rent their own equipment. However, Kirtland is a facilitator and the Northern Training Consortium is the grant applicant, so we have to have that equipment rented from somewhere, whether it be from Kirtland or from Jim or whoever, so I think that we should take a look at adding that back in so that we can provide that Range 3000 and the Skid Car training. The equipment has to be rented somewhere.

**LE-22 through LE-26**

Sgt. Michelle Hernandez, Michigan State Police in the Sex Offender Registry Section, is the statewide Enforcement Coordinator for the Registry. She stated that on behalf of all of her staff, as a first time award recipient, she thanked the Commission for their support of this training. She further stated that on any given day, as of November, they have 42,000 sex offenders in Michigan and at any point time they have at least 10,000 violators of the registry. This grant is a prime opportunity to provide much needed training. A number of agencies have been working to track these individuals, but without the necessary training to support that effort, it is difficult to track all of these individuals.

Grant Manger Abby Meyer, Michigan State Police Forensic Science Division thanked the MCOLES staff for all their support in assisting them to meet our objectives. This has been a very challenging year and the Division appreciates the flexibility and assistance that they have received from the staff in trying to meet our training objectives in light of that. She also thanked the Commission for their recommendation to continue funding their training programs in 2008.

**NEW BUSINESS Continued:**

Detective Sergeant Terry Young with the Michigan State Police Violent Crimes and a member of the Special Operations Division in reference to the Forensic Artist grants, he thanked the Commission for the continued support. He stated that with the size and amounts of the other grants, his grant could have been easily swept under the table and they appreciate that and the support for the forensic artists. The artists serve not only the Michigan Department of State Police but local agencies as well, so thank you for your consideration.

**LE-27 through LE-31**

There were no comments.

**LE-32 through LE-36**

Chief Olko stated that on the Precision Immobilization Technique (PIT), she knows that our subject matter experts didn't favor this when reviewed, however there is a place for PIT in Michigan and she hopes that the State Police would return next year with this grant.

Audrey Martini, Michigan State University School of Criminal Justice, thanked the Commission for again funding the delivery of the Command Officer Certificate Program. Last year this came to you as First Line Supervision. There were 11 trainees who completed all three courses. These trainees felt that these courses were applicable to every rank in the police structure so they renamed it Command Officer Development. Those three courses, with a blended learning format were presented to the Commission a couple of months ago. For the second offering of these courses, they have twice that number of students registered for the blended learning course. She once again thanked the Commission for giving them the funding to present these courses.

**LE-37 through LE-41**

Sgt. Maureen Kennedy, Michigan State University Police Department, thanked the Commission for their funding support of the forensics grant with their department.

Audrey Martini, Michigan State University School of Criminal Justice, thanked the Commission for their funding consideration of the Police Executive Development Series, which is a three day class held in October. And again, for the second year, the course is full and participants have been turned away. She also thanked the Commission for

**NEW BUSINESS Continued:**

allowing them to development a 400 hour program that will assist in putting some of the Commission's problem-solving adult learning interactive type strategies into operation. Sgt. Todd Opperman, Monroe County Sheriff's Office, stated that on behalf of Sheriff Cruchfield, he wanted to thank the Commission for support of the Monroe County regional training grant.

**LE-42 through PA-03**

There were no comments.

Mr. Rothenberger stated that the total amount of funds available for award is \$ 3,236,772. The recommended grant award levels would commit all the available funds for 2008.

Mr. Tom Furtaw stated that pursuant to the Commission Bylaws, there is a requirement that any Commissioner who has an interest, or an oversight, or a connection with a grant, recuse themselves from voting on that grant. That would include any direct or indirect connection, so he advised that if there is a close call, the member recuse themselves to be on the safe side and be in compliance of the bylaws.

With that said, the following Commissioners recuse themselves from voting on the specific grants listed:

Assistant Chief Godbee asked to be recused from grant numbers LE-05 and LE-09.  
Mr. Morse asked to be recused from grant numbers PA-01, PA-02, PA-03, and ADJ-01.  
Captain Shepherd asked to be recused from all the Michigan State Police grants.  
Chairman Wriggelsworth asked to be recused from grant numbers LE-15 and LE-16.  
Mr. Bretz asked to be recused from all the Criminal Defense grants.  
Sheriff Bosscher asked to be recused from grant number LE-21.  
Director Jones asked to be recused from grant numbers LE-07 and LE-21.  
Chief Mattice asked to be recused from grant numbers LE-12, LE-13, and LE-20.  
Sheriff Pickell asked to be recused from grant number LE-11.

