
Michigan Commission on Law Enforcement Standards
Commission Meeting Minutes
April 13, 2016
Lansing, Michigan

COMMISSION MEMBERS PRESENT

Sheriff Jerry Clayton, representing the Michigan Sheriffs' Association
Director John Calabrese, representing the Michigan Association of Chiefs of Police
Chief Doreen Olko, representing the Michigan Association of Chiefs of Police
Lt. Col. Rick Arnold, representing Colonel Kriste Etue, Michigan State Police
Sheriff James Bosscher, representing the Michigan Sheriffs' Association
Professor Ron Bretz, representing the Criminal Defense Attorneys of Michigan
Mr. John Buczek, representing the Fraternal Order of Police
Mr. Richard Weiler, representing the Police Officers Labor Council
Mr. Fred Timpner, representing the Michigan Association of Police
Chief Donald Mawer, representing the Michigan Association of Chiefs of Police
Ms. Laura Moody, representing Attorney General Bill Schuette
Mr. Michael Wendling, representing the Prosecuting Attorneys Association of Michigan

COMMISSION MEMBERS EXCUSED

Mr. Ken Grabowski, representing the Police Officers Association of Michigan

STAFF 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
Ms. Diane Horwath, MCOLES Staff
Ms. Sandra Luther, MCOLES Staff
Ms. Joyce Nelson, MCOLES Staff
Ms. Gina Rosendall-Saucedo, MCOLES Staff
Ms. Rhonda Hooson, MCOLES Staff

GUESTS (SIGNING-IN)

Sgt. Mark Young, Detroit Police Lieutenants & Sergeants Assoc.
Sgt. Robert Ford, Oakland County Sheriff's Office

CALL TO ORDER

The Commission meeting was called to order by Chair Jerry Clayton on April 13, 2016 at 10:30 AM. The meeting was held at the MCOLES Office in Lansing, Michigan.

INTRODUCTIONS

The Chair introduced himself and asked the Commissioners, staff and members of the audience to do the same.

ACCEPTANCE OF THE FEBRUARY 10, 2016 COMMISSION MEETING MINUTES

A **MOTION** was made by Commissioner Olko and supported by Commissioner Buczek to approve the February 10, 2016 Commission Meeting Minutes as written.

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

ADDITIONS/CHANGES TO THE AGENDA - None

CHAIR'S REPORT

Law Enforcement Officer Population Report - The electronic distribution contained the LEO Population report for March. There was an increase in the number of agencies with the formation of the Schoolcraft College Police Department, and a slight uptick in the number of officers and positions. There were no questions or comments.

Grant Adjustments – Commissioner Clayton stated that the electronic copy of this report was sent out with the Commission documents. There were no questions or comments.

Special Use Requests- This report was contained in the electronic distribution. There was a change for a SUR submitted by Detroit Police Department (DPD) that was approved at the December meeting. DPD added two additional attendees to the training which increased the amount of the request by \$2,394.14. There were no questions or comments.

DIRECTOR'S REPORT

Joyce Nelson – Director Harvey advised that Joyce Nelson, the MCOLES Investigator, was leaving. He added that she would be taking over at Washtenaw's Academy. Joyce was presented an award for her service. Chair Clayton congratulated her and stated he was glad to have her at Washtenaw.

Audit – Executive Director Harvey stated that the Auditor General was still at MCOLES. He added that there is probably going to be a finding coming from the audit. He explained that it was due to MCOLES personnel shortage. Director Harvey advised that we only inspect 60 of our 517 police agencies each year. At these inspections we check for receipts and documentation that the LED money was spent correctly and that all personnel that is part of the FTE count are properly licensed. To increase inspections MCOLES needs more personnel. The auditors are aware of this.

IADLEST Conference - Director Harvey reminded the Commission the IADLEST Conference would be coming to Grand Rapids from June 5-8, 2016. He stated that there were 60 international representatives already committed. There will be activities for everyone who attends, and most of the MCOLES staff have volunteered to assist at the conference therefore are being granted full access without charge.

June Commission Meeting – Director Harvey advised the Commission that the Michigan Sheriff's Association had invited MCOLES to bring their June Commission meeting to Grand Rapids and hold it in conjunction with their conference. The Commission meeting will be on Monday, June 13th at the Amway Grand in Grand Rapids.

IADLEST – Chair Clayton thanked Director Harvey for his work with IADLEST.

COMMITTEE REPORTS

Executive Committee – Chair Clayton advised that the focus of the Committee meeting was the current reality and succession planning. He added that Executive Harvey's contract expires in September and it needs to be discussed at the June meeting. He stated that the Executive Committee decided to do an evaluation of the Executive Director and it would include feedback from staff, Commissioners and Lt. Col. Arnold. He added that it was important to look at a 3-year contract due to the need for stability.

The Executive Committee also discussed MCOLES vacant staff positions. Per the Executive Director it had become necessary to fill two more positions – the Investigator and the Curriculum Developer position. He added with the passing of SB 92 and 93, there would be more tasks. The Bills seem to be moving without problems so it is imperative that we hire.

He stated that the Curriculum Developer position had been filled when it was last posted, however the chosen applicant declined the offer. At the same time TTL became restricted so he did not fill the position. MCOLES is now falling behind with statutory requirements. Adding responsibilities for reserve officer oversight will create a large amount of work making filling the position critical. Executive Director Harvey stated the position is funded in the current budget. He added that there is

also currently a person on a long term medical leave who will probably be retiring in June creating another vacancy and staffing shortfall.

