



7426 North Canal Road
Lansing, Michigan 48913
www.mcoles.org

Michigan Commission on Law Enforcement Standards

2004 Annual Report

Standards & Funding

“The Bridge to Professionalism”

- ◆ Ethical Character
- ◆ Medical Suitability
- ◆ Mental/Emotional Fitness
 - ◆ Knowledge
 - ◆ Skills
- ◆ Licensing & Retention



MCOLES
Michigan Commission on Law Enforcement Standards



JENNIFER M. GRANHOLM
GOVERNOR

STATE OF MICHIGAN
MICHIGAN COMMISSION ON LAW ENFORCEMENT STANDARDS
LANSING

RAYMOND W. BEACH, JR.
EXECUTIVE DIRECTOR

October 2005

Honorable Jennifer Granholm
Governor of the State of Michigan
Lansing, Michigan 48909

Dear Governor Granholm:

It is my pleasure to present the Annual Report of the Michigan Commission on Law Enforcement Standards (MCOLES) for calendar year 2004. With the presentation of this report, this organization approaches its 40th Anniversary. Over the years, MCOLES and its predecessor organizations have witnessed exceptional progress, and expanding responsibilities.

Despite the current fiscal challenges of state government this Commission remains fully committed to the betterment of law enforcement and criminal justice service through the application of standards. Our commitment is evident in the continuing progress of this organization in achieving its strategic objectives.

As we celebrate the accomplishments produced through our partnerships with the criminal justice community, we prepare to greet the challenges of the future. Under your leadership and with the direction of the legislature we look forward to continuing progress.

Respectfully Submitted,

A handwritten signature in dark ink, appearing to read "James DeVries".

James DeVries
Commission Chair

Col. Tadarial J. Sturdivant, Represented by Lt. Col. Timothy Yungfer; Attorney General Mike Cox, Represented by Mr. William Dennis Chief Ella Bully-Cummings, Represented by Deputy Chief Deborah A. Robinson; Sheriff James Bosscher; Mr. John Buczek; Director Kurt R. Jones Mr. James DeVries; Mr. David Morse; Prof. Ron Bretz; Sheriff Gary Rosema; Chief James St. Louis; Sgt. John Sosa; Officer Richard Weaver Chief Jeffrey Werner; Sheriff Gene Wriggelsworth

Table of Contents

THE MCOLES	4
The Mission of MCOLES	5
The MCOLES Vision	6
MCOLES Values	7
MCOLES COMMISSIONERS & STAFF	8
STANDARDS ... THE FOUNDATION OF EFFECTIVE SERVICE	11
Employment Standards	12
Meeting & Maintaining Employment Selection Standards	13
Basic Training Standards	13
Mandated Basic Training Curriculum Summary	14
Terrorism Awareness	15
Public Safety Officer Benefit Act	16
Patrol Rifle	17
LICENSING	19
How a License is Issued	19
The Law Enforcement Licensure Examination	21
Personnel Tracking	22
Revocation of the Law Enforcement License	23
Licensing of Private Security Police Officers	24
Licensing of Railroad Police Officers	24
MCOLES SERVICES	25
Regional Basic Training Academies	26
Pre-Service Basic Training Academies	27
Pre-enrollment Testing	28
Waiver of Training	29
Stop Violence Against Women	30
The Criminal Justice Resource Center	30
911 Dispatcher Training	31
www.mcoles.org	32

MCOLES FUNDING	33
The Justice Training Fund	33
Training to Locals Funding Support for Basic Training	35
Police Officers & Firefighters Survivor Tuition Program	36
The MCOLES Information & Tracking Network	37
The Feasibility Study	38
 STRATEGIC PLANNING	41
A Conceptual Foundation	41
Development of Focus Areas	42
The MCOLES Action Plan	44
Implementation Methodology	48
 FOR THE RECORD (FACTS AND FIGURES)	49
Meetings of the Commission	50
MCOLES Fiscal Year 2003 Budget	51
Training to Locals Funding	52
Pre-Employment Testing	52
MCOLES Licensure	53
Criminal Justice Resource Center Activity	53
Pre-enrollment Test Centers for Law Enforcement Candidates	54
Justice Training Fund	58
2004 Competitive Grant Awards	60
Employment Standards	61
Mandated Basic Training Curriculum	62
 FOOTNOTES	64
(Please note that footnotes for this document appear on a single page)	
 APPENDICES	65
Appendix A	66
Appendix B	70
Appendix C	72
Appendix D	74
Appendix E	77
Appendix F	79
Appendix G	80





The modern MCOLES philosophy is grounded in the knowledge that successful law enforcement can only happen when all components of the criminal justice system are working effectively, each sharing in the common purpose of advancing public safety ...

MCOLES

Advancing Professionalism in Public Safety

“A police officer’s work cannot be performed on native ability alone...”

These words were written in the 1967 Annual Report of the Michigan Law Enforcement Officer’s Training Council (MLEOTC). Established under Public Act 203 of 1965, the original mission of MLEOTC proposed, “to make available to all local jurisdictions, however remote, the advantages of superior employee selection and training.”

In fulfilling this charge, MLEOTC developed comprehensive standards for the employment and training of Michigan law enforcement officers. Concurrently, it fostered the growth of a statewide network of basic training providers, capable of delivering standards, to produce competently trained law enforcement candidates. These achievements demonstrate a monumental commitment of time and resources at the state, regional, and local levels.

Of course, this did not happen overnight or without overcoming difficult hurdles. Significant achievements that have marked the way include the proliferation of approved training programs, the evaluation of pre-training candidates for physical and mental fitness, the implementation of mandatory employment standards, the development and institution of the mandatory basic training curriculum, the comprehensive evaluation of candidates who have

completed training programs, and the institution of pre-service training programs that integrate law enforcement training with the attainment of a college degree.

Many of the achievements cited above are reflected in amendments to the original legislation empowering this organization. Public Act 203 has been updated nine times since its enactment in 1965. The most recent amendment to Public Act 203 came in 1998. This amendment changed our name to the Commission on Law Enforcement Standards (COLES), a title that more accurately reflects the work of this organization. The MCOLES acronym (Michigan Commission on Law Enforcement Standards) was adopted in response to the Michigan law enforcement community, which had already begun referring to us by that name. An Executive Order officially added “Michigan” to our title in 2001.

The 1998 amendment also added revocation of the law enforcement license to our list of responsibilities. Revocation is now mandatory when an officer is convicted of a felony or if it is discovered that the officer committed fraud in obtaining law enforcement licensing. These cases represent a very small number of Michigan’s law enforcement population which now exceeds 22,000 officers. They are each meticulously investigated with the accused afforded full due process. Revocation is an unpleasant but necessary fixture in the standards and training business, one that makes the law enforcement profession stronger.

The Mission of MCOLES

MCOLES executes its statutory responsibility to promote public safety in Michigan by setting standards for selection, employment, licensing, revocation, and funding in law enforcement and criminal justice, in both the public and private sectors. Under its authority, MCOLES provides leadership and support to the criminal justice community throughout Michigan.

Executive Order, 2001-5, did much more than institutionalize the MCOLES label. It is among the most significant advances in MCOLES history, paving the way for the achievement of what has been attempted since 1982, the linkage of standards and funding.

This quest began with the enactment of Public Act 302 of 1982, which created the Michigan Justice Training Commission (MJTC). The MJTC and its funding arm, the Justice Training Fund, were created to promote in-service training in the Michigan criminal justice field. MJTC, over the years, operated first within the Department of Management and Budget, and later in the Department of State Police. The MJTC succeeded in stimulating the growth of criminal justice in-service training in Michigan, yet it was not able to coordinate that growth in a statewide development plan. Despite attempts to the contrary, standards and funding operated autonomously under this configuration.

The Executive Order, which took effect November 1, 2001, mandated the union of standards and funding. Specifically, it required the institution of mandatory in-service training standards for Michigan law enforcement officers, with fiscal support from the Justice Training Fund. To accomplish this, the Order consolidated the former Michigan Justice Training Commission with the former Commission on Law Enforcement Standards, creating the today's Michigan Commission on Law Enforcement Standards. The Commission consists of fifteen members representing the Michigan

criminal justice community.¹

The consolidation expanded MCOLES mission beyond law enforcement. Today, MCOLES provides a standards-based platform encompassing the entire career of Michigan law enforcement officers, as well as providing funding support for criminal justice training at large.

The modern MCOLES philosophy is grounded in the knowledge that successful law enforcement can only happen when all components of the criminal justice system are working effectively, each sharing in the common purpose of advancing public safety. This is reflected in the MCOLES mission statement.

MCOLES meets its mission working in an atmosphere of open communication and trust, in partnership with the criminal justice community, providing client-focused services. MCOLES regularly contributes to effective public policy by functioning as a leader in public safety innovation and as a solutions-facilitator for problems facing law enforcement and the criminal justice community.

The MCOLES Vision

In fulfillment of
our mission, we
envision . . .

Business Transactions

Communication between MCOLES and its constituents is done via a secure electronic system that enables an agency to submit and obtain information at any time that is convenient. Agencies and individuals are able to conduct business directly with MCOLES in a paperless manner and have full access to their own selection and training information.

Funding

Dedicated funding supports most MCOLES activities, staff, and training, including mandatory in-service training. This funding provides a consistent and sufficient source of funding, permitting the development and direct delivery of enhanced professional training and services.

Service

The focus of MCOLES is on service to constituents through assistance to agencies with the emphasis on results.

Learning

Training of recruits is problem-based with an emphasis on problem-solving, critical thinking, and multi-tasking using real-life scenarios. Graduates are assessed on their job-related competency.

Accreditation

Approved training providers are empowered to provide a high level of training because of improved funding and accreditation by MCOLES. Accreditation teams composed of representative groups of professionals assess training providers to ensure compliance with statewide standards.

Continuing Education

The competency and professionalism of law enforcement officers is enhanced through mandatory in-service training covering both core and elective topics. The core training is MCOLES approved and delivered through accredited training consortiums.

MCOLES Values

Respect

We value the unique and diverse skills, abilities, and perspectives of individuals.

Ethical Character

We are honest, ethical, and fair. Personal integrity and professional ethics guide all our decisions.

Leadership and Professionalism

We recognize our role as leaders in advancing the skills, knowledge, ethics, and attitudes necessary for achieving and maintaining professional excellence.

Accountability

We accept responsibility for our behaviors, decisions, and actions.

Commitment

We understand our mission and our individual roles in its accomplishment; we dedicate our energies and abilities to its fulfillment; and we are willing to make sacrifices in its attainment.

Partnership

We recognize that more can be accomplished when individual actions are taken in trust and cooperation rather than separately.

Communication, Consultation, & Shared Decision-Making

We value clear and open communication. We encourage involvement, information sharing, and collaboration in the decision making process.

With values at the foundation of our decisions and actions, we seek to create a culture that supports individual and organizational success. In pursuit of our goals, we embrace these values.

MCOLES

Commissioners & Staff

MCOLES staff members possess a high level of law enforcement experience. This experience includes every facet of law enforcement ranging from that of the street level officer to the chief law enforcement administrator.

The Michigan Commission on Law Enforcement Standards (MCOLES) is composed of 15 members appointed by the Governor from the ranks of Michigan's Law Enforcement and Criminal Justice Communities. Constituencies represented in the Commission's appointed membership consist of the Michigan Sheriffs' Association, Police Officers Association of Michigan, Michigan Association of Chiefs of Police, Michigan Chapter of the Fraternal Order of Police, Detroit Police Officers Association, Prosecuting Attorneys Association of Michigan, Defense Attorneys Association of Michigan, and the Michigan State Police Troopers Association. Also represented on an ex-officio basis are the Detroit Police Department, Michigan State Police, and the Attorney General of Michigan.

During 2004, Mr. James DeVries, representing the Police Officer's Association of Michigan, was re-elected by the Commission to serve as Chair. Lt. Colonel Timothy Yungfer served as the Commission's Vice-Chair.

The Commission meets no less than four times annually to set policy regarding the selection, employment, training, licensing, and retention of all Michigan law enforcement officers. **This year, the Commission met in seven regular meetings, which were conducted at locations throughout the state.** In addition, the Commission's Executive and Legislative Committees met on multiple occasions during the year.

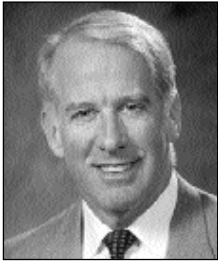
Commissioner duties extend beyond the law enforcement arena, as Commissioners set policy with regard to the administration of

the Justice Training Fund. These decisions have a direct impact on the distribution of funds in a competitive grant process, which provides dollars in support of in-service training in all facets of the criminal justice system.

In addition to their formal duties, MCOLES Commissioners invest countless hours on behalf of Michigan's criminal justice community. Substantial time is required of Commissioners to apprise themselves of the various issues they must understand. Commissioners are frequently asked to attend and address academy graduations and make other public speaking appearances on behalf of MCOLES. Commissioners are often called upon to represent MCOLES at meetings of the legislature, other government agencies, training directors, and at conferences of professional organizations that have a stake in criminal justice. MCOLES Commissioners must also be available to handle inquiries from their various constituencies concerning MCOLES services and policies.

MCOLES staff offices are currently located at the Michigan State Police Training Academy in Lansing, Michigan. Staff members frequently travel the state in connection with their duties.

The full time employee allocation for this fiscal year was 28. There are currently 26 employees on staff, two of which are part-time. A hiring freeze and vacancy savings has prevented employment of the full complement of allocated personnel since 2003.



Mr. James DeVries, Chair
District Representative,
Police Officers Association
of Michigan
Representing the Police
Officers Association of MI



Colonel Tadarial
Sturdivant
Michigan State Police
Representing the
Michigan State Police



Lt. Col. Timothy Yungfer,
Michigan State Police
Representing Colonel
Tadarial Sturdivant



Sheriff Gary Rosema, Past
Ottawa County
Sheriff Department
Representing the Michigan
Sheriffs Association



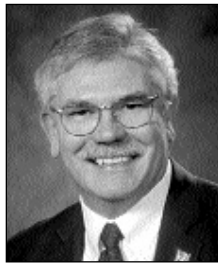
Mr. Mike Cox
Attorney General
Representing
the Attorney General



Mr. William Dennis
Office of the Attorney
General
Representing
the Attorney General



Officer Richard Weaver
Detroit Police
Department
Representing the
Detroit Police Officers'
Association



Mr. John Buczek,
Executive Director
Michigan Chapter,
Fraternal Order of Police
Representing the
Fraternal Order of Police



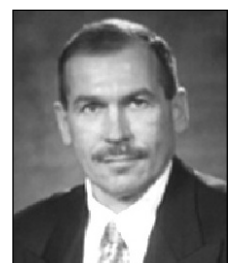
Chief Ella Bully-
Cummings
Detroit Police
Department
Representing the Detroit
Police Department



Deputy Chief Deborah
Robinson
Detroit Police Department
Representing
Chief Ella Bully-Cummings



Sheriff Gene Wiggelsworth
Ingham County Sheriff
Department
Representing the Michigan
Sheriffs Association



Sheriff Jim Bosscher
Missaukee County Sheriff
Department
Representing the
Michigan Sheriffs
Association



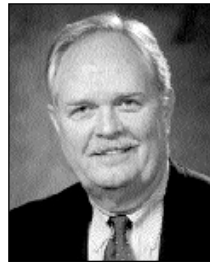
Mr. David Morse
Livingston County
Prosecutors Office
Representing the
Prosecuting Attorneys
Association of Michigan



Chief James St. Louis
Midland Police
Department
Representing the
Michigan Association of
Chiefs of Police



Mr. Douglas Mullkoff
Private Practice Attorney
Representing the
Criminal Defense
Attorneys Association of
Michigan



Chief Jeffrey Werner
Bloomfield Township
Police Department
Representing the
Michigan Association of
Chiefs of Police



Sgt. John Sosa
Michigan State Police
Representing the
Michigan State Police
Troopers Association



Director Kurt Jones
Cheboygan Department
of Public Safety
Representing the
Michigan Association of
Chiefs of Police



Mr. Raymond W. Beach,
Jr.
Michigan Commission on
Law Enforcement
Standards
Executive Director

Commissioners and Staff Continued

MCOLES staff members possess a high level of law enforcement experience. This experience includes every facet of law enforcement ranging from that of the street level officer to that of the chief law enforcement administrator.

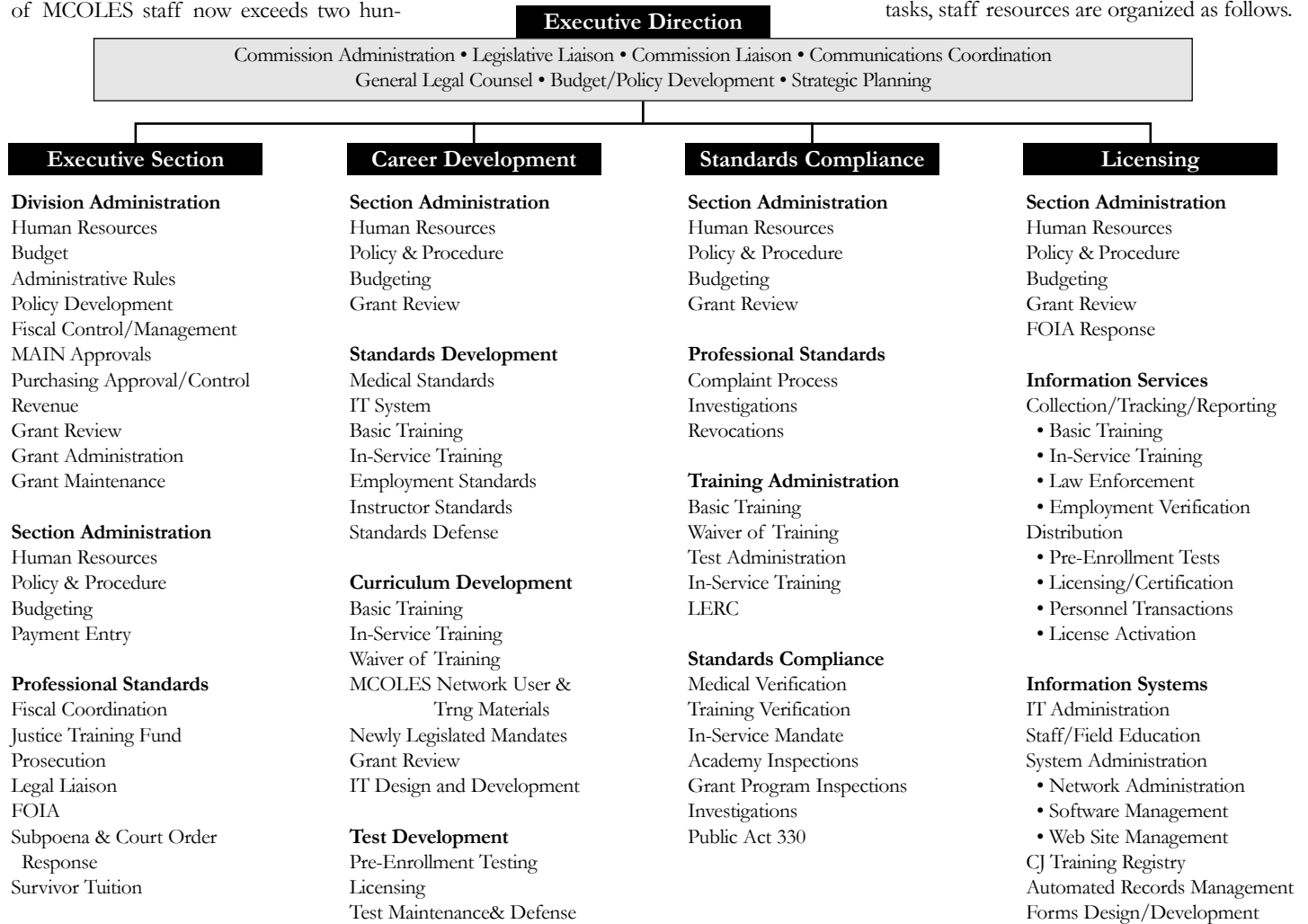
The composite law enforcement experience of MCOLES staff now exceeds two hun-

dred years. MCOLES staff have also served in various capacities in the development, management, and delivery of law enforcement training at institutions across the United States.