A **MOTION** was made by Mr. DeVries and supported by Mr. Morse to accept the funding levels of the 2008 Competitive Grant applications as written.

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

**NEW BUSINESS Continued:**

**2008 Meeting Schedule** – Mr. Beach explained that the proposed Commission Meeting Schedule for 2008 is provided in the Commission’s blue folders. He asked the Commissioners to compare the proposed meeting schedule with their personal schedules for potential conflicts. Mr. Beach reviewed the proposed schedule with the Commission. Mr. Beach will keep the Commission abreast of any funding impacts on the scheduled meetings. He asked Commissioners to get back with him by January 15<sup>th</sup> with any scheduling conflicts they have, after which he will post the schedule to the Web.

**Public Safety Officer Benefit Update** – Mr. Rothenberger explained that the Commission has a case that dates back to 2004 involving the Fire Chief in Eaton Rapids Township of Eaton County. Mr. Wilber died of a heart attack at the scene of a fire call. The death certificate stated that the death was of natural causes due to long term diabetes militias for 40 years and coronary arterial sclerosis for months. The medical examiner was asked for a specific statement as to whether his death was job related and the medical examiner declared the death to be natural and not a direct and proximate result of personal injury sustained in the line of duty. This was discussed with the surviving spouse. The Commission sent her on February 2, 2006, a letter denying the claim because the death was determined to be of natural causes. The letter stated that the Commission would reconsider her claim under the provisions of administrative rule R 28.14956 if evidence to the contrary finding is made by United States Department of Justice under the provisions of the federal Public Safety Officers Benefit Act.

Mrs. Wilbur called Mr. Rothenberger on November 15<sup>th</sup> notifying the Commission that she had received an award letter from the Department of Justice. She provided MCOLES with a copy of the letter. The Commission needs to decide what to do with this information as to whether to continue to deny the claim or whether to make an award.

Mr. Beach reminded the Commission that we built into our process a default mechanism wherein the Commission would defer to the federal government. Unfortunately in the past, the federal government had been deferring to us. As Mr. Rothenberger has indicated, it looks like they have changed their position on heart attacks and he would recommend the Commission reconsider this case for approval to pay the death benefit.

A **MOTION** was made by Mr. Buczek and supported by Mr. Bretz for the Commission to honor our commitment to officers losing lives in the line of duty by honoring this request for payment of the death benefit as prescribed by the Public Safety Officer Benefit Act.

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

## **NEW BUSINESS Continued:**

**Training Academy Proposals** – Mr. John Steele provided an overview of all academies that currently have operating proposals with the Commission. Each of the 21 academies has submitted an operating plan to staff and have been issued a standard form contract. Currently the Michigan State Police and the Department of Natural Resources have indicated they have no plans to hire individuals. Most contracts have been received by MCOLES. The remaining operating plans are due by December 31<sup>st</sup>.

The Detroit Police Department plans to hire approximately 200 officers, which means several sessions throughout the year. Each session would have about 30 students. Last year the Detroit Police Department and the Wayne County Community College District collaborated in an effort to provide the training academy under the auspices of the college and that has since changed as of October of this year.

Most regional academies operate two sessions per year. The pre-service track programs operate one session per year. The exceptions to the regional academies operating two sessions per year are Northern Michigan University, Grand Valley State University and Lansing Community College which operate only one session per year. The enrollment expectations, as provided in the operating contract, are between 20 and 45. Over the last couple of years, academies have not realized enrollments on the high end, they have been more toward the high teens to low 20's.

Overall, all the academies exceed the mandatory 562 hours and they expose the recruits to different subject matters. Many exceed the mandatory hours specifically in the skill areas; firearms, emergency vehicle operations, subject control along with legal instruction and report writing.

Sheriff Bosscher recommended that the staff look at the academy sessions and determine whether or not they are all necessary due to the small number of recruits some are graduating.

## **OLD BUSINESS:**

**Law Enforcement Officers On-Line** – Mr. Ruffini reported that this project is completed and the number of officers accessing their records on-line is increasing weekly. Individuals now have the ability to review their training and employment history from any location at any time.



## **OLD BUSINESS Continued:**

**Active Duty Firearms Standard** – Mr. Carlson reported that the pilot test for the proposed Active Duty Firearms Standard is complete. The pilot period was from May 1st to December 1, 2007. Eighteen agencies and one training consortium participated in the pilot test. The pilot sites were asked to implement the educational, decision-making component of the standard, as well as the course of fire.

