
Michigan Commission on Law Enforcement Standards
Commission Meeting Minutes
April 15, 2015
Lansing, Michigan

COMMISSION MEMBERS PRESENT

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

COMMISSION MEMBERS EXCUSED

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

OTHERS PRESENT

Mr. David Harvey, MCOLES Executive Director
Ms. Hermina Kramp, MCOLES Deputy Executive Director
Mr. John Szczubelek, Assistant Attorney General and Commission Counsel
Ms. Jacquelyn Beeson, MCOLES Staff
Mr. John Steele, MCOLES Staff
Mr. Patrick Hutting, MCOLES Staff
Mr. David Lee, MCOLES Staff
Mr. Danny Rosa, MCOLES Staff
Mr. Wayne Carlson, MCOLES Staff
Mr. Darnell Blackburn, MCOLES Staff
Ms. Deb Thelen, MCOLES Staff
Mr. Lynn Ried, MCOLES Staff

CALL TO ORDER

The Commission meeting was called to order by Vice-Chair John Calabrese on April 15, 2015 at 10:30 AM. The meeting was held at Lansing Community College-West Campus in Lansing, Michigan.

INTRODUCTIONS

Vice-Chair Calabrese called the meeting to order at 10:30 AM. He introduced himself and asked the Commissioners and staff to do the same.

ACCEPTANCE OF THE MARCH 11, 2015 SPECIAL COMMISSION MEETING MINUTES

A **MOTION** was made by Commissioner Olko and supported by Commissioner Buczek to approve the March 11, 2015 Special Commission Meeting Minutes as written.

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

ADDITIONS/CHANGES TO THE AGENDA

There were no changes to the agenda.

COMMITTEE REPORTS

There were no Committee Reports.

CHAIR'S REPORT

Law Enforcement Officer Position Report – Vice-Chair Calabrese advised the report was part of the e-mail sent to the Commissioners. The downward trend continues with the number of individual officers lost now crossing the 4,000 mark.

Special Use Requests – This report was also sent to the Commissioners prior to the meeting. There were no questions or comments with regard to the report.

Grant Adjustments – Vice-Chair Calabrese advised the Commissioners that they received this document with the meeting notice e-mail. Again there were no questions or comments.

Executive Director Harvey advised he had sent out his March Director's Report which updated the Commissioners on MCOLES.

Building Issues – Director Harvey provided the Commissioners with an update on the building remediation. He stated that they failed the first inspection. More work was completed and they passed the second inspection. The remediation should be complete in May.

June Commission Meeting – Typically we have taken the June MCOLES Commission meeting on the road. Do we want to do that again this year? Commissioner Grabowski proposed that we hold the meeting where it is most cost effective. Vice-Chair Calabrese agreed and determined that the June meeting will be held in Lansing.

CONSENT AGENDA

Executive Director Harvey advised that there were two revocations for the Commission to consider. The two revocations were for Terrance Bush and Dick Teamer. Both revocations were for felony convictions and Executive Director Harvey advised they could vote as a consent agenda.

A **MOTION** was made by Commissioner Mawer and supported by Commissioner Wendling to revoke the licenses of Terrance Bush and Dick Teamer.

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

NEW BUSINESS

Vice-Chair Calabrese advised that at the last meeting the Commission suggested that the Chair, Vice-Chair and Executive Director attempt to get on the Agenda for the next CLEAR meeting. He advised that he and Director Harvey attended the CLEAR meeting. He advised that there was a very lengthy discussion. Vice-Chair Calabrese stated that the message from CLEAR was that they are looking for complete reinvention of MCOLES. He stated that Commission Resolution 2015-01 voted on at the last Commission meeting was not even discussed. He stated that his interpretation was that unless MCOLES reinvents itself to the approval of CLEAR there would be no funding. He also advised that he felt sure that if they did not come up with the change themselves, CLEAR and the Governor would do it for them. There was a lengthy discussion with questions and answers among the Commissioners. The following issues were included in that discussion.

- Commissioner Olko asked if CLEAR gave any indication of what changes they expected. Vice-Chair Calabrese stated they gave no suggestions except to say they wanted a new business plan.