In addition to experience, MCOLES staff members collectively possess many years of

advanced education, hold various post-graduate degrees, and have had their work published in professional journals.

The wide span of MCOLES staff experience, education, and training is particularly useful in accomplishing the complex array of MCOLES responsibilities. To fulfill these tasks, staff resources are organized as follows.



The wide span of MCOLES staff experience, education, and training is particularly useful in accomplishing the complex array of MCOLES responsibilities.

Standards

The Foundation of Effective Service

What type of person would you hope to respond when you have become the victim of a crime?

How would you want your child to be treated if he or she was arrested? Will your interests be adequately represented in court? Will our prisons safely and securely house the guilty? Who will look after persons released from prison? Will the criminal justice system work for me? Will it be fair? These questions personalize the impact that law enforcement and the criminal justice system can have on our lives, and they raise interesting possibilities regarding how we can make it work best.

Improving public safety is not merely a good idea. It is a necessity. Crime is ever changing and requires a dynamic response. While crime continues to present new challenges, other problems also beg for attention. Virtually every component of the criminal justice system faces serious tests and requires frequent maintenance in order to best utilize new technology; provide homeland security; overcome ethical problems; and remain effective despite funding shortages. In the final analysis, modern public safety must strive for continuous improvement, employing strategies that build interoperability between its various components and the criminal justice system, at large.

It is important to note that strategies to improve criminal justice are frequently subject to controversy and accusations that they do not do what they purport to do, that they are skewed to favored segments of the population, or that they will be otherwise ineffective. Often, there is no defense against these criticisms, because insufficient attention is given to research, i.e., validating the relationship between given strategies and the

desired result. Hence both good and bad programs alike may fall into decline. Lacking a well-researched strategy, programs find it difficult to maintain the support that is necessary to produce lasting positive effect.

Some of the most effective and enduring improvements seen in the criminal justice world have come from standards-based approaches to solving large, systemic problems. Standards are, put simply, the criteria that support the achievement of a goal or objective. Properly developed standards are successful, because they are built on a foundation of validity.

At its most finite level, MCOLES standards are employed to define the hundreds of learning objectives that law enforcement officers must master to successfully complete their training. Yet training is only one avenue for transmission of standards to the delivery of public safety services. MCOLES standards govern performance levels, instructional methodologies, training environments, qualifications for training and/or employment, ethical character, professional licensing and more.

Standards are, in a sense, an underutilized resource that hold promise for the solution of many ills plaguing public safety. To be sure, standards development cannot be done from an armchair. It requires work, expense, and the involvement of experts and practitioners. Standards must reflect the needs of today and anticipate the needs of tomorrow. Most standards also require follow-up maintenance to maintain validity and viability. Yet the outcome of the standards-based approach is undeniable. **Standards provide answers that make a difference, and the process of building standards cultivates trust.**

Some of the most effective and enduring improvements seen in the criminal justice world have come from standards-based approaches to solving large, systemic problems.

Employment Standards

A law enforcement officer must possess physical and mental capabilities as well as being able to meet ethical, psychological, and training standards.

MCOLES is the standards bearer for Michigan's law enforcement officers. Law enforcement duties cannot be performed effectively by every person who decides to take up the profession. A law enforcement officer must possess physical and mental

capabilities as well as being able to meet ethical, psychological, and training standards. A summation of the standards that must be met by persons entering the law enforcement profession in Michigan follows.²

Age	Not less than 18 years.
Citizenship	United States Citizenship.
Education	High School Diploma or GED
Felony Convictions	No prior felony convictions
Moral Character	Possess good moral character as determined by a background investigation.
Driver's License	Possess a valid Michigan license.
Disorders, Diseases or Defects	Be free of limiting physical impairments.
Hearing	Pass a designated audiological examination.
Height/Weight	Height and weight in proportion.
Mental/Emotional Disorders	Be free of mental or emotional instabilities.
Physical Integrity	Be physically sound and in possession of extremities.
Vision, Color	Possesses normal color vision.
Vision, Corrected	Possesses 20/20 corrected vision in each eye.
Vision, Normal Functions	Possesses normal visual functions in each eye.
Reading and Writing	Pass the MCOLES reading and writing examination.
Police Training	Successfully complete the MCOLES mandatory basic training curriculum.
Licensure/Certification Examination	Pass the MCOLES licensure/certification examination.
Medical Examination	Examination by a licensed physician.
Fingerprinting	Fingerprint search to verify absence of criminal record.
Oral Interview	Oral interview conducted by employer.
Drug Testing	Applicants must be tested for the illicit use of controlled substances.

Meeting & Maintaining Employment Selection Standards

About 60% of Michigan's law enforcement training candidates enter training prior to securing law enforcement employment. In order to protect candidates who have uncorrectable problems, the Commission has adopted a "Meet and Maintain" policy.

"Meet and Maintain" requires pre-service law enforcement candidates to meet some law enforcement employment standards

prior to entering training. This restriction protects candidates who have uncorrectable problems, from expending their time and financial resources in law enforcement training, only to find out later that it is impossible for them to enter the profession. Once training has been successfully completed, candidates must maintain compliance with standards in order to secure law enforcement employment.

Standards are, in a sense, an underutilized resource that holds promise for the solution of many ills plaguing public safety.

Basic Training Standards

The foundation of law enforcement training in Michigan is the Basic Training Curriculum. The Basic Training Curriculum, available at the MCOLES web site, is an evolution that closely mirrors the progress and changes that have happened over the years in the law enforcement profession. MCOLES expends significant resources to build and maintain this curriculum, providing updates and developing new subject matter.³

Michigan's Basic Training Curriculum is developed and maintained in a collaborative relationship with the criminal justice community. MCOLES staff members, in conjunction with committees of subject matter experts, develop proposed curriculum

changes and initiatives that reflect the current needs of the law enforcement profession. Subject matter experts are drawn from the field of law enforcement and criminal justice practitioners, academia, and training providers. Learning objectives are identified in terms of the behavior desired of the successful officer.

Final products are subjected to the review of a Curriculum Review and Advisory Committee, which must assess the impact of the proposed new material upon law enforcement training providers and public safety at large.

The Mandated Basic
Training Curriculum
Currently Stands at
562 Hours.

Mandated Basic Training

*Curriculum Summary*⁴

SUBJECT AREA	HOURS
ADMINISTRATIVE TIME (18 Hours)	
MCOLES Testing & Administration	8
Director Testing	10
I. INVESTIGATION (115 Hours)	
A. Introduction to Investigation	2
B. Substantive Criminal Law	24
C. Criminal Procedure	31
D. Investigation	12
E. Court Functions and Civil Law	6
F. Crime Scene Process	18
G. Special Investigations	8
H. Investigation of Domestic Violence	14
II. PATROL PROCEDURES (63 HOURS)	
A. Patrol Operations	6
B. Ethics In Policing and Interpersonal Relations	29
C. Patrol Techniques	14
D. Report Writing	8
E. Juveniles	6
III. DETENTION AND PROSECUTION (15 HOURS)	
A. Receiving and Booking Process	6
B. Case Prosecution	8
C. Civil Process	1
IV. POLICE SKILLS (262 HOURS)	
A. First Aid	37
B. Firearms	72
C. Police Physical Skills	77
D. Emergency Vehicle Operation	32
E. Fitness and Wellness	44
V. TRAFFIC (66 HOURS)	
A. Motor Vehicle Law	12
B. Vehicle Stops	15
C. Traffic Control and Enforcement	4
D. Operating While Intoxicated	7
E. Motor Vehicle Traffic Crash Investigation	28
VI. SPECIAL OPERATIONS (23 HOURS)	
A. Emergency Preparedness/Disaster Control	8
B. Civil Disorders	8
C. Tactical Operations	5
D. Environmental Crimes	2

Terrorism Awareness

Preparing for Critical Incidents

In March, 2003, MCOLES initiated a project to establish basic training objectives for recruit training on terrorism awareness, weapons of mass destruction, and incident command.

As the initial research began, staff sought direction from the MCOLES Curriculum Advisory Committee. MCOLES curriculum developers also utilized the services of a statewide panel of terrorism subject matter experts. As the project took shape, input was sought from training directors during a June 2003 conference. Similarly, staff worked with a legal instruction committee and obtained their advice regarding matters of law pertaining to the draft objectives. In November 2003, staff shared a complete draft of the training objectives, entitled *Terrorism Awareness*, with the Curriculum Advisory Committee. *Terrorism Awareness* consists of three components: terrorism awareness, weapons of mass destruction and incident command. On December 17, 2003, the Commission directed staff to proceed with a field test of the proposed terrorism awareness curriculum at selected academies statewide.

At the February, 2004, training directors' conference, volunteer field test sites were sought. Washtenaw Community College, Wayne County Regional Police Academy, and Grand Valley State University offered to assist. After the field tests at Washtenaw and Wayne County, subsequent edits were made to the draft objectives and the updated version was shared with the training directors. As a result, additional adjustments were made to the program. Finally, on September 15, 2004, a completed module, entitled *Terrorism Awareness*, was ready for full implementation.

Although the Terrorism Awareness training module is eight hours in length, staff's intent was not to increase the total number of hours in the current basic training curriculum from the present level of 562 hours. Instead, curriculum hours were reduced in other areas, based upon staff analysis, input from training directors, and input from the field. For instance, a section on motor vehicle words and phrases was reduced from two to one hour of instruction. Another section dealing with motor vehicle code classifications was reduced by one hour, and a unit on preliminary crash investigation was reduced by one half hour. A two hour reduction was made for instruction in traffic crash reports. Roadway evidence collection was reduced by three hours, and a section on locating witnesses was reduced by one half hour of instruction.

Terrorism Awareness is intended to be taught at the "awareness" level of training for recruit officers. More extensive and detailed terrorism prevention training is available in Michigan at the in-service level. MCOLES encouraged the instructors presenting this material to use problem-based learning techniques and adult training methodologies when delivering the training. To that end, staff has created a Facilitator Guide, with accompanying table-top scenarios for classroom discussion, available for all instructional cadre.

The terrorism awareness component of this training consists of three hours of training. Topics include the characteristics of modern terrorism, identifying domestic and international terrorist groups, recognizing potential targets, preventing attacks, understanding pre-incident indicators, gathering/sharing intelligence, and understanding the legal implications regarding terrorist activities.

Emphasis is placed on what a road officer can do to help prevent terrorism and how such preventative activities are not fundamentally different from other types of "routine" law enforcement tasks. For example, the connection between conducting a thorough traffic stop and the potential for gathering relevant intelligence regarding terrorist activities is addressed. Instructors are encouraged to use the video entitled "Seven Signs of Terrorism" during the training.

The weapons of mass destruction (WMD) component consists of two hours of training. Topics include the definition of WMD, the five types of WMD, and the characteristics of chemical agents, biological agents, radiological agents, and explosive devices.

Included in this section is a discussion on improvised explosive devices (IED) and suicide bombers.

The incident command (ICS) component consists of three hours of training. Topics include the structure of incident command, terminology, major functions, the role of law enforcement, and legal matters. Here, the students are required to participate in a classroom-facilitated discussion of a simulated emergency situation. **The purpose of the ICS training is to expose the students to a structured, coordinated, tactical response to emergency situations, particularly terrorist incidents.** Although specific responses to individual emergency incidents appear elsewhere in the basic training objectives, depending on the topic, this represents the first mandated training in the incident command system for the recruits in Michigan.

Based on Commission Action taken September 15, 2004, *Terrorism Awareness* was incorporated into the mandatory basic training curriculum on January 1, 2005.

Public Safety Officers Benefit Act

Death and Disability Benefits

During 2004, the Commission became the agency designated to administer the Public Safety Officers Benefit Act (PSOB), Public Act 46 of 2004. The Act provides for a one-time payment of \$25,000 for the care of a public safety officer permanently and totally disabled in the line of duty. In the event the public safety officer was killed in the line of duty, the spouse, children, or estate of the officer may be eligible for the one time payment of \$25,000. Benefits paid under the Act are retroactive to incidents resulting in an officer's death or permanent and total disability that occurred on or after October 1, 2003.



Covered Public Safety Officers

“Public safety officer” means an individual serving a public agency in an official capacity, with or without compensation, as a law enforcement officer, firefighter, rescue squad member, or ambulance crew member. Further, “law enforcement officer” means an individual involved in crime and juvenile delinquency control or reduction or the enforcement of the criminal law. It includes police, corrections, probation, parole, bailiffs, or other similar court officers. “Firefighter” means a volunteer or employed member of a fire department of a city, county, township, village, state university, community college, or a member of the Department of Natural Resources employed to fight fires.

Eligibility

The one-time \$25,000 benefit is paid to an eligible beneficiary(ies) in the following order:

If the public safety officer is permanently and totally disabled, the one-time benefit will be paid to the spouse; if there is no spouse, then to the dependents of the officer. If there are no dependents, then the benefit will be paid to the entity providing care to the officer.

If the officer is killed in the line of duty, the benefit will be paid to the spouse. If there is no surviving spouse, then to dependents of the officer. If there is no surviving spouse or surviving dependents, then the benefit

will be paid to the estate of the deceased officer.

Rule Promulgation

Act 46 directs the Commission to promulgate administrative rules to implement the Act. This process was initiated during the year and is expected to be completed by the fall of 2005.

Benefits Distributed in 2004

A total of **\$125,000 in PSOB benefits was distributed** in fiscal year 2004. At the conclusion of fiscal year 2004, **four PSOB claims remained open**, pending additional processing and availability of funds.

Patrol Rifle

Familiarization Training

During 2004, based on discussions with practicing law enforcement officers, training directors and various firearm content-experts, MCOLES initiated research into the viability of a patrol rifle familiarization course.

Practitioners in Michigan now indicate that many law enforcement agencies in the state have transitioned to patrol rifle from shotgun and many officers now have the option to use a patrol rifle during certain high-risk encounters. Several basic training academies currently teach patrol rifle familiarization but no state-level set of training objectives were in place in Michigan.

To establish a foundation for a patrol rifle project, MCOLES explored what practices other states had implemented, MCOLES examined the professional and trade literature, training directors and instructors were consulted, and model programs were identified. A panel of subject-matter-experts (SMEs), practitioners and trainers in Michigan with the requisite background, expertise and experience, were identi-

fied and asked for assistance. The focus of the SME group was to create a model set of training objectives in patrol rifle that could be used in recruit academy training. The objectives were to be directed at the familiarization and awareness level for recruit training. A determination was made that this course would not be designed to "certify" or "license" officers in the use of patrol rifle.

The first meeting of the SMEs was held on December 13, 2004 at the MSP Training Academy. A representative sample of subject-matter-experts and practitioners was assembled. Large and small agencies were represented, as were trainers, practitioners, and MCOLES staff. During the meeting, the participants brainstormed ideas and discussed the components of a familiarization course in patrol rifle. Ideas were recorded discussions were facilitated to elicit comments, recommendations, and ideas from all participants.

Subsequently, a first draft set of training objectives, a model facilitator guide, and a sample course of fire were developed. These drafts were distributed to the



cussed the components of a familiarization course in patrol rifle. Ideas were recorded discussions were facilitated to elicit comments, recommendations, and ideas from all participants.

Subsequently, a first draft set of training objectives, a model facilitator guide, and a sample course of fire were developed. These drafts were distributed to the participants via e-mail. They were asked to respond with their feedback, suggestions, and editing.

By the end of calendar year 2004, adjustments had been made pursuant to the most recent input and a second meeting was scheduled for 2005. The project is on line for full implementation during 2005.



Licensing

The Law Enforcement Certification

MCOLES standards provide leadership and direction in the selection, training, and ultimately, in the licensure of Michigan's law enforcement officers.

During each year MCOLES provides new licensure for law enforcement officers, statewide. **In 2004, MCOLES licensed 700 new law enforcement officers.** MCOLES also provides licensure of Michigan's private security police officers.

Law enforcement licensure signifies readiness for entry into the law enforcement profession. The officer's license is often referred to as the law enforcement certification, which is an assurance (or certification),

that the officer meets the standards required of Michigan law enforcement officers.

The significance of the law enforcement license should not be overlooked. Michigan officers have met high educational, medical, and background standards that distinguishes an officer among his or her peers. Successful attainment of MCOLES standards reflects mastery of diverse bodies of knowledge and development of tough skills that are essential to the performance of law enforcement duties. Moreover, the law enforcement license signifies the beginning of a career in the exciting field of law enforcement.

Successful attainment of MCOLES standards reflects mastery of diverse bodies of knowledge and development of tough skills that are essential to the performance of law enforcement duties.

How a License is Issued

Law enforcement licensing occurs within a partnership between candidates, training providers, law enforcement employers, and MCOLES. In a collaborative effort, each party fulfills specific responsibilities, yet also works to ensure that only qualified candidates enter the law enforcement profession.

The Law Enforcement License is awarded by MCOLES when the employer requests activation, and the candidate meets the following requirements: (1) compliance with the Commission's minimum selection and training standards, and (2) employment with a law enforcement agency as a law enforcement officer. Persons who have been previ-

ously licensed/certified Michigan law enforcement officers or who were licensed/certified in another state, and who are seeking re-certification in Michigan are directed to the Commission's Waiver of Training Program.⁶

The Commission's minimum selection and training standards are presented in the section of this report entitled, "Standards: The Foundation of Effective Service." The greatest challenges in the path to law enforcement licensure are completion of the basic training (graduation) and successful performance on a comprehensive state licensure examination, commonly referred to as the state certification examination.

The greatest challenges in the path to law enforcement licensure are completion of basic training (graduation) and successful performance on a comprehensive state licensure examination...

How A License Is Issued, Continued

Basic recruit training must be completed at an MCOLES approved training academy. There are 21 academies statewide, strategically situated in geographic locations that best serve Michigan's population base. MCOLES mandates a curriculum that consists of 562 hours, although every academy provides training that exceeds this requirement.⁷

There are three program options available to law enforcement training candidates. Each program is designed to meet different goals, however each may lead the successful candidate to law enforcement employment and licensure.

Employed Candidate Training Programs.

A candidate may initially become employed by a bona fide law enforcement agency and subsequently attend the training as an "employed" candidate. Employed candidates are compensated by their employer for all of the time they are in attendance at training, and upon graduation and successfully completing the state examination, the candidate becomes eligible to become a fully licensed officer with the employing agency. Successful employed candidates are eligible for initial licensure only through the original employing law enforcement agency. Approximately half of Michigan's police officers enter the law enforcement profession through this avenue.

Pre-Service Training Programs.

Many law enforcement agencies employ only those applicants who have already completed recruit training at their own expense. A candidate intending to become employed with such an agency may make direct application to a "Pre-Service" Training Program.

associated with their training. Pre-Service candidates are not compensated by a law enforcement agency for their attendance at training, nor is law enforcement employment guaranteed upon graduation. In order to enter a Pre-Service Training Program, the candidate must first possess an Associate's Degree or a higher degree.

Upon successful completion of the Pre-Service Training Program and passing the state licensure examination, the candidate may apply for employment with any Michigan law enforcement agency. Pre-Service Training Program graduates must obtain employment with a law enforcement agency as a fully empowered law enforcement officer within one year of graduation in order to receive state licensure.

Track Programs.

A Track Program offers the candidate an opportunity to undergo basic law enforcement training while also earning a college degree. Track Program candidates are not employed by a law enforcement agency at the time of their training and must pay all costs associated with their training. Of the 21 MCOLES approved training academies statewide, four locations offer a two-year Track Program and two locations offer a four-year Track Program. Community college track programs offer the two-year Associate's Degree, and university-based track programs offer the four-year degree. Program graduates must become employed with a law enforcement agency as a fully empowered law enforcement officer within one year of graduation in order to become licensed.

Pre-Service candidates must pay for all costs

Pre-enrollment Testing.

Regardless of which training option is chosen, all candidates must pass two pre-enrollment tests in order to become eligible for entry into an academy training session. The MCOLES Reading and Writing Examination is administered via computer at designated sites. The MCOLES Physical Fitness Test must be taken at MCOLES approved academy sites. Both tests are scheduled on a periodic basis. Test

schedules may be viewed at the MCOLES website www.mcoles.org.

Each candidate enrolling in a training session must attain passing scores on these tests. The physical fitness test is also used to assess candidate fitness upon exiting academy training.

The law enforcement licensure examination is often referred to as the state certification

During a typical year, over 8,000 administrations of each pre-enrollment test are conducted, statewide.