There were over 1,000 officers who have participated in the proposed standard and nineteen agencies. Of the officers that participated, nine officers with two different agencies were unable to achieve a successful completion of the standard after five attempts. The combat scoring area was adequate for having the officers achieve the outcome. The field told staff that there is a need for testing sighted fire which added a stage of fire to the program at a 10 yard distance and for 60 seconds the officers shoot three rounds using sighted fire. The agencies and instructors stated that they wanted some sort of reinforcement of those mechanical skills using sighted fire. The four/seven yard line phase posed a little problem for some agencies, but they innovated on how they set that up.

The educational component was viewed, at first, as only a classroom exercise. After speaking with the pilot sites and talking with the firearms instructors, they discovered that they were able to deliver the educational component in a variety of manners. Some on the firearms range, some through FATS, some through review of policies. Five agencies out of the total were unable to complete the training objects in the training component. As we move forward with our educational efforts next year, we want to make sure that all the agencies understand that the decision to shoot is equally as important as the ability to shoot.

In summary, the model is developed, the pilot test is now done and it seems to be working fine. Staff's recommendation to the Commission is that the Commission adopt the Active Duty Firearms Standard including the additional stage of fire at the 10 yard line as the recommended standard for law enforcement in Michigan. This completed standard and the recommended implementation plan will be presented for action to the Commission in February and in 2008, staff plans to continue with the educational efforts.

Director Beach recommended that the Commission wait to give final approval after the education/implementation plan is presented in February. Director Beach commended Wayne and the rest of the staff who have worked on this standard. We have received nothing but very positive comments from agencies.

## **OLD BUSINESS Continued:**

**Administrative Rules Update** – Mr. Rothenberger explained that the Recruit Training Rules, which are part three of the Standards and Training rules set, are in the promulgation process. We just held five public hearings around the state. We had approximately 50 people attend those meetings and no one made a comment positive or negative. From our perspective, this is positive because it means is that we have done our homework. We have answered their questions in advance and now when we are in the formal stage it is a matter of going through the 28 step process toward final adoption. It looks like the rules will not be changed. From here we prepare an agency report to be submitted to the State Office on Administrative Hearings and Rules and then they will forward that to the Joint Committee on Administrative Rules of the Legislature. Then the report goes through its 15 day waiting period. During that time, the Commission can formally adopt the rules, then as soon as the waiting period is over, file them with the Office of the Great Seal and they will become administrative law immediately.

What is being asked of the Commission today is a motion to grant authority to adopt the rules to the Chairman so that he may act on behalf of the Commission at the proper time, which will probably be in January, instead of waiting for the meeting in February. If it gets to the point that we need to wait until the February meeting then we can act on this again. Another thing the Commission needs to do is to adopt the draft rules as policy so that the field representatives can use the rules in current circumstances with the caveat the existing rules or law would take precedent.

A **MOTION** was made by Mr. DeVries and supported by Director Jones to grant authority to the Chairman to adopt the rules at the time the waiting period is completed and they are filed with the Office of the Great Seal.

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

## **MISCELLANEOUS:**

### **Recognition of Ms. Barbara Best**

Chairman Wriggelsworth read the resolution for Ms. Barbara Best recognizing her retirement from the Michigan Commission on Law Enforcement Standards and the state of Michigan.

A **MOTION** was made by Mr. DeVries and supported by Assistant Chief Godbee to adopt the resolution for Ms. Barbara Best recognizing her service to the Commission and to the state of Michigan.

**MISCELLANEOUS Continued:**

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

Director Beach presented a plaque to Ms. Barbara Best on behalf of the Commission. He stated that Barbara is well known around the state for her pioneering efforts with the MCOLES Information and Tracking Network and will be missed by all.

**Recognition of Ms. Theresa J. Hart**

Chairman Wriggelsworth recognized the service of Ms. Theresa J. Hart to the Michigan Commission on Law Enforcement Standards. Ms. Hart accepted another position with the Michigan Department of State Police Criminal Justice Information Division.

A **MOTION** was made by Mr. Morse and supported by Mr. Buczek to adopt the resolution for Ms. Theresa J. Hart recognizing her service to the Michigan Commission on Law Enforcement Standards.

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

On behalf of Commission and staff, Director Beach presented Ms. Hart with a plaque to recognize the 10 years that she has served as Commission Liaison, as well as the years she served in various other capacities for MCOLES.

**NEXT MEETING:**

Date: February 19-20, 2008

Location: Bay Valley Resort and Delta Community College  
Bay City, Michigan

**ADJOURNMENT:**

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

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

**ADJOURNMENT Continued:**

The meeting was adjourned at 10:14 am.

APPROVED BY \_\_\_\_\_ ON \_\_\_\_\_

WITNESSED BY \_\_\_\_\_ ON \_\_\_\_\_