
Michigan Commission on Law Enforcement Standards
Commission Meeting Minutes
September 28, 2016
Lansing, Michigan

COMMISSION MEMBERS PRESENT

Director John Calabrese, 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
Ms. Laura Moody, representing Attorney General Bill Schuette
Mr. Michael Wendling, representing the Prosecuting Attorneys Association of Michigan
Chief Donald Mawer, representing the Michigan Association of Chiefs of Police
Mr. Fred Timpner, representing the Michigan Association of Police
Professor Ron Bretz, representing the Criminal Defense Attorneys of Michigan
Mr. Ken Grabowski, representing the Police Officers Association of Michigan

COMMISSION MEMBERS EXCUSED

Sheriff Jerry Clayton, representing the Michigan Sheriffs' Association
Chief Doreen Olko, representing the Michigan Association of Chiefs of Police
Mr. John Buczek, representing the Fraternal Order of Police

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. Wayne Carlson, MCOLES Staff
Mr. Danny Rosa, MCOLES Staff
Mr. John Steele, MCOLES Staff
Mr. David Lee, MCOLES Staff
Mr. Wayne Aldrich II, MCOLES Staff
Mr. Ryan Speidel, MCOLES Staff
Ms. Deb Thelen, MCOLES Staff
Ms. Rhonda Hooson, MCOLES Staff
Ms. Diane Horwath, MCOLES Staff
Mr. Pat Hutting, MCOLES Staff

GUESTS (SIGNING-IN)

Sgt. John Meka, Michigan Department of Natural Resources

CALL TO ORDER

The Commission meeting was called to order by Vice-Chair John Calabrese on September 28, 2016 at 10:30 AM. The meeting was held at the MCOLES Office in Lansing, Michigan.

INTRODUCTIONS

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

ACCEPTANCE OF THE JUNE 13, 2016 COMMISSION MEETING MINUTES

A **MOTION** was made by Commissioner Wendling and supported by Commissioner Bosscher to approve the June 13, 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 the month of August. Memphis Police Department resumed operations causing the number of agencies to increase by one. There was a negligible decline in officers and positions of four each.

Grant Adjustments – Vice-Chair Calabrese 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 and made available prior to the meeting. There were no questions or comments.

DIRECTOR'S REPORT

New Employees – Director Harvey advised that MCOLES had four vacant positions that needed to be filled. He directed John Steele to introduce his new hire. Mr. Steele stated that the Standards Compliance Section had an open position. He explained that Joyce Nelson left for a position as a Training Director. Since she left Mike Logghe has been filling in. The position was posted and there were 104 applicants. Interviews were conducted and Ryan Speidel was chosen to fill the Investigator position.

Ryan introduced himself and stated that he was both personally and professionally excited to be part of MCOLES. Mr. Speidel stated he was a graduate of Eastern Michigan University. He added that he worked for Jackson PD for 8 ½ years in several different capacities. He also advised he worked for Jackson County Sheriff's Office for one year. Mr. Speidel said that he was also a fraud investigator for SOS and Medicaid.

David Lee addressed the Commission and advised that he had a vacancy for the MITN Specialist position with the retirement of Holly Baer. He thanked Commissioner Mawer for assisting with the interviews and introduced Wayne Aldrich, II. Mr. Aldrich stated the he thought the position would give him an opportunity to grow. He stated that he previously worked for the Office of Retirement Services and most recently was an analyst with CJIC.

David Harvey said that there were still two vacancies to fill. With the departure of Gina Saucedo, Deb Thelen was promoted to the Grants Manager position and that left her position to backfill. Wayne Carlson also has a position vacant in Career Development. Interviews will take place in October to fill his position.

Holly Baer Retirement – Director Harvey advised that Holly Baer retired from MCOLES. Holly will be missed. One of her achievements was developing a retention schedule for MCOLES. The Director advised that Holly's position was filled by Wayne Aldrich. Director Harvey presented a plaque to Abbey, Holly's daughter, and asked her to thank her mother for all of her hard work.

Dick Tillman Retirement – Director Harvey stated that Dick Tillman was retiring and he wanted to recognize his career. He added that Dick Tillman had retired from Detroit Police Department and then became the Training Director for the Oakland Police Academy. Director Harvey said that Director Tillman was an icon in the field of law enforcement with a career spanning 30 years. Director Harvey and several other staff members would be attending the retirement ceremonies later that day.

Changes with the passage of SB 92 – Director Harvey stated that SB 92 was approved by the Legislature and set to move on to the Governor for signature. If after fourteen days there was no action by the Governor the Bill would automatically become effective. After the Governor signs the bill it will become effective in 90 days.

Executive Director Harvey advised that if SB 92 does not become law than as far as the Commission is concerned the Office of the Attorney General and Michigan State Police will not be affected. However if it does not become law on November 1, 2016 Commissioner Clayton's and Commissioner Calabrese's terms will expire. Also the 2012 threshold will still be in place and Detroit PD and DPOA will not join the commission.