The Law Enforcement Licensure Examination

examination. Every candidate for Michigan law enforcement licensure must pass this examination. The examination is designed to measure mastery of the MCOLES mandated curriculum. This is a comprehensive written examination wherein the examinees are presented with various situational questions to which they must identify the correct response. The test is behavioral in nature in that the respondents must identify the law enforcement behavior that is appropriate for the situation they are presented.

The examination consists of 200 multiple-choice questions, each accompanied by three plausible alternatives. The test questions are “blueprinted” to the 562-hour curriculum. This means that test questions are matched to the individual training objectives that appear in the curriculum.

The validity of this examination is closely monitored by MCOLES testing experts.

Through a pre-testing process, statistical analyses of all questions are performed to ensure that the test items are fair and that they are free from any ambiguity and bias. Questions are also pre-tested to ensure that alternative choices, known as distractors, are working as intended.

Recruits who fail the initial administration of this examination are given a second chance to pass the test. Those who fail the final administration of the examination are required to repeat the training experience in order to continue pursuit of a Michigan law enforcement career.

Although all recruits must pass this examination to become licensed, the use of a sin-

gle test score by MCOLES is not the sole determinant of skills mastery. One test cannot fully evaluate recruit competencies. Accordingly, MCOLES requires that all academies administer periodic written examinations to their recruits, including a comprehensive legal examination near the completion of the school, in addition to individual skills assessments (firearms, emergency vehicle operations, subject control, first aid, and physical fitness). The recruits are assessed throughout their academy experience in a variety of manners in order to measure their suitability for the profession.⁸

Personnel Tracking

Today, personnel tracking information is updated continuously through law enforcement agency reporting of new hires and separations from employment and through MCOLES annual registration for the Law Enforcement Distribution.

On July 3, 1998, Governor Engler signed into law Public Act 237. Among the changes this legislation brought was the requirement for police agencies to report, to MCOLES, the employment or separation from employment of law enforcement officers.

These provisions were included to ensure that persons who practice law enforcement in Michigan meet the minimum training and employment standards prescribed by the State.

An essential underpinning of law enforcement licensure in Michigan, as well as in most other states, is valid law enforcement employment, yet MCOLES and its predecessor, the Michigan Law Enforcement Officers Training Council, lacked an effective mechanism to track officer law enforcement employment beyond initial licensure. The reporting requirement of Public Act 237 provided the remedy.

MCOLES implemented personnel tracking by conducting a baseline registration to identify all of the currently practicing law enforcement officers in Michigan. The registration was carried out with a limited number of technical problems, concluding in February 2000. Today, personnel tracking information is updated continuously through law enforcement agency reporting of new hires and separations from employment and through MCOLES annual registration for the Law Enforcement Distribution.

The annual profile of Michigan law enforcement continues to demonstrate a fluctuating population of officers as well as slight fluctuations in the number of the functioning law enforcement agencies in this state. Separations from employment by way of resignation or dismissal have continued at rates not dissimilar to the past. Likewise, the formation and/or disbanding of law enforcement agencies is occurring at a pace consistent with other years.

During 2004, over 600 law enforcement agencies operated in Michigan, employing approximately 22,174 officers. One of these agencies, the Michigan State Police, operated 64 posts throughout the state. The largest law enforcement employer, the Detroit Police Department, employed over 3500 officers. The smallest law enforcement employer in the state employed one officer.

The information provided in the MCOLES personnel registration process serves law enforcement well. It provides a current listing of Michigan's practicing law enforcement officers and the agencies through which they are empowered. Secondly, it provides law enforcement employers with verified histories of law enforcement employment in Michigan. Third, this process streamlines the registration system for the Law Enforcement Distribution, and finally, this process enables various assessments of Michigan's law enforcement population to determine demographic trends and predict training needs.

Revocation of the Law Enforcement License

Unethical behavior by police officers cannot be ignored. Most ethical breaches require official action. Law enforcement employers handle many of these cases, however some violations warrant removal of an individual's ability to remain in the law enforcement profession. The most effective way to accomplish this is revocation of law enforcement licensure.

In the past, MCOLES had few tools to address serious ethical violations committed by licensed/certified law enforcement officers. As a result of Public Act 237 of 1998, MCOLES is now responsible for revocation of the law enforcement license/certification when the holder has been convicted of a felony; whether by verdict of a judge or jury, plea of guilty, or plea of no contest. Felonies, as defined in the Act, include those crimes expressly designated by statute as felonies and crimes that are punishable by a term of imprisonment that is greater than one year. Additionally, revocation is required when a person is found to have committed misrepresentation or fraud in gaining law enforcement licensure.

MCOLES does not take revocation action on ethics complaints that fall outside the statutory guidelines specified in P.A. 237. These cases remain the responsibility of local authorities. Each case that falls within MCOLES scope of authority is investigated

thoroughly, and the accused officers are afforded full due process, specified under the Administrative Procedures Act of 1969.

MCOLES investigates any standards compliance matter that impacts the ability of individual(s) to obtain or maintain law enforcement licensure/certification. Many revocation matters are revealed during the course of routine MCOLES standards compliance investigations. The issues in these investigations may include arrest and conviction of a criminal offense, use of fraudulent means to obtain law enforcement licensure/certification, allegations of poor moral character, Law Enforcement Information Network (LEIN) violations, positive drug screens, mental and emotional instability, problems with visual acuity or color vision, and disease or other medical problems that compromise a person's ability to perform law enforcement duties.

Since Public Act 237 of 1998 went into effect, MCOLES has initiated 2,017 standards compliance investigations. Some of these investigations were brief and did not result in further official action, yet a significant number were time consuming and required both travel and investigative expertise.

On average, over 100 of the cases coming to MCOLES attention each year involve allegations of criminal activity by law enforcement officers or suspected fraud committed in the process of obtaining law enforcement licensure/certification. Upwards of half of the

cases cited above fall into this category. **By the close of 2004, 71 revocations of licensure had occurred through the formal administrative process. Twenty-seven cases remain open pending final disposition of criminal charges against law enforcement officers, and 97 cases remain unresolved, pending further investigation.**

MCOLES has made significant progress in securing cooperation for reporting, and with tracking and sharing information regarding individuals who are unsuitable for law enforcement employment. It is significant to note, however, that **MCOLES presently does not have authority to suspend or remove law enforcement licensure/certification from individuals who are convicted of committing certain crimes involving behavior clearly in violation of public trust.** Examples include felony charges that are reduced in plea agreements, and certain misdemeanors, wherein offensive behavior is evident that is beyond any sensible boundaries for a law enforcement officer. These cases may involve matters of assault, Internet child pornography, or sexual deviation, yet they are not subject to revocation under current law.

Licensing of Private Security Police Officers

Public Act 473 of 2002 has produced an historic change in the manner of licensing for Michigan's private security police officers. This legislation became effective October 1, 2002. Prior to its enactment, private security agencies, private security guards, private investigators, private security police, and installers of alarm systems were licensed through the Michigan State Police. The new legislation places the bulk of these licensing functions with the Department of Consumer and Industry Services, with the exception of private security police officers. Licensing of Michigan's private security police officers is now administered by MCOLES.

Licensed under the Private Security Business and Security Alarm Act, Public Act 330 of

1968, private security police officers, employed by licensed agencies, have full arrest authority while in uniform, on duty, and on the property of their employer. Act 330 requires private security police officers to be at least 25 years of age.

Under Act 330, private security police officers must obtain 100 to 120 hours of training. The higher amount is required for private security police officers who will carry firearms. These personnel are also required to attend twelve hours of in-service training annually. Among the topics for which private security police officers must receive training are law, firearms, defensive tactics, critical incident management, emergency prepared-

ness, patrol operations, and first aid.⁹

Presently there are twelve agencies in Michigan that have private security police status. Each of these agencies employ from 20 to 200 private security police officers. They are:

- Eastland Mall Security Corporation
- Detroit Medical Center
- Henry Ford Health System
- Renaissance Center Management Co.
- St. John Hospital & Medical Center
- GP-Northland Center, LLC
- Motor City Casino
- St. John's Detroit Riverview Hospital
- Fairlane Town Center
- MGM Grand Detroit, LLC
- Spectrum Health

Licensing of Railroad Police Officers

Commissioning and other requirements of Railroad Police officers in Michigan can be found in the Railroad Code of 1993. Railroad police officers must meet the training and employment standards of law enforcement officers in accordance with Public Act 203 of 1965, as amended, the enabling legislation for MCOLES. Railroad police officers are employees of companies that own, lease, use, or operate any railroad in this state. In addition to meeting the minimum

MCOLES standards, law requires that the state police (responsibility assigned to MCOLES) must determine that the individual is suitable and qualified in order to issue a commission (MCL 462.367).

Every commissioned railroad police officer has statewide authority to enforce the laws of the state and the ordinances of local communities when engaged in the discharge

of his or her duties as a railroad police officer for their employing company. Their authority is directly linked to the company's property, its cargo, employees, and passengers. Railroad police officers carry their authority beyond the company's property when enforcing or investigating violation of the law related to their railroad (MCL 462.379).¹⁰

MCOLES Services

Delivered Through Partnerships

MCOLES standards reach the field through the collaborative efforts of the Commission and its partners.

Our partnerships include Michigan's law enforcement leadership, training providers, professional organizations representing the various concerns of law enforcement, and the various other components of the criminal justice system. Together, they form the Michigan criminal justice community, the participation of which is imperative to the identification and achievement of MCOLES goals.

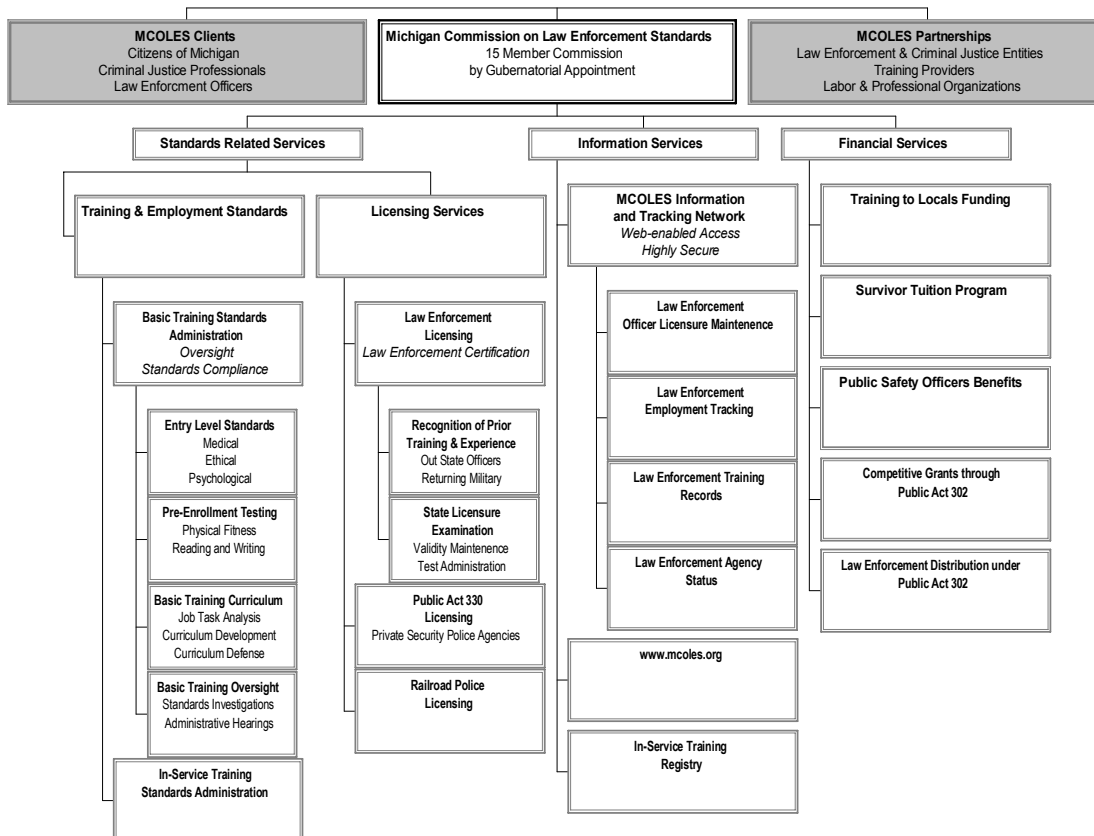
Working in partnerships is the MCOLES strategy, yet MCOLES goals are developed with a focus on our clients.

MCOLES clients are the citizens of Michigan, law enforcement officers, and the other criminal justice professionals who serve our citizens. We recognize that law enforcement alone cannot create safe communities, yet the public correctly expects that its police officers and Michigan's criminal justice system will be able and willing to protect the public, to act on conditions that fos-

ter crime, and to respond effectively when crime has been committed. In balance, the law enforcement officer, and other criminal justice professionals, deserve to be provided with the tools that enable them to carry out these difficult and sometimes dangerous tasks successfully and, always, with priority on safety. Ultimately, the criminal justice system cannot succeed unless its components each function correctly. The following graphic is representative of MCOLES services and the environment in which they are now developed and provided.

Key Functions and Services

40 Years of Dedication and Commitment



Regional Basic Training Academies

The Regional Basic Training Program provides the Commission's mandatory basic police training curriculum through the approved training facilities. Qualified graduates are awarded law enforcement certification / licensing by MCOLES upon meeting the remaining employment standards, achieving law enforcement employment, and being sworn into office. Regional Basic Training programs train recruits employed by law enforcement agencies as well as eligi-

ble pre-service candidates who meet the degree requirement for entry into regional academy programs. The approved Regional Basic Training locations typically run two sessions in a training year, unless hiring needs require additional approved sessions. The sessions last between fourteen and sixteen weeks on average. Of the 15 approved locations that deliver the Regional Basic Training Program, four locations train only their own employed recruits. These local

basic academies are the Michigan State Police Academy, the Detroit Metropolitan Police Academy, the Department of Natural Resources, and the Wayne County Sheriff Academy. The remaining ten locations, which are geographically distributed throughout the state, train both employed recruits and eligible pre-service candidates. Listed below are the approved Regional and Local Basic Training programs and their respective Training Directors.

Delta College

Criminal Justice Training Center
Jill Gallihugh, Interim Director
Room F-40
1961 Delta Road
University Center, MI 48710

Department of Natural Resources

Tom Lennox, Director
Law Enforcement Division
P.O. Box 30031
Lansing, MI 48909-7531

Detroit Metropolitan Police Academy

Inspector Duane McKissic, Director
8551 Greenfield
Detroit, MI 48228

Flint Police Regional Training Academy

Sgt. Dan Allen, Director
3420 St. John Street
Flint, MI 48505

Grand Valley State University

Billy Wallace, Director
One Campus Drive
1153 Mackinaw
Grand Rapids, MI 49401

Kalamazoo Law Enforcement Training Center

Richard Ives, Director
6767 West "O" Avenue
Box 4070
Kalamazoo, MI 49003-4070

Kirtland Community College

Jerry Boerema, Director
10775 N. St. Helen
Roscommon, MI 48653

Lansing Community College

Criminal Justice & Law Center
William Martin, Director
3420 Criminal Justice Center
P.O. Box 40010
Lansing, MI 48901-7210

Macomb County Community College

Criminal Justice Center
Gerald L. Willick, Director
32101 Caroline
Fraser, MI 48026

Michigan State Police Training Academy

Captain Gene Hoekwater, Director
7426 North Canal Road
Lansing, MI 48913

Northern Michigan University

Public Safety and Police Services
Kenneth Chant, Director
1401 Presque Isle Avenue
Marquette, MI 49855-5335

Oakland Police Academy

Oakland Community College
Richard Tillman, Director
2900 Featherstone Road
Auburn Hills, MI 48326

Washtenaw Community College

Ralph Galvin, Director
4800 E. Huron River Drive
P.O. Box D-1
Ann Arbor, MI 48106-0978

Wayne County Regional Police Training Academy

Dan Antieau, Director
Schoolcraft College
1751 Radcliff
Garden City, MI 48135

Wayne County Sheriff Department

Exec. Lt. James Davis, Director
Wayne County Community College
Western Campus
9555 Haggerty Road
Belleville, MI 48111

Pre-Service Basic Training Academies



The Pre-Service Basic Training Track programs offer mandatory basic police training in conjunction with a college degree program. Students entering these programs are guided through a college-designed curriculum, which allows a qualified graduate to be licensed as a law enforcement officer upon achieving law enforcement employment. The academic content of these programs includes designated courses that incorporate the entire MCOLES mandatory 562-hour curriculum. Students must achieve satisfactory grades of C, or a 2.0 on a 4.0 scale, or better, in each pre-service program course within a two-year time limit and be awarded their degree. This qualifies the students for a two-year window of eligibility to become employed and licensed as a law enforcement officer. Presently, there are eight locations that offer pre-service track programs. They are listed at right in alphabetical order.

Ferris State University

Law Enforcement Programs
Terry Nerbonne, Director
501 Bishop Hall
1349 Cramer Circle
Big Rapids, MI 49307

Grand Rapids Community College

Jodi Richhart, Director
143 Bostwick, NE
Grand Rapids, MI 49503

Kellogg Community College

Linda Lovchuk, Director
450 North Avenue
Battle Creek, MI 49016

Lake Superior State University

Criminal Justice
Dr. Paige Gordier, Director
Norris Center Room 210
Sault Ste. Marie, MI 49783

Northwestern Michigan College

Alan Hart, Director
Social Sciences Division
1701 E. Front Street
Traverse City, MI 48684

West Shore Community College

Dan Dellar, Director
P.O. Box 227
Scottville, MI 49454

**The Pre-Service
Basic Training Track
programs offer
mandatory basic
police training in
conjunction with a
college degree pro-
gram.**

Pre-Enrollment Testing

MCOLES has developed examinations and performance levels to assure that candidates possess sufficient physical fitness to undergo law enforcement training. Candidates who cannot achieve a passing score on these examinations would find it difficult, if not impossible, to complete the law enforcement training process. MCOLES also assesses candidates for basic reading skills.

All candidates entering law enforcement in Michigan must demonstrate proficiency on both the Physical Fitness and the Reading and Writing examinations. Previously licensed/certified officers are not required to take these tests.

The MCOLES Reading and Writing Test is designed to measure the writing skills and reading comprehension required for success in basic law enforcement training as well as on the law enforcement job. This test is administered in computer labs at approved sites across the state. Passing test scores for the Reading and Writing Test remain valid without expiration. A letter grade accompanies the passing score, e.g., A, B, or C. This letter grade identifies the candidates' position among other test participants who passed the examination. The highest scoring group is identified with the letter "A," the middle group with the letter "B," and the lowest scoring group among those passing the test with the letter "C."

The Physical Fitness Test is designed to

assess strength and aerobic capacity to ensure that candidates possess a minimum level of fitness necessary for success in training. The Physical Fitness Test is a newly developed program, the result of a three-year research effort, which was done in consultation with the Cooper Institute.

The MCOLES physical fitness standard serves as the first step in a comprehensive Health and Fitness Training Program. This program identifies initial candidate fitness levels, and then it provides both academic and physical instruction, teaching the candidate how to improve strength and aerobic capacity and how to develop a healthy life style within the environment of a stressful career. This program was developed under the banner, "Fit for Duty, Fit for Life."

Pre-enrollment physical fitness testing ensures that candidates possess sufficient conditioning to undergo the challenges of the fitness-training program. After completing both the cognitive and physical training, candidates again submit to physical fitness testing. They are expected to perform at a level that is equal or greater than their entry-level performance.

The test events are the same for pre-enrollment testing as they are for the final physical fitness assessment. They are not equipment-dependent, and recruiters can pre-test pre-enrollment candidates early to assess their viability. The test events are:

- a maximum number of push-ups within

sixty-seconds;

- a maximum number of sit-ups within sixty-seconds;
- a maximum height vertical jump; and
- a timed 1/2 mile shuttle run.

Push-ups are used to assess upper body strength, sit-ups reflect core body strength, and the vertical jump is a reliable indicator of lower body strength. Aerobic capacity is measured in the shuttle run. Trainers providing instruction in the MCOLES Health and Wellness Program have successfully completed an MCOLES "Train the Trainer" preparation course.

The Physical Fitness Test must be taken within 6-months of entering academy training.