Executive Director Harvey suggested to the Executive Committee that it may be time to start looking into charging a licensing fee. He added that the Commission currently has the statutory authority to assess a fee. The last time this was brought up it was suggested to charge a \$25.00 fee. If we made it a \$100.00 fee it would generate approximately \$1.8 million. If you remove the \$600,000.00 TTL and the loss of our General Fund there would be about \$300,000 to \$400,000 left to put into training. Executive Director Harvey added even if we approved of the fee today, the process would take until fiscal year 2019 to see the funding. He stated that he continues to work on funding without the fee; however this may be needed as a backup plan. He stated that we are being told we will get 5% from the Marijuana Bill but we do not know how much that would be. It is necessary to find funding that will keep MCOLES stable. Chair Clayton advised that it is necessary to explore all options and start a conversation about charging the fee. Commissioner Olko stated that she was not in favor of the fee in the past however times have changed. MCOLES needs to find a stable funding source.

CONSENT AGENDA

Executive Director Harvey advised that there were three revocations for the Commission to consider. The three revocations were for Clifford Gullion, Jason Kitts and Shunta Small. All three revocations were for felony convictions and Executive Director Harvey advised they could vote as a consent agenda.

A **MOTION** was made by Commissioner Timpner and supported by Commissioner Bosscher to revoke the licenses of Clifford Gullion, Jason Kitts and Shunta Small.

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

NEW BUSINESS

Commission Resolution 2016-04 – Resolution Honoring Sergeant Joseph Abdella – Chair Clayton read into record Commission Resolution 2016-04 and presented it to Sgt. Mark Young from the Detroit Police Lieutenants & Sergeants Assoc. Sgt. Young addressed the Commission and thanked them on behalf of the Abdella family and stated they were honored.

A **MOTION** was made by Commissioner Bretz and supported by Commissioner Weiler to approve Commission Resolution 2016-04 honoring Sergeant Joseph Abdella and extending public safety officers benefit.

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

OLD BUSINESS

IADLEST National Certification Program (NCP) for Training Courses – Executive Director Harvey

reminded the Commissioners that he brought the program to the attention of the Commissioners last year. At that time there were some questions so today he had a PowerPoint to present that would hopefully answer any remaining questions.

Director Harvey advised that the NCP would help to eliminate problems with training that is not up to par. He said that under this program the training will have to go through a vetting process that consists of 250 SMEs.

Director Harvey stated that the vetting process included:

- 1) Instructor qualifications
- 2) Training Safety
- 3) Evaluation of on-line courses to ensure the material has to actually be viewed by the student
- 4) Evaluates the class numbers compared to the instructor numbers
- 5) Verifies that the material is current
- 6) Verifies that the material is non-discriminatory

The NCP is not a cost savings for Michigan agencies and it does not affect Michigan trainers and trainings. If the training is coming in from out-of-state it will be put through the vetting process. Pat Hutting of MCOLES will still have to vet the trainings due to the use of 302 funds.

Some additional information passed on to the Commissioners included that the cost of the NCP will be attached to the vendor and the money will go to IADLEST.

Following the PowerPoint presentation a discussion of the NCP was held with the following conversation points:

- The NCP would be a positive benefit for some of the vendors who offer mediocre trainings.
- The fee would be waived for Government and Non-Profit agencies.
- Hopefully it would eliminate some fly-by-night vendors.
- Concern that vendors with known good trainings are being forced to pay an unnecessary fee.
- Force a standardization of training
- Not a restriction on training – just security that the training is good
- Fee is \$250.00 per program submitted but there is a discount based on volume.
- Director Harvey is looking for the authority to make vendors entering Michigan go through the NCP and wants the authority to make exceptions for special circumstances.

A **MOTION** was made by Commissioner Olko to sign on to IADLEST's National Certification Program requiring out-of-state vendors coming into Michigan to go through this program and authorize MCOLES to look at exceptions.

Another discussion occurred with the following highlights:

- NCP seemed laborious and unneeded – unnecessary to limit the vendors.
- Was it possible for Pat Hutting to follow the NCP process as part of his 302 approval?
- Was a decision necessary today?
- Other states use the same vendors, so some of the trainers may already be vetted.
- Time frame for approving a submitted training?
- Trainers that failed, made improvements to their training and then got the certification

Chair Clayton stated that he understood the concerns. He suggested that Director Harvey lay out a 1-page document with a more defined procedure. He stated that the Commissioners could check on the trainers that were already approved and then at the June Commission meeting a vote could be taken either approving or not approving Michigan using the NCP to vet trainings coming into Michigan.

PUBLIC COMMENT

There was no public comment.

NEXT MEETING


Date: June 13, 2016

Location: Grand Rapids

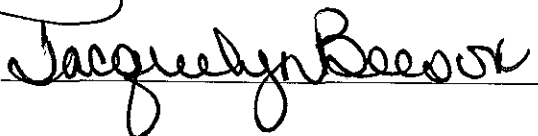
ADJOURNMENT:

A **MOTION** was made to adjourn by Commissioner Buczek and supported by Commissioner Bosscher at 11:32 AM.

APPROVED BY

 ON 6/13/16

WITNESSED BY

 ON 6/13/16