



MCOLES

Michigan Commission on Law Enforcement Standards

Commission Resolution 2018-02 In Opposition to HB 5499

WHEREAS, section 11(1)(e) of the Michigan Commission on Law Enforcement Standards Act, MCL 28.611(1)(e), authorizes the Commission to make recommendations to the Legislature on matters pertaining to the qualification and training of law enforcement officers; and

WHEREAS, comments received in public outreach efforts for Executive Directive 2016-2 indicate that residents and law enforcement personnel prefer more training to refresh skills, because law enforcement skills are perishable; and,

WHEREAS 2018 House Bill 5499, if enacted, would negatively impact the qualification and training of law enforcement officers as follows:

1. The Act currently provides that a law enforcement officer license lapses and becomes invalid where employment as a law enforcement officer has been discontinued for prescribed statutory periods or where law enforcement authority has been removed for prescribed statutory periods.
2. The Act also provides that an individual whose license has lapsed may seek “further licensure” by complying with the same licensing standards and procedures prescribed for individuals seeking initial licensure.
3. The manifest purpose of requiring an officer with a lapsed license to meet the same rigorous standards and procedures applicable to a candidate seeking initial licensure is to ensure that the officer is adequately qualified and trained by virtue of recent job experience as a fully-empowered officer.
4. The Bill would allow an officer whose license has lapsed to circumvent these rigorous licensing standards and procedures, regardless of the amount of time the license has been lapsed.
5. The Bill would, instead, allow an officer whose license has lapsed to have the license reinstated where a law enforcement agency provides written certification to the Commission that the agency has a field training program and in-service training that must be completed upon being hired.
6. The aforementioned approach establishes no standards whatsoever for the field training and in-service training that would be the basis for reinstatement.

WHEREAS, the proposed amendments to the Michigan Commission on Law Enforcement Standards Act are contrary to the public interests served by the rigorous licensing standards and procedures of the Act.

BE IT RESOLVED THAT the Commission opposes enactment of 2018 House Bill 5499 as written.

Approved by the Michigan Commission on Law Enforcement Standards on February 14, 2018.


Michael Wendling, Chair