Applicants and agency administrators should be aware that the MCOLES Pre-Enrollment Tests are administered only at MCOLES Approved Test Centers.¹¹ Other forms of testing or testing at non-approved sites will not satisfy these mandatory requirements.¹²

A listing of MCOLES Pre-Enrollment Test Centers is found in the section of this report that is entitled, For the Record.

Waiver of Training

Recognition of Prior Training & Experience

The Waiver of Training process is designed to facilitate the re-entry of persons into law enforcement who were previously licensed/certified in Michigan and who have been separated from law enforcement employment longer than the time frames specified in Section 9 of Public Act 203 of 1965. Individuals who are licensed/certified law enforcement officers in states other than Michigan may also utilize the Waiver of Training process to gain Michigan law enforcement licensure status, providing they have successfully completed a basic police training academy program and functioned for a minimum of one year as a licensed law enforcement officer in their respective state. In addition, pre-service graduates of Michigan's mandatory Basic Police Training Program may also access the Waiver of Training process to gain a second year of eligibility for licensure/certification, providing they have met all of MCOLES requirements for the first year of eligibility as prescribed by administrative rule.

Approved applicants for the Waiver of Training process have the option of attending a 40-plus hour program to assist them in preparing for the examinations, or they may elect to take the examinations without the assistance of this program. The preparatory programs and examinations are scheduled for an entire calendar year with training opportunities presented, approximately, every five weeks and testing opportunities provided every two to three weeks. All approved Waiver of Training applicants must pass the MCOLES Licensing

Examination and complete the firearms proficiency examination, which consists of qualification with both a handgun and a shotgun. In addition, applicants must meet the existing first-aid requirements in order to earn licensure status.

After completing all examinations and first-aid requirements, applicants are eligible for licensure for a period of one year from the examination date. Upon employment with a Michigan law enforcement agency and verification that the applicant meets all MCOLES minimum selection and employment standards, law enforcement licensure is awarded. During 2003, there were 159 enrollments in Waiver of Training programs conducted at the two approved training facilities providing the program, listed below.

Kirtland Community College
Contact: Dick Cook
10775 N. St. Helen
Roscommon, MI 48653

Macomb Community College
Contact: Bob Bonacorsi
32101 Caroline
Fraser, MI 48026

All approved Waiver of Training applicants must successfully complete a written examination ... and complete the firearms proficiency examination ...

Stop Violence Against Women

Domestic violence is a long-standing criminal justice problem. Lack of knowledge of the causes and magnitude of domestic violence have limited the effectiveness of the law enforcement response to this dilemma.

Although domestic violence has always existed, it is little understood. The study of domestic violence is relatively new. Researchers now characterize domestic violence as a pattern of behavior that is learned and chosen by the abuser. Indeed, some social environments continue to tolerate, if not encourage, domestic violence.

In the past, the law enforcement response to domestic violence has suffered from a lack of both knowledge and resources. In 1994, the federal Violent Crime Control Act provided funding, administered by the United

States Department of Justice, to attack the problem under the STOP Violence Against Women Grant Program. MCOLES has secured STOP grant funding since 1993 to improve the Michigan response to domestic violence.

STOP grant funds now provide technical assistance to Michigan law enforcement agencies for the development of domestic violence policy and for training officers in the recognition and investigation of domestic violence. MCOLES has long sub-granted portions of these funds to the Michigan State Police and the Wayne County Prosecutor's Office for delivery of training to the criminal justice community. These funds provide statewide training of detectives, troopers, and other key criminal justice personnel.

MCOLES has continued an active partnership with the Michigan State Police Prevention Services Section to combat domestic violence. STOP grant funding supports the participation of the Department of State Police in a number of initiatives and ongoing efforts to combat domestic violence. These include the review and updating of curricula and domestic violence policy, as well as participation in the delivery of statewide domestic violence training. Under STOP grant funding, the Department of State Police has shared in the design of a standardized domestic violence reporting form for general law enforcement use; it has participated in a task force on domestic violence fatalities; and it has sponsored and facilitated statewide domestic violence conferences.

The Criminal Justice Resource Center

With the expanded mission of MCOLES, the Law Enforcement Resource Center (LERC) has enlarged its focus beyond law enforcement to serve as a repository for criminal justice training media. The Center is available to law enforcement and criminal justice agencies throughout Michigan. All MCOLES licensed/certified law enforcement officers, law enforcement training academies, and MCOLES approved criminal justice programs are eligible users.

Funding through Public Act 302, of 1982, has allowed the Resource Center to purchase

instructional resources to support law enforcement training.

Trainees benefiting from the Resource Center range from officers receiving roll-call training to officers attending formal presentations made in an academic setting. Law enforcement patrons have ranged from the smallest police departments to centralized training facilities of the larger police departments. Colleges and universities also use the Resource Center to provide audio-visual programming for MCOLES approved in-service programs presented at these institutions.

The Resource Center has become an integral part of the support system for the criminal justice training delivery system in Michigan. Due to budget constraints at many law enforcement agencies, the Resource Center has become a valuable tool that enables them to receive training support materials that may otherwise be unavailable to them.¹⁵ Information and assistance can be found through the Center's link at the MCOLES web site, www.mcoles.org.

911 Dispatcher Training

Public Act 78 of 1999 provides for funding the training of 911 emergency dispatchers. The Act imposes a \$.55 surcharge per month on all phone bills for wireless telephones. Act 78 dedicates 1 1/2 cents monthly toward the training of emergency dispatchers.

The telephone companies are responsible for collecting the service charge and forwarding the funds to the Michigan Department of Treasury.

These funds are distributed semi-annually to counties and public safety agencies to be used for training of Public Safety Access Point (PSAP) (911 Dispatch Centers) personnel.

Sec. 409 (1)(d) of Act 78 provides in pertinent part: "One and one-half cents of each monthly service charge collected under section 408 shall be available to PSAP's for training personnel assigned to 911 centers ... Money shall be disbursed to an eligible public safety agency or county for training of PSAP personnel through courses certified by the Commission on Law Enforcement Standards only for either of the following purposes:

(i) To provide basic 911 operations training.

(ii) To provide in-service training to employees engaged in 911 service."

These funds may be used only for training certified by MCOLES. The Act requires that MCOLES certify courses in two categories: Basic 911 Operations Training and In-Service Training for 911 Personnel.

The legislation also establishes the Emergency Telephone Service Committee (ETSC), composed of representation from 21 businesses and public safety organizations. Among the responsibilities of this committee is the development of appropriate standards to support Basic 911 Dispatcher Training and In-Service Training for persons engaged in 911 service.



As the designated agency that must approve training courses to be used in funded programs, MCOLES has worked closely with the ETSC, participating on its Emergency Telecommunications Training Sub-Committee. This has resulted in the integration of 911 training approval with the process used by MCOLES for approval of in-service law enforcement training. This approval process utilizes both the expertise of ETSC sub-committee members and the experience of MCOLES in tracking standards based training.

“Money shall be disbursed to an eligible public safety agency or county for training of PSAP personnel through courses certified by the Commission on Law Enforcement Standards ...”

www.mcoles.org

... the MCOLES web site offers convenient access to MCOLES organizational information and current events.

As our technology-driven environment continues to foster rapid change, individuals and organizations exchange increasing amounts of information. The Internet has multiplied possibilities for the movement of information and communications. The MCOLES web site first went on-line in 1998. Today, the MCOLES site offers convenient access to MCOLES organizational information and current events. The MCOLES newsletters, annual reports, staff

and commission information are available. The site also contains a directory of Michigan law enforcement agencies, links to related web sites, and answers to frequently asked questions. Soon, the MCOLES web site will become integrated with the MCOLES Information and Tracking Network. This will allow authorized users to conduct MCOLES business transactions over the Internet.¹⁴

Michigan State Police

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Welcome to MCOLES

Welcome to the Michigan Commission on Law Enforcement Standards
7426 N. Canal Road
Lansing, Michigan 48913
Telephone: (517) 322-1417
E-Mail Address: email@mcoles.org
FAX: (517) 322-6439

Current Issues

- **ANNOUNCEMENT: Training to Locals Partial Tuition Reimbursement**
...Information regarding financial documentation (posted 7/13/2004) > [More](#)
- **ANNOUNCEMENT: New MCOLES Network Training Schedule**
...Click here to View Dates, Location, Map & Directions > [More](#)
- **Register for MCOLES Network Training Sessions**
...and submit by E-mail > [More](#)
- **ANNOUNCEMENT: Eng Domestic Violence In Service Training**

More State Web Sites

Quick Links

- Frequently Asked Questions
- Crime Prevention Tip Lines
- CCW - Carrying a Concealed Weapon
- Fallen Michigan State Police Officers
- Freedom of Information Requests
- Fugitives at Large
- Homeland Security
- Law Enforcement Resources
- MCOLES (Police Officer Licensing)
- Michigan's Most Wanted
- Missing Persons
- Weather and Road Condition Report - November - April

MCOLES Funding

Providing Economic Support for Public Safety

Over the years, MCOLES has emerged not only as a standards bearer for Michigan law enforcement but also as a leading provider of funding in support of criminal justice training at large.

MCOLES funding responsibilities, today, include the provision of funds in support of training for employed law enforcement candidates, funding in support of law enforce-

ment in-service training, funding in support of in-service training for other criminal justice personnel, and funding to provide reimbursement of college tuition incurred by

children and spouses of law enforcement officers and fire fighters who have perished in the line of duty.

The Justice Training Fund

MCOLES is responsible for the administration of the Michigan Justice Training Fund, which operates under P.A. 302 of 1982, as amended. The Fund provides financial support for in-service training of criminal justice personnel.

The Michigan Justice Training Fund operates in the following manner. Public Act 301 of 1982, which amended P.A. 300 of 1949 (the Michigan Motor Vehicle Code), directs the District Courts to collect a \$5.00 assessment on each civil infraction fine (traffic violation conviction), excluding parking violations and violations for which the total fine and costs imposed are \$10.00 or less. The collected fee assessments are then transmitted to the State Treasury for deposit in the Justice System Fund. A percent of the JSF is then deposited in the Justice Training Fund.

Executive Order 2001-5 has designated the Michigan Commission on Law Enforcement Standards (MCOLES) to administer the Fund. The Commission is mandated by the Act to distribute 60 percent of the fund semi-annually in what has come to be known as the Law Enforcement Distribution. These monies are provided to law enforcement

agencies to provide for direct costs in support of law enforcement in-service training. Distributions are made on a per capita basis, the amount of which is dependent on the number of full time equivalent MCOLES licensed/certified police officers employed by cities, villages, townships, counties, colleges and universities, and the Department of State Police.

Staff provides comprehensive training for participants in the Law Enforcement Distribution. Workshops for all law enforcement agencies are presented each year at various locations throughout the state.

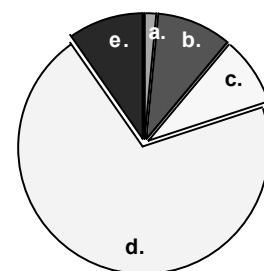
During 2004, \$4,324,028.44 was disbursed to law enforcement agencies on a per capita basis. The fall distribution provided 432 agencies with \$2,237,359.48. The per capita amount was \$116.98. The spring distribution provided 433 agencies with \$2,064,918.96. The per capita amount was \$108.72. The spring distribution provided 43 law enforcement agencies employing 3 or fewer law enforcement officers with the minimum distribution of \$250; and the fall distribution provided the minimum \$250 to 44 law enforcement agencies.

The remaining portion of the fund, less

administrative costs, is designated for competitive grants and is awarded to various state and local agencies providing in-service criminal justice training programs to their employees.

In deciding on grant awards, the Commission considers the quality and cost effectiveness of the training programs proposed by the applicant and the criminal justice needs of the state. **This year, 61 grant applications were reviewed. Of these, 50 applications were awarded a total of \$3,449,060.** The following is a breakdown of funding by category.¹⁵

2004 Grant Awards



a. Adjudication	\$ 51,555	1%
b. Corrections	\$ 335,965	10%
c. Criminal Defense	\$ 306,166	9%
d. Law Enforcement	\$ 2,425,096	70%
e. Prosecution	\$ 330,278	10%

Three grant workshops are held during the first two weeks of June each year to provide potential criminal justice grant applicants with specific detailed information on application requirements.

Staff provides comprehensive training for participants in the Competitive Grant Program. Three grant workshops are held during May to provide potential criminal justice grant applicants with specific detailed information on application requirements.

Each year the Commission establishes a Prioritized Training List to which grant funds will be directed. This list is established through a needs assessment or other evaluation tool to determine the training needs of the specific criminal justice discipline (Adjudication, Corrections, Criminal Defense, Law Enforcement, Prosecution, and Cross-Professional). In addition, the Commission has also established that an applicant must also meet the requirement of providing training through a consortium concept in order to obtain grant funding. All applications must be postmarked by July 31st to be considered for funding.

Each grant application meeting the deadline requirements is reviewed for completeness and assigned to a staff member for a more detailed review consistent with established guidelines. During the staff review, committees made up of criminal justice professionals are established. These committees provide for a secondary review of each grant for technical merit to ensure that the Commission is not directing scarce resources to programs that may be obsolete or in conflict with the established priorities.

At the completion of both the staff and committee reviews, staff determines the available funding for the grant award cycle. The funding recommendations are then reviewed to establish a parity of recommendations to available funding. Additional reductions in recommended awards, if necessary, are made consistent with Commission established priorities. The grant applications and the specific funding recommendations are forwarded to the Commission in early November for review.

The Commission takes final action with respect to the grant awards during their December meeting. Then in early January, staff holds two Grant Contract Award workshops to provide successful applicants with their respective contract and reporting requirements. In addition, applicants are also provided with the programmatic and financial reporting forms.

Throughout the year staff conducts on-site monitoring of grant programs resulting in first hand reports to the Commission on grant activities. Michigan Justice Training Fund news is periodically published in the MCOLES newsletter and at the MCOLES web site www.mcoles.org.¹⁶

Training to Locals

Funding Support for Basic Training

Training to Locals is the MCOLES program that provides partial reimbursement to local law enforcement agencies for the tuition expense of sending employed candidates to basic law enforcement training.

Michigan law enforcement agencies that employ individuals for the express purpose of becoming licensed/certified law enforcement officers and then send those individuals to an MCOLES approved basic police training program are eligible for partial reimbursement of tuition expenses. The conditions of employment must comply with the Federal Fair Labor Standards Act. Specifically, this means that an employed candidate must be paid at least minimum wage for all hours that are spent in attendance at the academy. There can be no agreements, verbal or written, that obligate an employed candidate to pay any of the expenses associated with academy training or that obligate the employed candidate to repay wages to the employer, either monetarily or through volunteered time.

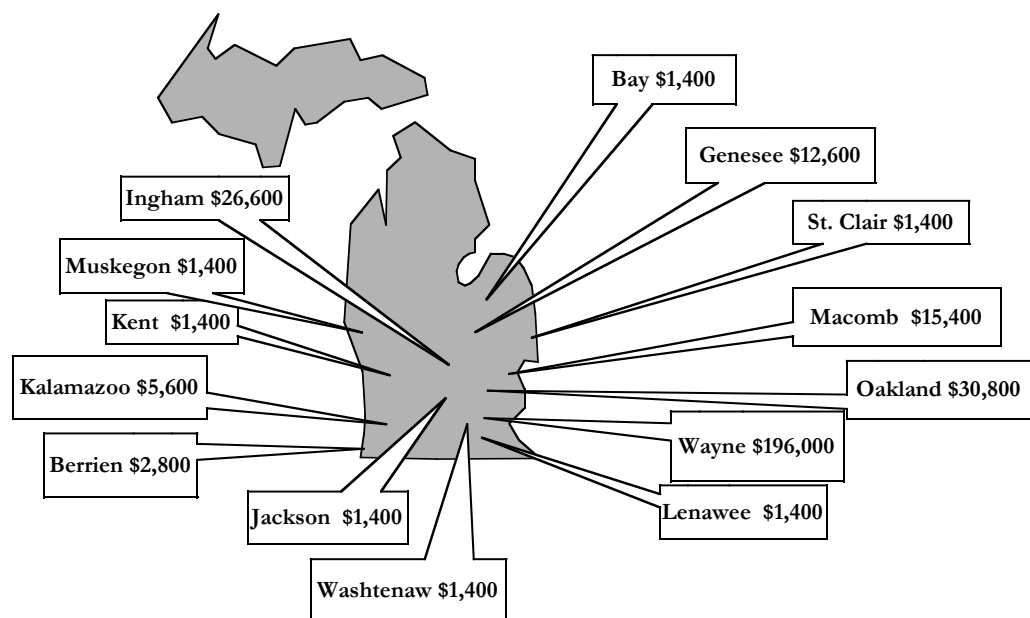
The MCOLES staff conducts opening orientations at each of the approved training facilities during the first day of training. All recruits formally enrolled in an approved session are tracked by MCOLES, ensuring that the employing law enforcement agency will be eligible for partial tuition reimbursement and that the appropriate financial documentation will be mailed to the agency head. Agencies sending an individual to the academy should maintain a copy of the cancelled check and a copy of the paid receipt from the academy for submission to MCOLES, along with other required documentation.

The financial documentation forms are sent to all qualified law enforcement agencies in mid-June of each calendar year. The documents must be filled out and returned to the MCOLES offices no later than mid-August of the same calendar year. The reimbursement qualification period is from August 1st through July 31st of the preceding year. In order to qualify for the partial tuition reimbursement, an agency's recruit must complete training and be licensed/certified as a law enforcement officer prior to July 31st of the funding year. The MCOLES staff will review all submitted financial documentation and initiate reimbursement payments in late September or early October of the funding year.

The reimbursement level is determined in early September and is based upon the amount of revenue allocated to the Training to Locals account each fiscal year. This amount is divided by the total number of employed candidates trained and licensed/certified during the funding period, yielding a "per candidate" reimbursement. Qualifying agencies can expect to receive reimbursement no later than December 31st of the funding year.

The per candidate reimbursement for fiscal year 2004 was \$1,400. A total of \$274,400 was distributed (depicted below).

2004 Distribution of Training to Locals Funds



Police Officers & Firefighters

Survivor Tuition Waiver Program

This year, MCOLES processed seven applications for waiver of tuition at Michigan colleges and universities ... A total of \$27,136.72 in tuition was waived for students in this program during Fiscal Year 2004.

In May of 1996, MCOLES was given administrative responsibility for the Survivor Tuition Program under Public Act 195 of 1996. This legislation provides for the waiver of tuition at public community colleges and state universities for the surviving spouse and children of Michigan police officers and fire fighters killed in the line of duty.

In conjunction with the Michigan Student Financial Aid, procedures have been developed for the application, review, and approval of tuition waivers as specified in Public Act 195 of 1996.

A concerted effort has also been made to announce the program and encourage participation. Articles have been published in appropriate professional association newsletters, and announcements were made to all Michigan law enforcement agencies and fire departments. The survivor tuition program is listed in the financial aid directory of available resources for all four and two-year schools in Michigan and also appears in the MICASH database, a state sponsored scholarship search service of all private and state resources which is accessible via the Internet.

This year, MCOLES processed nine applications for waiver of tuition at Michigan colleges and universities. Seven applications were approved. **A total of \$27,136.72 in tuition was waived for students in this program during Fiscal Year 2004.**



The MCOLES Information and Tracking Network

On April 5, 2004, the Commission implemented the MCOLES Network giving Michigan's 600 plus law enforcement agencies access to their officers employment and training history and the ability to interact, via a Web based system, with MCOLES on employment transactions and other reporting requirements.

The MCOLES Network is designed to track a law enforcement officer's career from basic training, employment, inservice training and up to and including separation from employment. The information is accessible 24 hours a day, seven days a week. Through the use of the system, law enforcement agencies can make critical employment decisions in a timely manner and the public is better served.

Between January 1, 2004, and the implementation date, Commission staff trained approximately 1200 individuals in the use of the Network and they are able to update their agencies records at any time. Network operator training sessions are scheduled on a monthly basis in order to maintain trained operators for each agency. With the agencies ability to check the status of their officers on a continual basis, information is timely, up-to-date, and accurate.

The providers of the basic training curriculum also have access to the Network and enter information regarding selection, training, and evaluation of future law enforce-

ment officers. This information is accessible to the agencies employing graduates and allows for quick and easy access to needed information to make an employment decision.