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- Commissioner Grabowski who sits on the CLEAR Committee advised there is a feeling that MCOLES is not functioning and using the authority they have been given and that MCOLES needs to be “blown up”. He admitted that he was also unclear what that actually meant.
 - Chair Clayton advised that he had a discussion with the Governor’s staff also. He said that everything is on the table. We are starting the reinvention with a clean slate. Chair Clayton advised that the bottom line is that the Governor wants a return on his investment. If he is going to fund us, he wants to see a measurable outcome.
 - Chair Clayton stated that they used the Next Generation 911 model as an example. They developed a new model not just for today but for the future also.
 - Chair Clayton stated that MCOLES needs to develop a business plan that will provide the best approach for managing the Law Enforcement profession. He feels this should include regulating standards for Officers, Academies and Agencies. The plan needs to determine how we complete this task and what set-up is needed to accomplish the end goal.
 - The funding will give us the ability to have the most professional officers, agencies and academies and get the greatest return on the investment.
 - Commissioner Clayton emphasized that status quo will not be acceptable and MCOLES must be in a position to meet the above tasks now and in the future.
 - Commissioner Mioduszewski questioned the meaning of “blow up” MCOLES. Per the Chair this means starting with a blank slate and answering the question, “How do we impact professional standards?”
 - Commissioner Olko stated her concerns. She stated that MCOLES and CLEAR have no meetings in common. She feels working through CLEAR is cumbersome and secretive. She believes they support SB 92 and SB 93 but doing nothing to get the Bills through. Chair Clayton advised that the problem is SB 92 and SB 93 are just more of the same. He stated you cannot achieve reinvention if you stick with the same architecture. Whether we agree with the reinvention or not we need to follow their plan if we expect to get funding.
 - Commissioner Calabrese advised that he and Chair Clayton are meeting with CLEAR at the end of the month.
 - Chair Clayton advised that the Next Generation 911 Reinvention is a template to get us started. Again he reiterated that if the submitted proposal does not support a new business model with set outcomes, it will not be accepted by CLEAR.
 - Executive Director Harvey advised that he has been working with staff and has begun development of a plan by looking at the global picture and determining how MCOLES fits into the picture. He stated that the plan includes creating a new Bureau under LARA. This bureau would include the following agencies:
 - MCOLES
 - Corrections
 - 911
 - Paramedics
 - Fire
 - Executive Director Harvey added that MCOLES would have the following duties:
 - Exercise their authority

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- Create mandatory In-Service Standards
 - Create mandatory Pre-Service Standards
 - Create mandatory Agency Standards
 - Add regulation of Reserve Officers
 - Add regulation of Private Security Officers
 - Add local Corrections
- Commissioner Olko advised that she felt LARA was a good location since MCOLES is a Licensing Board and she also felt it was time to exercise our authority. She continued to say she was also on board with overseeing reserve officers.
 - Vice-Chair Calabrese stated that he needed some input from the Commissioners before the April 30th meeting. At the June 4th meeting they were going to have to present the new model and it will determine if we get funding.
 - Commissioner Bosscher expressed concern with the time frame. He felt more time was needed to digest all this information and he felt more clarification was needed.
 - Executive Director Harvey emphasized that it makes more sense to be under LARA instead of MSP since we will be a regulatory agency. He also stated that the objective of the business plan was not cost savings but outcomes. How do we guarantee professional officers and agencies?
 - Commissioner Calabrese reiterated that they were meeting with CLEAR on April 30th. At that meeting they are going to present the basic plan and inquire as to whether they were going in the right direction.
 - Chair Clayton advised if they got a positive reaction at the April meeting then there were a few more pieces that would be needed for the plan before the June 4th meeting.
 - The main focus needs to be how does this recommendation lead us to the outcome of the most professional agencies, academies and officers? In addition to articulating the outcomes, we also need to map out the paths that will lead to these outcomes.
 - Commissioner Grabowski also emphasized that the Agency Standards need to be revisited because they were also an area of concern for CLEAR. Commissioner Olko questioned whether we currently have the authority to mandate the Agency Standards. Vice-Chair Calabrese stressed that CLEAR feels that agencies should be regulated and licensed and therefore whether or not we have the authority is not the question.
 - Commissioner Timpner asked how we would go about regulating Best Practices. Commissioner Calabrese advised it would most likely be through inspections and Director Harvey stated it would similar to how we handle LED inspections.
 - Commissioner Buczek questioned why CLEAR was not happy with the Agency Standards that were submitted. Chair Clayton stated that he felt they were not satisfied because it was not submitted with the reinvention plan. He said that if we add them into the new business plan we develop they may be acceptable.
 - Commissioner Buczek asked the Chair and Vice-Chair to explain what they will tell CLEAR at the April meeting. They stated they wanted to ensure CLEAR that they are the right body to regulate and they can develop an acceptable plan. They will present CLEAR with the blueprint and explain where MCOLES is heading. Hopefully they will get an approval from CLEAR. Vice-Chair Calabrese added that if CLEAR accepts the plan, hopefully they will get a chance to present it to the Governor. He stated that he will report back to the Commission at the June meeting.

PUBLIC COMMENT

John Szczubelek asked to address the Commission during the Public Comment. He stated that he felt it was by design that CLEAR did not provide any more details concerning what they wanted with regard to the reinvention of MCOLES. The test is to see if you can develop a plan that meets or exceeds the Governor's expectations. He feels elimination of unneeded regulation is a large part of the Governor's plan. He expressed that MCOLES needs to determine how they can best help law enforcement and do it in conjunction with a business model. He also stated that we needed to learn from areas of contention in the past. It is important to look at the organizations that are being served and to ensure our regulatory actions meet the Governor's expectations.

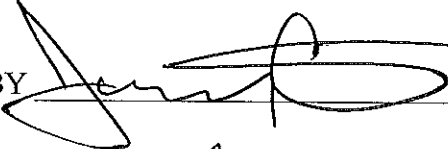
NEXT MEETING:


Date: June 10, 2015

Location: Lansing

ADJOURNMENT:

Commissioner Buczek made a **MOTION** to adjourn that was supported by Commission Mioduszewski.

APPROVED BY  ON 6/10/15

WITNESSED BY  ON 6-10-15