Executive Director Harvey advised the Commission that if SB 92 does become law, 90 days after it is signed all Commissioners' appointments will expire by operation of law. The Governor will make appointments to fill the vacancies. Each association will be able to submit only one name. The threshold for city population to qualify for commission representation is now 600,000. With

this change Detroit PD and the DPOA will now be added to the Commission. Also the governor will add DSAM and a non-law enforcement citizen. There will be a total of 19 commissioners.

Also if SB 92 becomes law then there will be a list of misdemeanors that will be added for license revocation. Finally, MCOLES will be setting standards for reserve officers.

Vice-Chair Calabrese asked some questions regarding the make-up of the Commission. He wanted to know what the procedure would be if the Governor did not like the name an association chose for their representative. Per legal counsel, John Szczubelek, that situation would be unprecedented. He stated we would have to wait and see the actions of the Governor. Mr. Szczubelek added that the de facto officers or those serving past their end date would continue to serve until replaced because they were correctly appointed.

SB 218 – SB 218 was signed by the Governor and went into effect. The Bill provides medical benefits to survivors from line of duty deaths. The Bill is retroactive to October 15, 2016. Director Harvey advised that the Office of Retirement Services (ORS) will be handling the insurance and the survivors will be covered for 5 years. The ORS will use MCOLES investigation to determine eligibility.

CONSENT AGENDA

Executive Director Harvey advised that there were two revocations for the Commission to consider. The two revocations were for William Melendez and Alex Vinson. Both revocations were uncontested and were for felony convictions. Executive Director Harvey advised the Commission they could vote as a consent agenda.

A **MOTION** was made by Commissioner Grabowski and supported by Commissioner Bretz to revoke the licenses of William Melendez and Alex Vinson.

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

NEW BUSINESS

Executive Director's Contract – Vice-Chair Calabrese advised the Commission that the Executive Director's contract expired in September. He added that today they would be voting on a new contract for him. This will be a one year contract for the period from September 2016 through September 2017 and at the pleasure of MCOLES and the Commission. The wages and benefits remained the same.

A **MOTION** was made by Commissioner Bosscher and supported by Commissioner Bretz to approve the new contract for Executive Director David L. Harvey.

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

Director Harvey thanked the Commission.

Implicit Bias Training Curriculum Pilot – Wayne Carlson addressed the Commissioners regarding implicit bias. He stated that for several years there has been research in the field of cognitive science regarding reasoning and decision making. At the July 29, 2015 Commission meeting the staff obtained approval to continue research into the latest findings and to consider the implications for recruit training. At the December 9, 2015 meeting the Commission was updated on the progress. Wayne Carlson stated that this year the Curriculum Development section wrote draft training objectives in unbiased policing and made draft modifications to the recruit firearms standard. The curriculum advisory committee and law enforcement trainers across the state provided valuable assistance. Wayne added that they are now ready to formally pilot test both modules at select academies during the fall and winter training cycles. The academies chosen to pilot the modules are Washtenaw, Wayne, Mott, KVCC and Grand Valley.

The draft curriculum in *Unbiased Policing* has four modules. Objective one explains how reasoning and intuition come together to form judgment. Objective two describes how situations and events are framed by a person's worldview, which affects decision making and choice. Objective three illustrates how the proper interpretation of past work experiences can lead to informed intuition. Objective four describes the types of implicit biases and offers a pathway to overcome those biases through mindfulness.

The draft *Firearms Standard* is divided into three components intended to develop abilities in shooting (course of fire), decision making (drills), and behavior (scenarios). Shooting skills include dynamic physical drills and a live fire pass/fail qualification course. Decision making includes a range of dimensions, including law enforcement authority, safety tactics, and de-escalation strategies. Behavior is then evaluated through performance in reality-based scenarios. Scenarios are important because hands-on practice, along with meaningful feedback, can build informed intuition and unconscious competency.

What we learn from the pilot testing will lead to further modifications of these modules. We will continue to explore the research to ensure training remains contemporary and evidence-based. The goal is to match theory with practice. The curriculum will be mandate in 2018.

Executive Director Harvey added that the staff at MCOLES is working hard every day to ensure our research and curriculum is kept current. He stated that SMEs are used and that the staff uses information from around the country. He stated without resources MCOLES has been able to develop curriculum in the areas of Cultural Diversity and Mental Health Awareness. Director Harvey emphasized that the employees use an established process and remain on top of current topics to meet the needs of the changes in regard to criminal justice and law enforcement. He is excited to move ahead with Implicit Bias and the changes in the Firearms Standard.

OLD BUSINESS - None

PUBLIC COMMENT – No public comment.

NEXT MEETING

Date: November 2, 2016 @ 10:30 AM.

Location: Lansing

ADJOURNMENT:

A **MOTION** was made to adjourn by Commissioner Bretz at 11:30 AM.

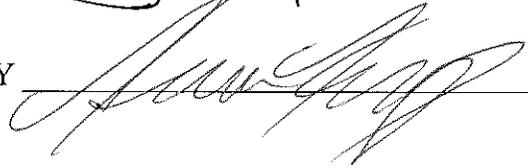
APPROVED BY



ON

11/2/16

WITNESSED BY



ON

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