Inservice training is also tracked via the Network. Training providers who have access to the system enter course information on-line, date and location of training, enrollment and completion of training information. This training is attached to the officer's record and a complete training history for the officer is accessible.

Law enforcement agencies also complete the mandatory annual registration process on-line as well as their participation in the Law Enforcement Distribution (LED) expenditures.

Today, MCOLES clientele and complexity continues to expand. MCOLES clients now number approximately 22,000 law enforcement officers.

Also, over 600 Michigan law enforcement agencies and over 500 basic and in-service training providers interact with MCOLES. Not only is MCOLES a standards bearer for law enforcement in Michigan, it provides standards-related support services, and provides various forms of funding support to law enforcement and the criminal justice system at large. MCOLES has developed a proactive organizational culture in which it seeks to provide leadership and function as a solutions-facilitator within Michigan's crimi-

The geographical diversity of MCOLES clientele requires a technology-based solution offering wide connectivity, from regions that are hundreds of miles from MCOLES offices in Lansing.

Not only is MCOLES a standards bearer for law enforcement in Michigan, it provides standards-related support services, and provides various forms of funding support to law enforcement and the criminal justice system at large.

MCOLES Information and Tracking Network Continued

nal justice community.

To effectively assume its modern role within a state government structure that must continue to ask its members to do more within conservative human resource limitations, MCOLES initiated an organizational reengineering effort to restructure, consolidate functions, and eliminate duplication of effort. A strategic planning process commenced to identify MCOLES most critical priorities and refocus staff efforts away from its systems legacy in process-oriented man-

agement toward outcome based leadership. In a significant part of that effort, MCOLES engaged an external technology consultant to conduct a feasibility study, designed to improve organizational effectiveness through the integration of information technology solutions.

The Feasibility Study

The feasibility study first embarked on a vigorous effort to gain an understanding of MCOLES mission and critical business priorities. An abbreviated listing of some of the activities included in this process follows.

- Review of MCOLES business documentation relating to statutory responsibilities, strategic plans, current and future initiatives, business processes, and an internal needs analysis.
- Interaction with MCOLES constituents, both individually and at regional “town hall” meetings, to gather information on their needs and concerns.
- Interaction with MCOLES leadership regarding MCOLES mission and current strategic priorities.
- Structured discussions with selected MCOLES staff members regarding critical issues, problems, and needs related to the division’s business processes and information systems.
- Systematic analysis of MCOLES core business processes to identify areas of overlap, redundancy, or inefficiency due to obsolete processes.

- Production of an interim report detailing the project status.
 - Assessment of current information system capabilities and limitations.
 - Identification and prioritization of opportunities for business process improvement through the strategic application of information technology.
 - Research available software solutions, architectural alternatives, and deployment strategies.
 - Formulation of recommendations for prioritized implementation of business process improvements from a business case perspective.
 - Presentation of a final report.
- C. MCOLES effectiveness in carrying out its critical business processes is constrained by lack of timely access to information, duplication of effort, reliance on traditional paper documents, and an under-utilization of available automated information technology.
 - D. MCOLES staff members are often unable to provide timely service to their constituents because of the fragmented information system and the labor-intensive service delivery processes that are currently in use.
 - E. The volume of work and the labor-intensive nature of the current business processes have encouraged an inordinate emphasis on process, as opposed to outcomes, which MCOLES leadership is addressing.

The Study Findings

A detailed report provided MCOLES with the findings of this study. Pertinent parts of these findings appear in the overview below.

- A. MCOLES staff members are struggling to balance increasing statutory responsibilities with the division's limited human and financial resources.
- B. MCOLES is dependent on an information system consisting of a number of disconnected databases and an antiquated mainframe system that effectively limits access to information and requires large amounts of staff time to maintain.
- F. Dramatic improvements in MCOLES speed, responsiveness, and overall effectiveness can be accomplished through integration of an information system, automation of business processes, and web-enabled (Internet) access by clients to an MCOLES information system.

The feasibility study first embarked on a vigorous effort to gain an understanding of MCOLES' mission and critical business priorities.

By the close of 2003, the MCOLES Information and Tracking Network had been developed and tested, with implementation slated throughout 2004.

The Feasibility Study Continued

The Study Recommendations

The consultant provided recommendations to overcome the conditions listed above. It is significant to note that this study coincided with the emergence of vastly improved interactive connectivity offered through the Internet, which is reflected in the solutions recommended by the consultant. The study also recommended solutions emphasizing the importance of relying on proven, industry-standard, off-the-shelf hardware and software applications currently in widespread use. Other elements incorporated into the consultants' recommendations are in the sidebar at right.

The study concluded that there is a compelling business case to be made for the implementation of these recommendations to improve the effectiveness of MCOLES in carrying out its mission. The consultant estimated that the full implementation of an integrated information system, with the recommended components, would greatly facilitate the organization's advance into full compliance with its legislated mandates.

After careful consideration of available options, the Commission elected to proceed with a proposal to develop the system recommended by the study, with modest adjustments. Development began in late 2001. Not too long into the development process, the project acquired its name, the MCOLES Information and Tracking Network. By the close of 2003, the MCOLES Information and Tracking Network had been developed and tested with implementation slated throughout 2004.

- A single, integrated database providing for secure, shared access to information for both MCOLES staff and constituents.
- Automation of existing business processes to eliminate duplication of effort, provide direct user access to information and services, and minimize staff time needed for routine tasks and system maintenance.
- Distributed entry of application information, employment history record updates, personnel transactions, training, and other data by end users to facilitate the "single entry" of data and minimize the need for staff involvement in redundant data entry and verification.
- Automation of existing applications, reports, and other forms to allow the secure, electronic transmission of documents between MCOLES and its constituents.
- Statewide, browser-based access to MCOLES services for police departments, training academies, courts, prosecutors, and individual citizens via the public Internet, without the need for dedicated telecommunication lines or proprietary software applications.
- Creation of a dynamic, interactive web site that will serve as a secure "gateway" for MCOLES constituents to access information and services.

Strategic Planning

A Strategy for Progress

In October of 1999, the staff of the former Commission on Law Enforcement Standards (COLES) began an initiative to chart the organization's course over the coming decade.

The Commission secured the services of an expert in organizational development for consultation and to facilitate the input of staff and the various components of law enforcement leadership across the state.

As this effort progressed, the former Michigan Justice Training Commission (MJTC) became an active partner. The commissions and the staff worked through a series of exercises designed to elicit best thoughts regarding a vision for the future. This produced a large collection of ideas, which were then taken to the field for input.

A streamlined MCOLES must shift to reliable, paperless transactions, utilizing modern information technology.

A Conceptual Foundation

By the fall of 2001, the conceptual foundation for a long-term strategic plan began to emerge. Those concepts are presented here.

Modernization of Law Enforcement Training and Testing.

Michigan's delivery system for law enforcement training has come a long way since its inception. Yet modern learning techniques now offer methodologies that hold potential for substantial improvement in skill development and retention, and application of knowledge. To avail ourselves of these advances, fundamental changes in MCOLES' philosophy and practices have to be worked out. Among the challenges would be shifting the emphasis from process-oriented management to an outcome-oriented approach, placing greater emphasis on candidate evaluation and replacing oversight with academy accreditation. Also, review and

updating of the Waiver of Training [Recertification] program is deemed an essential element of this conceptual component.

Enhancement of Law Enforcement Certification.

MCOLES' clients need to conduct business in an uncomplicated, user-friendly environment. The present paper-based certification process does not always meet this standard. A streamlined MCOLES must shift to reliable, paperless transactions, utilizing modern information technology. Part and parcel of any improvements planned for the certification process will be a complete review of selection standards for necessary additions, deletions, and/or modifications. It will also be necessary to address questions regarding the duration of certification and the benefits of "graduated" certification/licensing for law enforcement officers.

One of the clearest messages received from the field ... was the desire to move forward with an in-service training standard.

A Conceptual Foundation Continued

Development of In-Service Training.

One of the clearest messages received from the field during past town hall meetings was the desire to move forward with an in-service training standard. Thirty-

seven other states now require some form of in-service training for incumbent law enforcement officers. Turning this concept into reality will entail a linkage of the MCOLES standard with MJTC funding and an improved tracking system.

Development of Focus Areas

The two former commissions consolidated on November 1, 2001, forming the new Michigan Commission on Law Enforcement Standards (MCOLES). One of the principal tasks identified by the new Commission was the creation of a strategic plan to advance criminal justice standards and training in Michigan.

After reviewing the conceptual foundation that had been created under the previous commissions, the new Commission adopted this work as a basis for future direction in the development of a strategic plan. MCOLES staff then proceeded with plan development throughout the first half of 2002. This work yielded further refinement of the original conceptual foundation, a series of six focus areas, which appear below. They are:

- a review of employment standards;
- graduated law enforcement certification;
- mandated in-service training;
- reconfigured Waiver of Training process;
- accreditation of police academies; and
- modernization of training and testing.

These focus areas were used as the platform for discussions with the law enforcement and criminal justice community at 14 town hall meetings that were conducted throughout Michigan between June and September 2002. Town hall meeting participants included chief law enforcement officers and their managers; supervisory and street-level personnel; labor representatives; risk management; training academy directors; as well as MCOLES staff and Commissioners. Each town hall session included a detailed presentation of the foundational strategic planning concepts and the associated focus areas.

Staff documented the feedback received at the town hall meetings and reported back to the full Commission at its September 10, 2002 meeting. The Commission discussed the staff reports in detail and determined that it would be appropriate for the six focus areas to be translated into more definitive "action initiatives."

The staff then began preparation of an Action Plan. In developing the action plan, staff worked with a professional facilitator

Development of Focus Areas Continued

to transition the initial focus areas into quantifiable action initiatives. Consideration was given to the direction of the Commission and the resources necessary to achieve the initiatives. These discussions included the planned initiatives as well as consideration of necessary actions required by law.

New Focus Areas Added

As a result, a total of eight action initiatives were identified, discussed, and plotted out on time lines. The initiatives consist of the original focus areas presented at the town hall meetings, with the addition of implementing the MCOLES Information and Tracking Network and the promulgation of administrative rules. The MCOLES Network was added as an action initiative since it represents the management information foundation for the successful implementation of the previously described focus areas. An action initiative for administrative

rules was added because of the need to promulgate new rules that reflect changes in MCOLES enabling legislation and the operation of its varied programs over the past several years.

At its October 17, 2002 meeting, the Commission reviewed and approved the Action Plan, which by then contained eight objectives. During this meeting, the Commissioners expressed concern regarding the adequacy of funding to support the Action Plan. The ensuing discussion resulted in a decision by the Commissioners to seek dedicated funding to support the Commission's operation and implementation of the Action Plan Initiatives.

Therefore, the Commission voted to undertake an additional initiative, seeking a dedicated funding source to support the mission and vision of the Commission. This initiative has been incorporated in the action plan as a ninth Action Objective.

The commission members and the law enforcement community will undertake an historic effort, in partnership with others in the public safety community, to secure legislation that will establish a restricted fund sufficient to meet MCOLES' budgetary needs.

The MCOLES Action Plan

At the heart of this plan are nine Action Objectives ...

These objectives constitute a roadmap for the future development of this organization, and they reflect painstaking effort to mirror the input of the law enforcement and criminal justice communities ...

The MCOLES Action Plan was produced to guide this project from planning stages to further development and action. The plan is designed to:

- serve as the blueprint for operationalizing the strategic plan over the next five to seven years;
- inform MCOLES constituents as to future changes affecting the hiring, training, licensing, and retention of law enforcement officers; and,
- serve as a “living document” that can be modified and updated if there are substantial changes in MCOLES’ current regulatory and service delivery environment.

The Action Plan is not reproduced in its entirety for purposes of this report. At the heart of this plan are nine Action Objectives, which are reproduced herein. These objectives constitute a roadmap for the future development of this organization, and they reflect painstaking effort to mirror the input of the law enforcement and criminal justice communities of Michigan. The MCOLES Action Plan Objectives follow.

Secure Dedicated Funding

MCOLES will secure a dedicated source of funding to support its activities and functions, including mandatory in-service training. The commission members and the law enforcement community will undertake an historic effort, in partnership with others in the public safety community, to secure legislation that will establish a restricted fund suf-

ficient to meet MCOLES' budgetary needs. The new funding will support the costs of MCOLES in fulfilling its statutory mandates and will permit the delivery of essential services in order to enhance professional competence in Michigan law enforcement and criminal justice.

Implement the MCOLES Information and Tracking Network

MCOLES will implement the MCOLES Network project to enable law enforcement agencies, officers, academies, and students to interact with MCOLES electronically through a web-enabled information system. The project will put in place a secure means by which users may enter and view relevant selection and training information on a real

time basis. The project will be phased in, beginning with the annual law enforcement registration and law enforcement distribution (LED) in the winter of 2002/03. The range of automation will be gradually expanded until the predominate method for entry, viewing, and sharing of data and reports will be through web-based interaction on a normative basis.

Review & Update Employment Standards

MCOLES will review its selection and employment standards and incorporate changes, additions, and deletions to those standards using a comprehensive review process. The process will be guided by the results of a recent survey of Michigan law enforcement agencies and Town Hall meeting testimony. This information will be followed by the use of subject matter experts to examine individual standards and to make specific recommendations. Once a recom-

mendation has been formulated, appropriate action will be taken to update the standard, if needed. This process is seen as on-going, with priority given to the standard(s) needing the greatest attention as the first to be examined. The process will then be repeated over time to ensure that the Commission's standards remain contemporary and reflect the needs of the public and the law enforcement community.

Implement Graduated Licensing

MCOLES will institute a graduated licensing process for law enforcement officers in Michigan. Through a partnership between MCOLES and law enforcement agencies, graduated licensing will ensure that only those officers that demonstrate competency in the essential job functions while transi-

tioning from the basic training environment to employment as a law enforcement officer will be granted a permanent license. Additionally, the graduated licensing process will provide due process and safeguards to ensure fairness without compromising the goals and benefits of graduated licensing.

Revise Waiver of Training Program

MCOLES will ensure that Waiver of Training program graduates are competent to perform essential job functions. This will be accomplished by re-examining the Waiver of Training content and evaluation process. This will likely involve the expansion of the

program's training curriculum to include high liability skill areas (e.g., use of force decision-making, emergency vehicle operation, and subject control). For the curriculum and skills areas, the student testing and evaluation process will be enhanced.

Implement Academy Accreditation

MCOLES will improve the quality and consistency of basic and core in-service training for law enforcement through formalized academy accreditation. Accreditation will entail demonstrating compliance with standards that govern the quality of academy administration, facilities, equipment, instruc-

tion, assessment, and treatment of students. Accreditation will also permit greater emphasis on "outcomes" and student performance. As envisioned, this process will include sanctions for training organizations that fail to meet the requirements of accreditation.

Implement Mandatory In-Service Training Standards

MCOLES will institute a mandatory in-service training standard, comprised of both core and elective components. The core curriculum will be driven by high-risk / high-liability factors (e.g., use of force decision-making, firearms proficiency, etc.). The core training curriculum will be presented by MCOLES approved training providers, which may include local law enforcement agencies, col-

leges/universities, training academies and regional consortiums. The elective portion of the mandate will be at an agency's discretion, depending on the needs of the agency and its officers. As envisioned, the mandated training requirements will be completed within a specified time period and could include sanctions for officers and/or employing agencies if the training requirements were not met.

Review & Update Administrative Rules

MCOLES will initiate the administrative rules process to promulgate rules that incorporate statutory revisions to Public Act 203 of 1965, as amended. Further, the rules will be revised to reflect numerous changes in program operation and to the responsibilities and mandates that have occurred in the past several years. Rules will be added, revised, and deleted to reflect the mandates

and objectives of legislative actions and executive orders, the most current program practices, and the strategic plan. The process will be dynamic and reflect the input of various subject matter experts and interest groups affected by the proposed rules. The actual process will conform to the mandated state process and will incorporate extensive public input.

Modernize Training & Testing Standards

MCOLES will develop a basic training delivery methodology and student evaluation protocols based on adult learning theory that will enhance and support the existing curriculum, and can be utilized in all of the training academies statewide. This approach will enhance the skills and abilities of the graduates to

problem-solve, think critically, and multi-task once working on the job. While Michigan law enforcement administrators have indicated that academy graduates are generally well trained and knowledgeable, professional research suggests that the above competencies can best be developed in an adult learning environment, one in which problem-based learning is emphasized.

Implementation Methodology

In pursuing the implementation of each action plan objective, a common research and development methodology will be applied.

This approach is designed to permit the identification of acceptable alternative methods for accomplishing each initiative. It will take advantage of the efforts of other organizations that are similarly situated and will allow for the input and reaction of those entities that will be affected by the initiative. This methodology will also allow for pilot testing and phased implementation to control the level of impact on the target population. There are eight general steps associated with this methodology.

Research. In this initial phase, preliminary direction from the Commission provides the focus to identify operational models in other states or other organizations. It will also allow for the development of information in response to issues brought up in the 2002 Town Hall Meetings.

Focus Groups. Once the research is completed, one or more proposals will be developed for presentation to focus groups. Focus groups will be composed of interested persons in the profession and others who might be affected or can contribute to the issue. The input from the focus groups will be invaluable in shaping the proposed standard and assisting in its ultimate implemen-

tation.

Development of Proposed Standard. Based on the research and the input of the focus groups, the proposed standard will be developed. This step frequently includes pilot testing to insure that the proposed standard can be properly operationalized and to gather additional information for final decision making.

Commission Decision. The proposed standard would then be presented to the Commission for approval to move forward into the rule making process.

Revision of Rules. This step is prescribed in state law and is required where actions by state government require the force of law. These steps require extensive public input and approval at various stages by executive and legislative agencies. It should be noted that one or more of the action initiatives will not require rule-making. [Note: For some action initiatives, implementation of the standard may occur by way of Commission policy until such time that administrative rules are promulgated.]

Education of the Field. Education of the field occurs throughout the entire process, in terms of discussion and input regarding the issues related to the standard. At this point, however, MCOLES efforts focus on preparing the field to apply the proposed standard

in conjunction with MCOLES.

Implementation. At this point, the standard is put in place and becomes fully operational.

Feedback. No process would be complete if there were not a provision for feedback and revision. Once any process or standard is operationalized, it must be evaluated for effectiveness and impact on the service community. If revision is needed, then small changes are made or major adjustments are initiated.

Periodic Review of the Action Plan.

Consistent with the process of periodically reviewing the progress and effectiveness of the individual action initiatives, there will be a review of the total action plan. As part of this ongoing review of the achievements measured against the goals of the action plan, there will be periodic reporting to the Commission to update the members regarding the overall status of the plan. It is envisioned that this will be done annually.

For the Record

Facts and Figures

“For the Record” is a collection of MCOLES facts and figures organized in one location for reader convenience.

Meetings of the Commission

Meetings of the Commission – January 1 to December 31, 2004

January 22-23, 2004 Higgins Lake

March 10, 2004 Detroit

April 29, 2004 Lansing

June 1, 2004 Grand Rapids

September 15, 2004 Marquette

October 26-27, 2004 Traverse City

December 15, 2004 Lansing

Training Director Conferences – January 1 to December 31, 2004

February 3, 2004 Lansing

June 10, 2004 Lansing

October 14-15, 2004 Roscommon

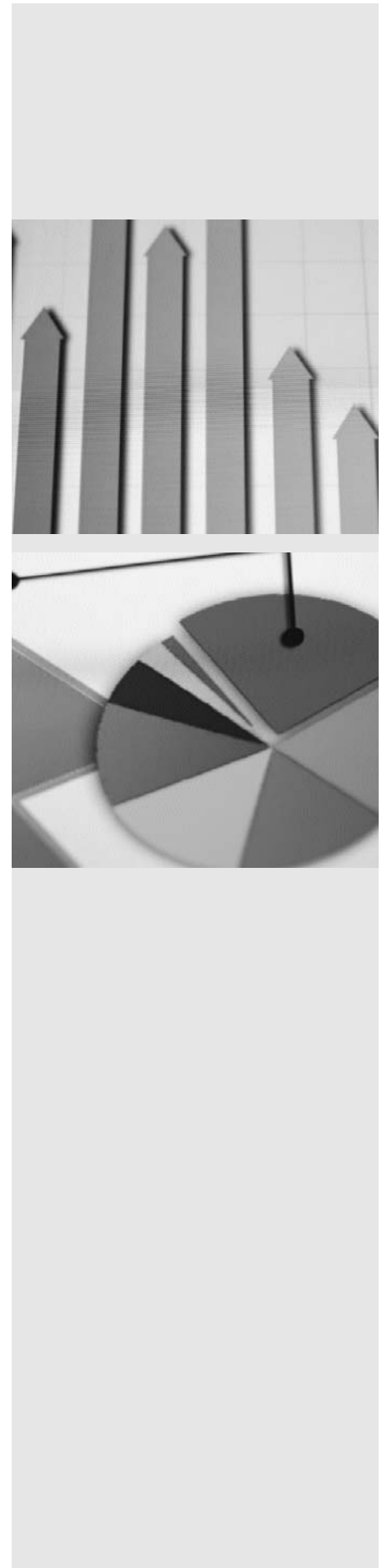
MCOLES Fiscal Year 2004 Budget

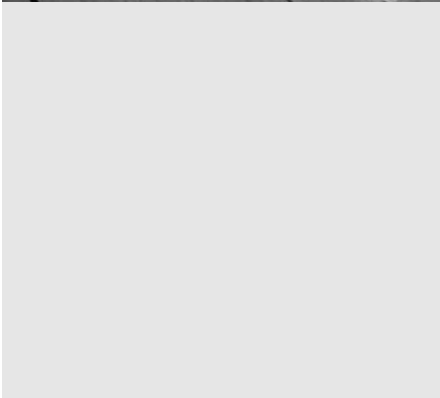
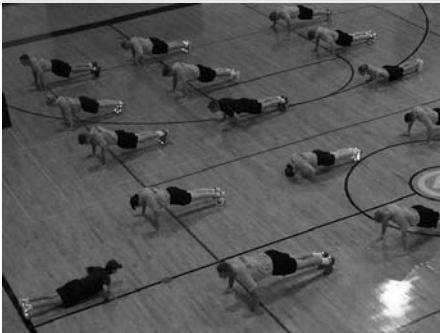
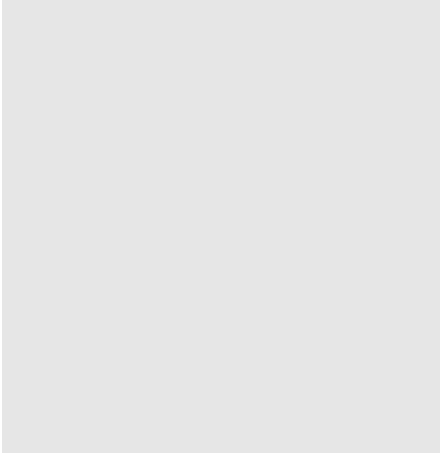
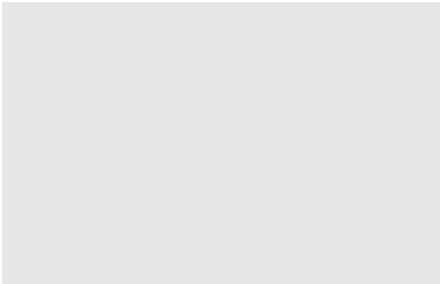
MCOLES is a division of the Department of State Police. Therefore, the annual budget for MCOLES is recorded along with all other divisions of the Michigan State Police in its annual budget. The Department's Annual Budget is drafted by the Governor then

reviewed and reworked each year by the Michigan Legislature, which ultimately submits it to the Governor for approval. The Department's Budget Office serves as a liaison and resource for legislators in this process.

Appropriation Category	Appropriation Amount	Full Time Equated Classified Positions
Standards and Training	\$ 1,814,700	22.0
DOJ-OJP Domestic Violence Grant	\$ 360,000	
Training only to local units	\$ 690,000	2.0
Officer Survivor Tuition Program	\$ 50,000	
Michigan Justice Training Fund	\$ 9,032,000	4.0
TOTALS	\$ 12,085,400	28.0

Revenue Source	Amount
Federal Revenues:	
DOJ-OJP	\$ 360,000
State Restricted Funds:	
Concealed Weapons Enforcement Fee	\$ 140,000
Secondary Road Patrol & Training Fund	\$ 690,000
Licensing Fees	\$ 50,000
Michigan Justice Training Fund	\$ 9,032,000
State General Fund/General Purpose	\$ 1,813,400





Training to Locals Funding

Fiscal Year	Calendar Year	Reimbursement
Fiscal Year 1997	October 1, 1996 to September 30, 1997	\$ 1,050
Fiscal Year 1998	October 1, 1997 to September 30, 1998	\$ 1,250
Fiscal Year 1999	October 1, 1998 to September 30, 1999	\$ 975
Fiscal Year 2000	October 1, 1999 to September 30, 2000	\$ 858
Fiscal Year 2001	October 1, 2000 to September 30, 2001	\$ 922
Fiscal Year 2002	October 1, 2001 to September 30, 2002	\$ 1,101
Fiscal Year 2003	October 1, 2002 to September 30, 2003	\$ 1,400
Fiscal Year 2004	October 1, 2003 to September 30, 2004	\$ 1,400

Pre-Employment Testing

Fiscal Year	Reading & Writing Examination	Physical Skills Examination	TOTAL
1993-1994	4,261	5,446	9,707
1994-1995	3,385	5,983	9,868
1995-1996	4,358	5,690	10,048
1996-1997	5,662	6,224	11,886
1997-1998	3,635	5,852	9,487
1998-1999	4,245	4,972	9,217
1999-2000	4,198	4,931	9,129
2000-2001	3,754	4,882	8,636
2001-2002 ¹⁷	3,167	4,102	7,269
2002-2003	3,058	2,967	6,025
2003-2004	3,724	4,257*	7,981

*This is an approximate number since not all administrations were reported.

MCOLES Licensure by fiscal year¹⁷

MCOLES Licensure by Fiscal Year¹⁸

	1999	2000	2001	2002	2003	2004
	1,244	1,637	1,290	974	686	700

Law Enforcement Criminal Justice Resource Center²¹

Activity	1999	2000	2001	2002	2003	2004
Audio-Video Training Programs Requested	1,845	1,482	1,263	1,342	1,099	1,148
Audio-Video Training Program Recipients	44,417	37,051	29,475	34,179	27,560	33,401
Audio-Video Training Program Purchases	67	69	66	67	0	4
Training Book & Periodical Purchases	54	45	45	20	0	0
Law Enforcement Training Patrons	1,146	1,219	1,219	1,385	1,116	1,490



Pre-Enrollment Test Centers for Law Enforcement Candidates, 2004

READING AND WRITING REGIONAL TEST CENTERS

Contact Info

Upper Peninsula

Lake Superior State University
Law Enforcement & Criminal Justice
Sault Ste. Marie, MI 49783

Dr. Paige Gordier, Director
(906) 635-2384

Northern Michigan University
Public Safety Institute
1401 Presque Isle Avenue, Marquette, MI 49855

Mike Bath, Test Registrar
(906) 227-2757

Southeast Michigan

Detroit Police Recruiting
14655 Dexter Avenue
Detroit, MI 48238

(313) 596-2660

Macomb Community College
Macomb Regional Police Academy
32101 Caroline, Fraser, MI 48026

Karen Graunstadt or Mark A. Hackel, Sheriff, Test Registrars
(586) 498-4060 / graunstadt@macomb.edu

Oakland Community College
Oakland Police Academy, F Building - Room 123
2900 Featherstone Road, Auburn Hills, MI 48326

Dan McCaw, Lt., Test Registrar
(248) 232-4221 / dtmccaw@occ.cc.mi.us

Washtenaw Community College
Public Service Training
4800 East Huron River Drive, Ann Arbor, MI 48106

Ralph Galvin, Director or Donna O'Connor
(734) 677-5024

Wayne County Regional Police Academy
Schoolcraft College
1751 Radcliff, Garden City, MI 48135

Robert Pearce, Director
(734) 462-4783

Photo ID is required for admission to testing
Candidates Should Contact The Test Center Directly To Register For a Pre-Enrollment Test

READING AND WRITING REGIONAL TEST CENTERS**Contact Info**

Lower Peninsula

Delta College
Criminal Justice Training Center
Room G-117, University Center, MI 48710

Jill Gallihugh, Test Registrar
(989) 686-9108

Ferris State University
Law Enforcement Programs
501 Bishop Hall, 1349 Cramer Circle, Big Rapids, MI 49307

Susan Pennock, Test Registrar
(231) 591-5080

Flint Law Enforcement Training Center
3420 St. John Street, Flint, MI 48505

Marsha Darnell, Test Registrar
(810) 766-7222

Grand Rapids Community College
Criminal Justice Program
143 Bostwick N.E., Grand Rapids, MI 49503

George Zeeff, Director
(616) 234-4113

Grand Valley State University
Devos Center
401 W. Fulton St., Grand Rapids, MI 49504

(616) 336-7142

Kalamazoo Valley Community College
Kalamazoo Regional Recruit Academy
6767 West "O" Avenue, PO Box 4070, Kalamazoo, MI 49003-4070

Test Registrar
(269) 488-4336

Kellogg Community College
450 North Avenue, Battle Creek, MI 49016

Edie Miller, Test Registrar
(269) 965-3931 ext. 2216

Kirtland Community College
10775 N. St. Helen, Roscommon, MI 48653

Richard Cook, Test Registrar
(517) 275-5000 Ext.348

Lansing Community College
Arts and Sciences
419 Washington Square, Lansing, MI 48901-7210

Test Registrar
(517) 267-5500

Northwestern Michigan College
Social Sciences Division
1701 E. Front Street, Traverse City, MI 48684

Al Hart, Test Registrar
(231) 995-1283 / Ahart@nmc.edu

West Shore Community College
3000 N. Stiles Road, Scottville, MI 49454

Dan Dellar, Director, Test Registrar
(800) 848-9722 x 3202

PHYSICAL FITNESS REGIONAL TEST CENTERS**Contact Info.****Upper Peninsula**

Lake Superior State University
 Law Enforcement & Criminal Justice
 Sault Ste. Marie, MI 49783

Dr. Paige Gordier, Director
 (906) 635-2384

Northern Michigan University
 Public Safety Institute
 Marquette, MI 49855

Mike Bath, Test Registrar
 (906) 227-2757

Southeast Michigan

Detroit Police Dept. Recruiting Office
 14655 Dexter Ave.
 Detroit, MI 48238

Sgt. Darwin K. Roche, Sgt. Gordon Moore, Registrars
 (313) 596-2660 or (313) 596-2378

Macomb Community College
 Macomb Regional Police Academy
 32101 Caroline
 Fraser, MI 48026

Karen Graunstadt or Sheriff Mark Hackel
 Test Registrars
 (586) 498-4060

Oakland Community College
 Oakland Police Academy
 Building J, Room 102
 2900 Featherstone Road
 Auburn Hills, MI 48326-2845

Lt. Dan McCaw, Test Registrar
 (248) 232-4221

Washtenaw Community College
 Public Service Training
 4800 East Huron River Drive
 Ann Arbor, MI 48106

Ralph Galvin, Director or Donna O'Connor
 (734) 677-5024

Wayne County Regional Police Academy
 Schoolcraft College
 1751 Radcliff
 Garden City, MI 48135

Daniel Antieau, Coordinator
 (734) 462-4783

Lower Peninsula

Delta College
 Criminal Justice Training Center
 1961 Delta Road, Room F-40
 University Center, MI 48710

Jill Gallihugh, Test Registrar
 (989) 686-9108 or (989) 686-9176

Ferris State University
 Law Enforcement Programs
 501 Bishop Hall
 1349 Cramer Circle
 Big Rapids, MI 49307

Susan Pennock, Test Registrar
 (231) 591-5080

Flint Law Enforcement Training Center
 3420 St. John Street
 Flint, MI 48505

Marsha Darnell, Test Registrar
 (810) 766-7222

PHYSICAL FITNESS REGIONAL TEST CENTERS**Contact Info**

Grand Rapids Community College
Criminal Justice Program
143 Bostwick N.E.
Grand Rapids, MI 49503

Jodi Richhart, Director
(616) 234-4113

Grand Valley State University
School of Criminal Justice
2nd Floor, Devos Center
401 W. Fulton
Grand Rapids, MI 49504-6495

Kalamazoo Valley Community College
Kalamazoo Regional Recruit Academy
6767 West "O" Avenue
PO Box 4070
Kalamazoo, MI 49003-4070

Richard Ives, Director
(269) 488-4336

Kellogg Community College
450 North Avenue
Battle Creek, MI 49016

Naomi Phillips, Test Registrar
(269) 965-3931, Ext. 2216

Kirtland Community College
10775 N. St. Helen
Roscommon, MI 48653

Richard Cook, Test Registrar
(989) 275-5000, Ext. 348

Lansing Community College
Public Service Careers
419 North Capitol Ave.
Lansing, MI 48901-7210

Denise Arroyo, Test Registrar
(517) 483-1964

Northwestern Michigan College
Social Sciences Division
1701 E. Front Street
Traverse City, MI 48684

Al Hart, Test Registrar
(231) 995-1283

West Shore Community College
3000 N. Stiles Road
Scottville, MI 49454

Dan Dellar, Director, Test Registrar
(800) 848-9722 x 3202

Justice Training Fund

The Justice Training Fund provides financial support for criminal justice training in Michigan. The two basic components of this funding are the law enforcement distribution and the competitive grant process. Information regarding funding levels for the law enforcement distribution in the current fiscal year can be found on page 31 of this report. The following fact tables reflect further detail with regard to the Justice Training Fund.

Justice Training Fund Revenue History

Fiscal Year	Revenue	FTE Officers
1983	\$ 3,320,107.15	17,419
1984	\$ 4,583,027.95	17,171
1985	\$ 4,447,236.08	17,355
1986	\$ 5,173,915.75	17,869
1987	\$ 6,014,138.53	18,840
1988	\$ 5,994,250.80	19,228
1989	\$ 6,121,940.37	19,148
1990	\$ 6,210,119.52	19,587
1991	\$ 6,147,997.67	19,060
1992	\$ 5,837,944.05	18,744

Fiscal Year	Revenue	FTE Officers
1993	\$ 5,730,379.00	18,657
1994	\$ 5,891,759.95	18,447
1995	\$ 5,979,791.22	18,807
1996	\$ 6,221,561.29	19,133
1997	\$ 6,485,185.34	19,613
1998	\$ 6,917,459.47	19,695
1999	\$ 6,995,557.57	19,595
2000	\$ 7,276,742.57	19,827
2001	\$ 6,943,969.22	20,067
2002	\$ 7,067,695.66	19,972
2003	\$ 7,095,303.22	19,524
2004	\$ 7,245,949.07	19,223

Justice Training Fund 2004: Categories of Training

Training Category	Total Attendees	Total Hours of Training	Michigan-Based Providers	Out-of-state Providers	Cost
Accident Investigation	545	10,149	318	4	\$ 233,425.53
Communication Skills	3,068	3,296	277	5	\$ 95,753.22
Comm. Policing & Problem Solv.	359	3,268	147	1	\$ 70,498.33
Computer & Tech. Use	141	988	54	6	\$ 44,180.44
Conferences	29	398	20	0	\$ 7,577.12
Correctional Ofcr. Training	181	204	25	2	\$ 11,809.20
Crimes Against Persons	498	5,132	224	16	\$ 119,103.57
Critical Incident Response	1637	8,413	428	16	\$ 201,152.51
Cultural Diversity	142	468	23	2	\$ 25,443.12
Domestic Violence	605	442	53	0	\$ 14,397.34
ETSC	465	546	52	0	\$ 26,991.98
Evidence/Forensics	481	8,820	263	14	\$ 159,198.71
Firearms	10,029	19,867	845	16	\$ 469,653.03
First Aid	851	1,192.5	78	1	\$ 33,676.24
First Line Supervision	202	1,206	45	1	\$ 50,130.90
Instructor	279	2,370	72	5	\$ 74,524.36
Invest-Crimes Against Property	328	4,075	175	5	\$ 49,885.88
Invest-Crimes Against State	221	3,610	101	2	\$ 39,498.74
Invest-Organized Crime	10	106	6	1	\$ 2,623.12
Investigation Techniques	1,224	8,290.5	272	37	\$ 267,860.78
Juvenile	117	1,516	77	2	\$ 31,273.16
Legal Issues	1,685	5,333	269	3	\$ 78,013.85
Management/Executive	1,867	29,792	575	23	\$ 393,848.79
Motor Carrier	83	787	44	0	\$ 18,078.99
None	8	50	4	0	\$ 1,112.01
Patrol Activities	2,418	11,706	460	24	\$ 247,513.83
Personal Development	474	671	116	8	\$ 37,799.75
Specialized Assignments	542	5,403.5	119	5	\$ 177,366.97
Speed Measurement	170	1,818	98	1	\$ 28,006.51
Support Operations	17	216	9	2	\$ 7,188.18
Traffic Enforcement	608	5,105	220	1	\$ 62,022.47
Use of Force	594	3,021.5	131	5	\$ 81,592.55
Vehicle Operations	375	2,250	123	0	\$ 62,064.59
Totals	30,253	150,510	5,723	208	\$ 3,223,265.77

2005 Competitive Grant Awards (awarded December 2004)

Criminal Justice Category Recipient Agencies	Number of Awards	Funds Awarded	Percent of Category	Percent of Total
Law Enforcement				
Police Departments	7	\$ 309,155	9%	
Sheriff Departments	2	\$ 125,677	4%	
Michigan State Police	11	\$ 775,960	22%	
Colleges / Universities	16	\$ 1,214,304	35%	
Law Enforcement Subtotal	36	\$ 2,425,096		70%
Corrections				
County Sheriff Departments	2	\$ 44,450	1%	
Department of Corrections	3	\$ 49,659	1%	
Colleges / Universities	4	\$ 241,856	7%	
Corrections Subtotal	9	\$ 335,965		9%
Prosecution				
Prosecuting Atty Coord Council	1	\$ 330,278	100%	
Prosecution Subtotal	1	\$ 330,278		10%
Adjudication				
Michigan Judicial Institute	1	\$ 51,555	100%	
Courts Subtotal	1	\$ 51,555		1%
Defense				
State Appellate Defender	2	\$ 291,748	92%	
Appellate Assigned Counsel	1	\$ 14,418	8%	
Defense Subtotal	3	\$ 306,166		8%

Employment Standards

Age	Not less than 18 years.
Citizenship	United States Citizenship.
Education	High School Diploma or GED
Felony Convictions	No prior felony convictions (includes expungements).
Moral Character	Possess good moral character as determined by a favorable comprehensive background investigation covering school and employment records, home environment, and personal traits and integrity. Consideration will be given to all law violations, including traffic and conservation law convictions, as indicating a lack of good character.
Driver's License	Possess a valid Michigan operator's or chauffeur's license.
Disorders, Diseases or Defects	Be free from any physical defects, chronic diseases, organic diseases, organic or functional conditions which may tend to impair the efficient performance of a law enforcement officer's duties or which might endanger the lives of others or the law enforcement officer.
Hearing	Pure tone air conduction sensitivity thresholds for each ear, as shown on the pure tone audiogram, shall not exceed a hearing level of 20 decibels at any of the following frequencies: 500, 1000, 2000, 3000, and 4000 hertz.
Height/Weight	Height and weight in relation to each other as indicated by accepted medical standards.
Mental/Emotional Disorders	Be free from mental or emotional instabilities that may tend to impair the efficient performance of law enforcement officer's duties or which might endanger the lives of others or the law enforcement officer.
Physical Integrity	Be free from any impediment of the senses, physically sound and in possession of extremities.
Vision, Color	Possesses normal color vision.
Vision, Corrected	Possesses 20/20 corrected vision in each eye.
Vision, Normal Functions	Possesses normal visual functions in each eye.
Reading and Writing	Pass the MCOLES reading and writing examination or an approved agency equivalent examination.
Police Training	Successfully complete the MCOLES mandatory basic training curriculum.
Licensure/Certification Exam	Pass the MCOLES licensure/certification examination upon the completion of basic training.
Medical Examination	Examination by a licensed physician to determine that the applicant meets all medical standards.
Fingerprinting	The applicant must be fingerprinted with a search made of state and federal fingerprint files to disclose criminal record.
Oral Interview	An oral interview must be conducted to determine the applicant's acceptability for a law enforcement officer position and to assess appearance, background, and the ability to communicate.
Drug Testing	The applicant must be tested for the illicit use of controlled substances.

The mandated basic training curriculum currently stands at 562 hours.

It is summarized below.⁴

Subject Area	Overall Hours	Topical Hours	Subject Area	Overall Hours	Topical Hours
ADMINISTRATIVE TIME	18		G. Special Investigations	8	
MCOLES Testing & Administration		8	1. Child Abuse and Neglect Investigation		3
Director Testing		10	2. Sexual Assault Investigation		3
I. INVESTIGATION (115 Hours)			3. Narcotics and Dangerous Drugs		2
A. Introduction to Investigation		2	H. Investigation of Domestic Violence	14	
1. Constitutional Law*		2	1. Nature and Prevalence of Domestic Violence		3
B. Substantive Criminal Law	24		2. Laws Regarding Domestic Violence*		3
1. Laws Regarding Crimes Against Persons*		6	3. Domestic Violence Response Procedures		8
2. Laws Regarding Crimes Against Property*		6	II. Patrol Procedures (63 Hours)		
3. Laws Regarding Contraband and Regulatory Crimes*		4	A. Patrol Operations	6	
4. Laws Regarding Public Order Crimes*		2	1. Preparation for Patrol		1
5. Laws of Evidence*		4	2. Radio/Telephone Communications		4
6. Juvenile Law*		2	3. Patrol Operation Administrative Duties		1
C. Criminal Procedure	31		B. Ethics In Policing and Interpersonal Relations	29	
1. Laws of Admissions and Confessions*		4	1. Ethics in Policing		4
2. Interrogation Procedures		3	2. Laws Pertaining to Civil Rights and Human Relations		2
3. Laws of Arrest*		4	3. Cultural Awareness/Diversity		12
4. Arrest Procedures		2	4. Interpersonal Skills		8
5. Laws on Search Warrants*		2	5. Civil Dispute		1
6. Search Warrant Procedures		2	6. Victim Rights		2
7. Laws on Warrantless Searches*		6	C. Patrol Techniques	14	
8. Warrantless Search Procedures		6	1. Types of Patrol		1
9. Laws on Suspect Identification*		2	2. Patrol Area Checks		6
D. Investigation	12		3. Responding to Crimes in Progress		4
1. On-scene Preliminary Investigation		3	4. Handling Abnormal Persons		3
2. Preliminary Witness Interviewing		4	D. Report Writing	8	
3. Preliminary Investigation of Deaths		2	1. Obtaining Information and Preparing Reports		8
4. Suspect Identification Procedures		3	E. Juveniles	6	
E. Court Functions and Civil Law	6		1. Dealing With Juvenile Offenders		4
1. Court Functions and Civil Law*		6	2. Dealing With the Families of Juveniles		2
F. Crime Scene Process	18		III. Detention and Prosecution (15 Hours)		
1. Crime Scene Search		6	A. Receiving and Booking Process	6	
2. Recording the Crime Scene		4	1. Searching and Fingerprinting Prisoners		4
3. Collection and Preservation of Evidence		6			
4. Processing Property		2			

Subject Area	Overall Hours	Topical Hours	Subject Area	Overall Hours	Topical Hours
2. Prisoner Care and Treatment		2	1. Michigan Vehicle Code: Content and Uses		1
B. Case Prosecution	8		2. MVC: Words and Phrases		2
1. Warrant Preparation		1	3. MVC Offenses: Classification, Application, and Jurisdiction		5
2. Warrant Request and Arraignment		2	4. Application of Vehicle Laws and Regulations		4
3. Preparation For Legal Proceedings		1	B. Vehicle Stops	15	
4. Testimony and Case Critique		4	1. Vehicle and Driver Licensing		2
Civil Process	1		2. Observation and Monitoring of Traffic		3
1. Civil Process		1	3. Auto Theft		2
IV. Police Skills (262 Hours)			4. Stopping Vehicles and Occupant Control		8
A. First Aid	37		C. Traffic Control and Enforcement	4	
1. Introduction to First Aid		3	1. Traffic Direction and Control		2
2. Bandaging Wounds and Controlling Bleeding		3	2. Traffic Warnings, Citations, and Arrests		2
3. Treating Fractures		4	D. Operating While Intoxicated	7	
4. Administering CPR		12	1. OWI Law		2
5. Treating Environmental First Aid Emergencies		2	2. Observation and Arrest of an OWI Suspect		2
6. Treating Medical Emergencies		3	3. Processing the OWI Suspect		1
7. Extricating and Transporting Injured Victims		2	4. Preparation for OWI Prosecution		2
8. Practical First Aid Exercises		8	E. Motor Vehicle Traffic Crash Investigation	28	
B. Firearms	72		1. Introduction to Traffic Crash Investigation		2
1. Laws and Knowledge Related to Firearms Use		16	2. Preliminary Investigation at Traffic Crashes		1.5
2. Firearms Skills		48	3. Uniform Traffic Crash Report (UD-10)		6
3. Firearms Range Assessment		8	4. Locating and Identifying Traffic Crash Victims and Witnesses		1.5
C. Police Physical Skills	77		5. Traffic Crash Evidence Collection: Field Sketching & Measuring		6
1. Mechanics of Arrest and Search		8	6. Traffic Crash Evidence Collection: Roadway Surface		8
2. Police Tactical Techniques		5	7. Traffic Crash Evidence Collection: The Vehicle		1.5
3. Application of Subject Control		4	8. Traffic Crash Follow-Up and Completion		1.5
4. Subject Control		60	VI. Special Operations (23 Hours)		
D. Emergency Vehicle Operation	32		A. Emergency Preparedness/Disaster Control	8	
1. Emergency Vehicle Operation: Legalities, Policies, & Procedures		8	1. Emergency Preparedness		6
2. Emergency Vehicle Operation Techniques		24	2. Explosive Devices		2
E. Fitness and Wellness	44		B. Civil Disorders	8	
1. Physical Fitness		36	1. Civil Disorder Procedures		4
2. Health and Wellness		8	2. Techniques for Control of Civil Disorders		4
V. Traffic (66 Hours)			C. Tactical Operations	5	
A. Motor Vehicle Law	12		1. Tactical Operations		5
			D. Environmental Crimes	2	
			1. Environmental Crimes		2

* Asterisk denotes courses that must be taught by a member of the Michigan Bar

Footnotes

- 1 For additional information on the composition of the Commission and its members, refer to MCOLES Commissioners and Staff and also to Appendix C.
- 2 For further information regarding Michigan's employment standards for law enforcement officers please refer to the "For the Record" section of this report or contact the Michigan Commission on Law Enforcement Standards by telephone at 517-322-6525, or refer to the MCOLES web site at www.mcoles.org.
- 3 See "New this Year" at the end of this Chapter for new developments in training standards.
- 4 The Basic Training Curriculum may be viewed in summary format in the "For the Record" section of this report or in its entirety at www.mcoles.org.
- 5 For further information regarding Pre-Enrollment Testing, refer to Delivering Services Through Partnerships in the section entitled "Pre-Enrollment Testing: A New Approach."
- 6 For further information regarding Waiver of Training, refer to Delivering Services Through Partnerships in the section entitled "Waiver of Training."
- 7 For further information regarding training providers, please refer to Delivering Services Through Partnerships.
- 8 For further information regarding pre-enrollment testing, please refer to Delivering Services Through Partnerships.
- 9 For statutory excerpts regarding Licensing of Private Security Police Officers, please refer to Appendix E.
- 10 For statutory excerpts regarding licensing of Railroad Police Officers, please refer to Appendix F.
- 11 Current test centers and test schedules may be accessed at www.mcoles.org.
- 12 More information regarding the MCOLES Physical Fitness Standard can be found in Standards: The Foundation of Effective Service" in the section entitled "The Health and Wellness Standard: A New Approach to Physical Fitness."
- 13 For a summary of the year-to-year activity of the Criminal Justice Resource Center, please refer to "For the Record."
- 14 For additional information regarding the MCOLES Network, please refer to: The MCOLES Information and Tracking Network.
- 15 For further information regarding grant awards, please refer to For the Record.
- 16 For additional facts concerning the Michigan Justice Training Fund and its related program costs, please refer to the section entitled, "For the Record," in this report.
- 17 The Pre-Employment Physical Abilities Standard was replaced in 2002 with the Physical Fitness Standard, effective November 1, 2002. The Physical Abilities Test was phased out as of November 30, 2002. For further information concerning the MCOLES Physical Fitness Standard, please refer to Standards: The Foundation of Effective Service in the section entitled "The Health and Wellness Standard: A New Approach to Physical Fitness."
- 18 Does not include out of state candidates licensed through Waiver of Training process.
- 19 Upon successful completion of an MCOLES approved Pre-Service academy training program, attainment of a two-year college degree and employment as a sworn law enforcement officer, the Pre-Service candidate is eligible for activation of Law Enforcement Licensure/Certification.
- 20 A candidate actively employed by a law enforcement agency may participate in an MCOLES approved academy training program at the expense of the employer. On successful completion of the program, the candidate may be sworn in as a law enforcement officer. Thereafter, the agency shall request MCOLES activation of the candidate's Law Enforcement Licensure/Certification.
- 21 Law Enforcement Resource Center activity is reported by calendar year. Incomplete restoration of partially corrupted data files may affect figures for 1999 and 2000. Total activity reported for 1999 & 2000 may be slightly lower than actual activity.

Appendices

Appendix A *The Commission on Law Enforcement Standards Act*

Public Act No. 203 of the Public Acts of 1965, as Amended

Materials in boldface type, particularly catchlines and annotations to the statutes are not part of the statutes as enacted by the legislature.

As amended by Act No. 220, P.A. 1968, Act No. 187, P.A. 1970, Act No. 31, P.A. 1971, Act No. 422, P.A. 1976, Act No. 15, P.A. 1985, Act No. 155, P.A. 1994, Act No. 204, P.A. 1995, Act No. 545, P.A. 1996, and Act No. 237, P.A. 1998.

An act to provide for the creation of the commission on law enforcement standards; to prescribe the reporting responsibilities of certain state and local agencies; to provide for additional costs in criminal cases; to provide for the establishment of the law enforcement officers training fund and to provide for disbursement of allocations from the law enforcement officers training fund to local agencies of government participating in a police training program.

The People of the State of Michigan enact:

MCL §28.601. Short Title. Sec. 1.

This act shall be known and may be cited as the “commission on law enforcement standards act.”

MCL §28.602. Definitions. Sec. 2. As used in this act:

- (a) “Certificate” means a numbered document issued by the commission to a person who has received certification under this act.
- (b) “Certification” means either of the following:
 - (i) A determination by the commission that a person meets the law enforcement officer minimum standards to be employed as a commission certified law enforcement officer and that the person is authorized under this act to be employed as a law enforcement officer.
 - (ii) A determination by the commission that a person was employed as a law enforcement officer before January 1, 1977 and that the person is authorized under this act to be employed as a law enforcement officer.
- (c) “Commission” means the commission on law enforcement standards created in section 3.
- (d) “Contested case” means that term as defined in section 3 of the administrative procedures act of 1969, 1969 PA 306, MCL 24.203.
- (e) “Executive director” means the executive director of the commission appointed under section 12.
- (f) “Felony” means a violation of a penal law of this state or another state that is either of the following:
 - (i) Punishable by a term of imprisonment greater than 1 year.
 - (ii) Expressly designated a felony by statute.
- (g) “Fund” means the law enforcement officers training fund created in section 13.
- (h) “Law enforcement officer minimum standards” means standards established by the commission under this act that a person must meet to be eligible for certification under section 9a (1).
- (i) “Law enforcement officer of a Michigan Indian tribal police force” means a regularly employed member of a police force of a Michigan Indian tribe who is appointed pursuant to 25 C.F.R. 12.100 to 12.103.
- (j) “Michigan Indian tribe” means a federally recognized Indian tribe that has trust lands located within this state.
- (k) “Police officer” or “law enforcement officer” means, unless the context requires otherwise, either of the following:
 - (i) A regularly employed member of a police force or other organization of a city, county, township, or village, of the state, or of a state university or community college, who is responsible for the prevention and detection of crime and the enforcement of the general criminal laws of this state. Police officer or law enforcement officer does not include a person serving solely because he or she occupies any other office or position.
 - (ii) A law enforcement officer of a Michigan Indian tribal police force, subject to the limitations set forth in section 9 (3).
- (l) “Rule” means a rule promulgated pursuant to the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328.

MCL §28.603. Law enforcement commission; creation; membership. Sec. 3.

- (1) The commission on law enforcement standards is created to carry out the intent of this act.
- (2) The commission consists of the following 11 members:
 - (a) The attorney general, or his or her designated representative.
 - (b) The director of the department of state police, or his or her designated representative.
 - (c) Nine members appointed by the governor, with the advice and consent of the senate, as follows:
 - (i) Three individuals selected from a list of 6 active voting members of and submitted by the Michigan association of chiefs of police or its successor organization.
 - (ii) Three individuals selected from a list of 6 elected sheriffs submitted by the Michigan sheriffs association or its successor organization.
 - (iii) One individual selected from a list of 3 names submitted by the Michigan chapter of the fraternal order of the police or its successor organization.
 - (iv) One individual selected from a list of 3 names submitted by the police officers association of Michigan or its successor organization.
 - (v) One individual selected from a list of 3 individuals submitted by the Detroit police officers associations or their successor organizations.
 - (d) An individual selected under subdivision (c) shall serve as a commission member only while serving as a member of the respective organizations in subparagraphs (i) to (v).
- (3) The terms of the members of the law enforcement officers training council expire on the date that all members of the commission on law enforcement standards are appointed.

MCL §28.604. Law enforcement commission; terms, vacancies, reappointment. Sec. 4.

- (1) Except as otherwise provided in this subsection, members of the commission appointed under section 2 (2) (c) shall hold office for a term of 3 years. Of the members initially appointed from the list of nominees submitted by the Michigan association of chiefs of police, 1 member shall be appointed for a term of 3 years, 1 member shall be appointed for a term of 2 years, and 1 member shall be appointed for a term of 1 year. Of the members initially appointed from a list of nominees submitted by the Michigan sheriffs’ association, 1 member shall be appointed for a term of 3 years, 1 member shall be appointed for a term of 2 years, and 1 member shall be appointed for a term of 1 year.
- (2) A vacancy on the commission caused by expiration of a term or termination of a member’s official position in law enforcement shall be filled in the same manner as the original appointment.
- (3) A member appointed to fill a vacancy created other than by expiration of a term shall be appointed for the unexpired term of the member who he or she is to succeed in the same manner as the original appointment. A member may be reappointed for additional terms.

Appendix A (Continued)

MCL §28.605. Law enforcement commission; officers, terms; limitations of power; nonforfeiture of employment. Sec. 5.

The commission shall elect from among its members a chairperson and a vice-chairperson who shall serve for 1-year terms and who may be reelected.

- (2) Membership on the commission does not constitute holding a public office, and members of the commission are not required to take and file oaths of office before serving on the commission.
- (3) The commission does not have the right to exercise any portion of the sovereign power of the state.
- (4) A member of the commission is not disqualified from holding any public office or employment by reason of his or her appointment or membership on the commission and shall not forfeit any public office or employment, because of his or her appointment to the commission, notwithstanding any general, special, or local law, ordinance, or city charter.

MCL §28.606. Law enforcement commission; meetings; procedures and requirements; conducting business at public meeting; notice. Sec. 6.

- (1) The commission shall meet not less than 4 times in each year and shall hold special meetings when called by the chairperson or, in the absence of the chairperson, by the vice-chairperson. A special meeting of the commission shall be called by the chairperson upon the written request of 5 members of the commission.
- (2) The commission shall establish its own procedures and requirements with respect to quorum, place and conduct of its meetings, and other matters.
- (3) The commission's business shall be conducted in compliance with the open meetings act, 1976 PA 267, MCL 15.261 to 15.275. Public notice of the time, date, and place of the meeting shall be given in the manner required by the open meetings act, 1976 PA 267, MCL 15.261 to 15.275.

MCL §28.607. Law enforcement commission; annual report to governor. Sec. 7.

The commission shall make an annual report to the governor that includes pertinent data regarding the law enforcement officer minimum standards and the degree of participation of municipalities in the training programs.

MCL §28.608. Commission members; compensation, expenses. Sec. 8.

The members of the commission shall serve without compensation. The members of the commission are entitled to their actual expenses in attending meetings and in the performance of their official duties.

MCL §28.609. Minimum employment standards, rule promulgation, subject matter, waiver of requirements. Sec. 9.

- (1) The commission shall promulgate rules to establish law enforcement officer minimum standards. In promulgating the law enforcement officer minimum standards, the commission shall give consideration to the varying factors and special requirements of local police agencies. The law enforcement officer minimum standards shall include all of the following:
 - (a) Minimum standards of physical, educational, mental, and moral fitness which shall govern the recruitment, selection, appointment, and certification of law enforcement officers.
 - (b) Minimum courses of study, attendance requirements, and instructional hours required at approved police training schools.
 - (c) The rules promulgated under this section shall not apply to a member of a sheriff's posse or a police auxiliary temporarily performing his or her duty under the direction of the sheriff or police department.
 - (d) Minimum basic training requirements that a person, excluding sheriffs, shall complete before being eligible for certification under section 9a (1).
- (2) If a person's certification under section 9a (1) becomes void under section 9a (4) (b), the commission shall waive the requirements described in subsection (1) (b) for certification of the person under section 9a (1) if 1 or more of the following apply:
 - (a) The person has been employed 1 year or less as a commission certified law enforcement officer, and is again employed as a law enforcement officer within 1 year after discontinuing employment as a commission certified law enforcement officer.
 - (b) The person has been employed more than 1 year but less than 5 years as a commission certified law enforcement officer and is again employed as a law enforcement officer within 18 months after discontinuing employment as a commission certified law enforcement officer.
 - (c) The person has been employed 5 years or more as a commission certified law enforcement officer and is again employed as a law enforcement officer within 2 years after discontinuing employment as a commission certified law enforcement officer.
 - (d) The person has successfully completed the mandatory training and has been continuously employed as a law enforcement officer, but through no fault of that person the employing agency failed to obtain certification for that person as required by this act.
- (3) The commission shall promulgate rules with respect to all of the following:
 - (a) The categories or classifications of advanced in-service training programs for commission certified law enforcement officers and minimum courses of study and attendance requirements for the categories or classifications.
 - (b) The establishment of subordinate regional training centers in strategic geographic locations in order to serve the greatest number of police agencies that are unable to support their own training programs.
 - (c) The commission's acceptance of certified basic police training and law enforcement experience received by a person in another state in fulfillment in whole or in part of the law enforcement officer minimum standards.
 - (d) The commission's approval of police training schools administered by a city, county, township, village, corporation, college, community college, or university.
 - (e) The minimum qualification for instructors at approved police training schools.
 - (f) The minimum facilities and equipment required at approved police training schools.
 - (g) The establishment of preservice basic training programs at colleges and universities.
 - (h) Acceptance of basic police training and law enforcement experiences received by a person in fulfillment in whole or in part of the law enforcement officer minimum standards prepared and published by the commission if both of the following apply:
 - (i) The person successfully completed the basic police training in another state or through a federally operated police training school that was sufficient to fulfill the minimum standards required by federal law to be appointed as a law enforcement officer of a Michigan Indian tribal police force.
 - (ii) The person is or was a law enforcement officer of a Michigan Indian tribal police force for a period of 1 year or more.
- (4) Except as otherwise provided in this section, a regularly employed person employed on or after January 1, 1977, as a member of a police force having a full-time officer is not empowered to exercise all the authority of a peace officer in this state, or be employed in a position for which the authority of a peace officer is conferred by statute, unless the person has received certification under section 9a (1).
- (5) A law enforcement officer employed before January 1, 1977, may continue his or her employment as a law enforcement officer and participate in training programs on a volun-

tary or assigned basis but failure to obtain certification under section 9a (1) or (2) is not grounds for dismissal of or termination of that employment as a law enforcement officer. A person who was employed as a law enforcement officer before January 1, 1977, who fails to obtain certification under section 9a (1) and who voluntarily or involuntarily discontinues his or her employment as a law enforcement officer may be employed as a law enforcement officer if he or she was employed 5 years or more as a law enforcement officer and is again employed as a law enforcement officer within 2 years after discontinuing employment as a law enforcement officer.

- (6) A law enforcement officer of a Michigan Indian tribal police force is not empowered to exercise the authority of a peace officer under the laws of this state and shall not be employed in a position for which peace officer authority is granted under the laws of this state unless all of the following requirements are met:
 - (a) The tribal law enforcement officer is certified under this act.
 - (b) The tribal law enforcement officer is 1 of the following:
 - (i) Deputized by the sheriff of the county in which the trust lands of the Michigan Indian tribe employing the tribal law enforcement officer are located, or by the sheriff of any county that borders the trust lands of that Michigan Indian tribe, pursuant to section 70 of 1846 RS 14, MCL 51.70.
 - (ii) Appointed as a police officer of the state or a city, township, charter township, or village that is authorized by law to appoint individuals as police officers.
 - (c) The deputation or appointment of the tribal law enforcement officer described in subdivision (b) is made pursuant to a written contract that includes terms the appointing authority under subdivision (b) may require between the state or local law enforcement agency and the tribal government of the Michigan Indian tribe employing the tribal law enforcement officer.
 - (d) The written contract described in subdivision (c) is incorporated into a self-determination contract, grant agreement, or cooperative agreement between the United States secretary of the interior and the tribal government of the Michigan Indian tribe employing the tribal law enforcement officer pursuant to the Indian self-determination and education assistance act, Public Law 93-638, 88 Stat. 2203.
- (7) The commission may establish an evaluation or testing process, or both, for granting a waiver from the law enforcement officer minimum standards regarding training requirements to a person who has held a certificate under this act and who discontinues employment as a law enforcement officer for a period of time exceeding the time prescribed in subsection (2) (a) to (c) or subsection (5), as applicable.

MCL §28.609a. Officer certification; Revocation. Sec. 9a.

- (1) The commission shall grant certification to a person who meets the law enforcement officer minimum standards at the time he or she is employed as a law enforcement officer.
- (2) The commission shall grant certification to a person who was employed as a law enforcement officer before January 1, 1977 and who fails to meet the law enforcement officer minimum standards if the person is authorized to be employed as a law enforcement officer under section 9.
- (3) The commission shall grant certification to an elected sheriff, which certification shall remain valid only while that sheriff is in office.
- (4) Certification granted to a person under this act is valid until either of the following occurs:
 - (a) The certification is revoked.
 - (b) The certification becomes void because the person discontinues his or her employment as a commission certified law enforcement officer.
- (5) The commission shall issue a certificate to a person who has received certification. A certificate issued to a person remains the property of the commission.
- (6) Upon request of the commission, a person whose certification is revoked, or becomes void because the person discontinues his or her employment as a commission certified law enforcement officer, shall return to the commission the certificate issued to the person. A violation of this subsection is a misdemeanor punishable by imprisonment for 90 days, a fine of not more than \$500.00, or both.

MCL §28.609b. Certificate; Rules for revocation; Judicial review. Sec 9b

- (1) The commission shall promulgate rules that provide for the revocation of certification of a law enforcement officer for 1 or more of the following:
 - (a) Conviction by a judge or jury of a felony.
 - (b) Conviction by a plea of guilty to a felony.
 - (c) Conviction by a plea of no contest to a felony.
 - (d) Making a materially false statement or committing fraud during the application for certification process.
- (2) The rules shall provide for the suspension of a law enforcement officer from use of the law enforcement information network in the event the law enforcement officer wrongfully discloses information from the law enforcement information network.
- (3) Except as provided in subsection (4), if the commission issues a final decision or order to revoke the certification of a law enforcement officer, that decision or order is subject to judicial review as provided in the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328.
- (4) A petition for judicial review of a final decision or order of the commission revoking the certification of a law enforcement officer shall be filed only in the circuit court for Ingham County.
- (5) The commission may issue a subpoena in a contested case to revoke a law enforcement officer's certification. The subpoena shall be issued as provided in section 73 of the administrative procedures act of 1969, 1969 PA 306, MCL 24.273.

MCL §28.609c. Investigation of violations; Commission powers.

- (1) The commission may investigate alleged violations of this Act or rules promulgated under this Act.
- (2) In conducting an investigation, the commission may hold hearings, administer oaths, issue subpoenas, and order testimony to be taken at a hearing or by deposition. A hearing held under this section shall be conducted in accordance with chapter 4 of the administrative procedures act of 1969, 1969 PA 306, MCL 24.271 to 24.287. A final decision order issued by the commission is subject to judicial review as provided by chapter 6 of the administrative procedures act of 1969, PA 306, MCL 24.301 to 24.306.
- (3) The commission may issue a subpoena to do either of the following:
 - (a) Compel the attendance of a witness to testify at a hearing or deposition and give testimony.
 - (b) Produce books, papers, documents, or other items.
- (4) If a subpoena issued by the commission is not obeyed, the commission may petition the circuit court to require the attendance of a witness or the production of books, papers, documents, or other items. The circuit court may issue an order requiring a person to appear and give testimony or produce books, papers, documents, or other items. Failure to obey the order of the circuit court may be punished by the court as a contempt of court.

MCL §28.609d. Employment history records; Reporting requirements. Sec. 9d

- (1) A law enforcement agency shall maintain an employment history record for each law enforcement officer employed by the law enforcement agency in the manner prescribed

Appendix A (Continued)

by the commission.

- (2) A law enforcement agency shall report the date on which each person commences or terminates employment as a law enforcement officer for the law enforcement agency in the manner prescribed by the commission.

MCL §28.610. Agreements of commission with other agencies, colleges and universities. Sec. 10.

The commission may enter into agreements with colleges, universities, and other agencies to carry out the intent of this act.

MCL §28.611. Law enforcement commission; additional powers. Sec. 11.

(1) The commission may do all of the following:

- (a) Visit and inspect a police training school, or examine the curriculum or training procedures of a police training school, for which application for approval of the school has been made.
 - (b) Issue certificates of approval to police training schools.
 - (c) Authorize the issuance of certificates of graduation or diplomas by approved police training schools to law enforcement officers who have satisfactorily completed minimum courses of study.
 - (d) Cooperate with state, federal, and local police agencies to establish and conduct local or area schools, or regional training centers for instruction and training of law enforcement officers of this state, and of its cities, counties, townships, and villages.
 - (e) Make recommendations to the legislature on matters pertaining to qualification and training of law enforcement officers.
 - (f) Establish preservice basic training programs at colleges and universities.
 - (g) Require an examination for law enforcement officer certification under section 9a (1).
 - (h) Issue a waiver as provided for under section 9 (7), or 9 (3) (c), or 9 (3) (h).
 - (i) Establish and charge a fee to recover the cost of testing and training individuals who are not employed by a Michigan law enforcement agency.
 - (j) Establish and charge a fee to recover the cost of issuing and reissuing certificates for individuals who are certified as law enforcement officers in this state.
- (2) Fees charged under subsection (1) (i) and (j) shall be deposited in the law enforcement officer training fund created in section 13.

MCL §28.612. Executive director; appointment; term, duties, compensation. Sec. 12.

The commission shall appoint an executive director of the commission. The executive director shall hold office at the pleasure of the commission. The executive director shall perform the functions and duties that are assigned to him or her by the commission. The executive director shall receive compensation and reimbursement for expenses as provided by appropriation.

MCL §28.613. Law enforcement officers training fund; creation; appropriation. Sec. 13.

There is created in the state treasury a law enforcement officers training fund, from which, the legislature shall appropriate sums deemed necessary for the purposes of this act.

MCL §28.614. Law enforcement officers training fund; payment of amounts appropriated; reimbursement of training costs and living expenses; reduction of amounts; prohibited allocations. Sec. 14.

- (1) The amounts annually appropriated by the legislature from the law enforcement officers training fund shall be paid by the state treasurer as follows:
 - (a) In accordance with the accounting law of the state upon certification of the executive director to reimburse an amount not to exceed the training costs incurred for each officer meeting the recruitment standards prescribed pursuant to this act during the period covered by the allocation, plus an amount not to exceed the necessary living expenses incurred by the officer that are necessitated by training requiring that he or she be away from his or her residence overnight.
 - (b) For the maintenance and administration of law enforcement officer testing and certification provided for by this act.
- (2) If the money in the fund to be appropriated by the legislature for the training and living expenses described in subsection (1) are insufficient to allocate the amount for training and living purposes, the amount shall be reduced proportionately.
- (3) An allocation shall not be made from the fund under this section to a training agency or to a city, county, township, or village or agency of the state that has not, throughout the period covered by the allocation, adhered to the standards established by the commission as applicable to either training or to personnel recruited or trained by the training agency, city, county, township, or village or agency of the state during that period.
- (4) Expenditures from the fund to be appropriated by the legislature for law enforcement officer testing and certification described in subsection (1) shall not exceed the revenue generated from fees collected pursuant to section 11 (1) (i) (j).

MCL §28.615. Application for reimbursement; contents. Sec. 15.

A training agency, city, county, township, or village or state agency that desires to receive reimbursement pursuant to section 14 shall apply to the commission for the reimbursement. The application shall contain information requested by the commission.

MCL §28.616. Effective date. Sec. 16.

This act is ordered to take immediate effect.

Appendix B

The Police Officer's and Fire Fighter's Survivor Tuition Act
Act No. 195 • Public Acts of 1996 • Approved by the Governor May 13, 1996

An act to provide for a waiver of tuition at state public institutions of higher education for children and surviving spouses of Michigan police officers and fire fighters killed in the line of duty; and to provide for an appropriation.

The people of the State of Michigan enact:

Sec. 1.

This act shall be known and may be cited as the “police officer’s and fire fighter’s survivor tuition act.”

Sec. 2. As used in this act:

- (a) “Child” means an individual who is a natural or adopted child of a deceased Michigan police officer or deceased Michigan fire fighter and who was under the age of 21 at the time of the Michigan police officer’s or Michigan fire fighter’s death.
- (b) “Department” means the department of state police.
- (c) “Killed” means that the Michigan police officer’s or Michigan fire fighter’s death is the direct and proximate result of a traumatic injury incurred in the line of duty.
- (d) “Line of duty” means an action that a Michigan police officer or Michigan fire fighter is obligated or authorized to perform by rule, regulation, condition of employment or service, or law, including, but not limited to, a social, ceremonial, or athletic function that the Michigan police officer or Michigan fire fighter is assigned to or compensated for by the public agency he or she serves.
- (e) “Michigan police officer” means a sheriff or sheriff’s deputy of a sheriff’s department in this state; village or township marshal of a village or township in this state; officer of the police department of any city, village, or township in this state; officer of the Michigan state police; or any other police officer or law enforcement officer trained and certified pursuant to the Michigan law enforcement officers training council act of 1965, Act No. 203 of the Public Acts of 1965, being sections 28.601 to 28.616 of the Michigan Compiled Laws.
- (f) “Michigan fire fighter” means a member including volunteer members and members paid on call of a fire department, or other organization that provides fire suppression and other fire-related services, of a city, township, village, or county who is responsible for or is in a capacity that includes responsibility for the extinguishment of fires. Michigan fire fighter
- (g) does not include a person whose job description, duties, or responsibilities do not include direct involvement in fire suppression.
- (h) “Occupational disease” means a disease that routinely constitutes a special hazard in, or is commonly regarded as concomitant of, the Michigan police officer’s or Michigan fire fighter’s occupation.
- (i) “State institution of higher education” means a public community or junior college established under section 7 of article VIII of the state constitution of 1963 or part 25 of the revised school code, Act No. 451 of the Public Acts of 1976, being sections 380.1601 of the Michigan Compiled Laws, or a state university described in section 4, 5, or 6 of article VIII of the state constitution of 1963.
- (j) “Traumatic injury” means a wound or the condition of the body caused by external force, including, but not limited to, an injury inflicted by bullet, explosive, sharp instrument, blunt object or other physical blow, fire, smoke, chemical, electricity, climatic condition, infectious disease, radiation, or bacteria, but excluding an injury resulting from stress, strain, or occupational disease.
- (k) “Tuition” means tuition at the rate charged for residents of this state.

Sec. 3.

- (1) Beginning in the 1996-97 academic year, and subject to the limitations in subsections (2), (3), and (4), a state institution of higher education shall waive tuition for each child and surviving spouse of a Michigan police officer or Michigan fire fighter who has been or is killed in the line of duty if the child or surviving spouse meets all of the following requirements:
 - (a) Applies, qualifies, and is admitted as a full-time, part-time, or summer school student in a program of study leading to a degree or certificate.
 - (b) Is a legal resident of the state for at least the 12 consecutive months immediately preceding his or her application. For an individual who is a dependent of his or her parent, residency status shall be determined by the parent’s residency. For an individual who is not a dependent, residency status shall be determined in the same manner as under title IV of the higher education act of 1965, Public Law 89-329, 79 Stat. 1232.
 - (c) Applies to the department for tuition waiver under this act and provides evidence satisfactory to the department that he or she is the child or the surviving spouse of a Michigan police officer or Michigan fire fighter who was killed in the line of duty, that the course or courses for which he or she is seeking a tuition waiver meet the requirements of subsection (2), and that he or she meets the other requirements of this section.
 - (d) For a child of a Michigan police officer or Michigan fire fighter who was killed in the line of duty, applies under subdivision (c) for the first time before the age of 21.
 - (e) Is certified by the financial aid officer at the state institution of higher education as needing the tuition waiver in order to meet recognized educational expenses. If the child’s or surviving spouse’s family income, excluding any income from death benefits attributable to the Michigan police officer’s or Michigan fire fighter’s death, is below 400% of poverty level under federal poverty guidelines published by the United States department of health and human services, income from any death benefits accruing to the child or surviving spouse as a result of the Michigan police officer’s or Michigan fire fighter’s death shall not be counted as family income in determining financial need under this subdivision.
 - (f) Maintains satisfactory academic progress, as defined by the state institution of higher education, for each term or semester in which he or she is enrolled. The satisfactory progress definition used by an institution for federal student assistance programs under title IV of the higher education act of 1965 is acceptable for the purposes of this act.
 - (g) Has not achieved a bachelor’s degree and has received tuition reimbursement under this act for less than 124 semester credits or 180 term credits at an institution of higher education.
- (2) A state institution of higher education shall waive tuition under this act only for courses that are applicable toward the degree or certificate requirements of the program in which the child or surviving spouse is enrolled.
- (3) A child or surviving spouse of a Michigan police officer or Michigan fire fighter who was killed in the line of duty is eligible for tuition waiver under this section for not more than a total of 9 semesters or the equivalent number of terms or quarters.
- (4) Tuition shall be waived only to the extent that the tuition is not covered or paid by any scholarship, trust fund, statutory benefit, or any other source of tuition coverage available to the person eligible for a waiver under this act.

Sec. 4.

- (1) Beginning in the 1996-1997 academic year, upon receiving an application under section 3(c), the department shall determine whether the applicant and the courses for which tuition waiver is sought meet the requirements of section 3 and, if so, shall approve the application and notify the state institution of higher education that the application has

been approved.

- (2) Beginning in the 1996-1997 academic year, upon application by the state institution of higher education, the department annually shall reimburse each state institution of higher education for the total amount of tuition waived during the immediately preceding fiscal year under section 3. The department annually shall report to the legislature the number of individuals for whom tuition has been waived at each state institution of higher education and the total amounts to be paid under this act for that fiscal year.

Sec. 5.

The department shall provide the necessary forms and applications and shall cooperate with the state institutions of higher education in developing efficient procedures for implementing the purposes of this act.

Sec. 6.

The legislature annually shall appropriate the funds necessary to implement this act.

This act is ordered to take immediate effect.

Appendix C

Executive Order 2001-5

Office of the Governor
John Engler, Governor

Michigan Commission on Law Enforcement Standards EXECUTIVE ORDER 2001-5

EXECUTIVE ORDER No. 2001 - 5

MICHIGAN JUSTICE TRAINING COMMISSION AND MICHIGAN JUSTICE TRAINING FUND

COMMISSION ON LAW ENFORCEMENT STANDARDS AND LAW ENFORCEMENT OFFICERS TRAINING FUND

MICHIGAN COMMISSION ON LAW ENFORCEMENT STANDARDS

MICHIGAN DEPARTMENT OF STATE POLICE

EXECUTIVE REORGANIZATION

WHEREAS, Article V, Section 1, of the Constitution of the state of Michigan of 1963 vests the executive power in the Governor; and

WHEREAS, Article V, Section 2, of the Constitution of the State of Michigan of 1963 empowers the Governor to make changes in the organization of the Executive Branch or in the assignment of functions among its units which he considers necessary for efficient administration; and

WHEREAS, the Michigan Justice Training Commission and the Michigan Justice Training Fund were created within the Department of Management and Budget by Act No. 302 of the Public Acts of 1982, as amended, being Section 18.421 et seq. of the Michigan Compiled Laws; and subsequently transferred to the Department of State Police by Executive Order 1993-11, being Section 18.431 of the Michigan Compiled Laws; and

WHEREAS, the Michigan Law Enforcement Officers Training Council (later renamed the Commission on Law Enforcement Standards by Act No. 237 of the Public Acts of 1998, which amended Section 28.601 et seq. of the Michigan Compiled Laws) and the Law Enforcement Officers Training Fund were created under Act No. 203 of the Public Acts of 1965, as amended, being section 28.601 et seq. of the Michigan Compiled Laws; and subsequently transferred by a Type I transfer to the Department of State Police by Act No. 407 of the Public Acts of 1965, being Section 16.257 of the Michigan Compiled Laws; and

WHEREAS, the powers, functions, duties and responsibilities assigned to the Michigan Justice Training Commission, the Michigan Justice Training Fund, the Commission on Law Enforcement Standards, and the Law Enforcement Officers Training Fund can be more effectively carried out by a new Michigan Commission on Law Enforcement Standards; and

WHEREAS, it is necessary in the interests of efficient administration and effectiveness of government to effect changes in the organization of the Executive Branch of government.

NOW, THEREFORE, I, John Engler, Governor of the State of Michigan, pursuant to the powers vested in me by the Constitution of the State of Michigan of 1963 and the laws of the State of Michigan, do hereby order the following:

- I. New Michigan Commission on Law Enforcement Standards.
 - A. The new Michigan Commission on Law Enforcement Standards is hereby created as a Type I agency with the Department of State Police.
 - B. All the statutory authority, powers, duties, functions and responsibilities of the Michigan Justice Training Commission, the Michigan Justice Training Fund, the Commission on Law Enforcement Standards and the Law Enforcement Officers Training Fund including those involving rule-making, grant awards and annual distributions and including, but not limited to, the statutory authority, powers, duties, functions and responsibilities set forth in:
 1. The Commission on Law Enforcement Standards Act, Act No. 203 of the Public Acts of 1965, as amended, being Section 28.601 et seq. of the Michigan Compiled Laws;
 2. The Michigan Justice Training Commission and Michigan Justice Training Fund Act, Act No. 302 of the Public Acts of 1982, as amended, being Section 18.421 et seq. of the Michigan Compiled Laws; are hereby transferred to the new Michigan Commission on Law Enforcement Standards by a Type III transfer, as defined by Section 3 of Act No. 380 of the Public Acts of 1965, as amended, being Section 16.103 of the Michigan Compiled Laws.
 - C. The new Michigan Commission on Law Enforcement Standards shall consist of fifteen (15) members as follows:
 1. The Attorney General, or the designated representative of the Attorney General;
 2. The Director of the Department of State Police, or the Director's designated representative who is a Michigan State Police Officer;
 3. The Chief of the Police Department located in a city with a population of more that 750,000, or the Chief's designated representative who is a command officer with that department; and
 4. Twelve (12) members appointed by the governor, with the advice and consent of the Senate, as follows:
 - a. Three (3) individuals selected from a list of nine (9) active voting members of and submitted by the Michigan Association of Chiefs of Police or its successor organization;
 - b. Three (3) individuals selected from a list of nine (9) elected sheriffs submitted by the Michigan Sheriffs' Association or its successor organization;
 - c. One (1) individual selected from a list of three (3) individuals submitted by the Prosecuting Attorneys' Association of Michigan or its successor organization;
 - d. One (1) individual selected from a list of three (3) individuals submitted by the Criminal Defense Attorneys of Michigan or its successor organization;
 - e. One (1) individual selected from a list of three (3) individuals submitted by the Michigan State Police Troopers Association or its successor organization;
 - f. One (1) individual selected from a list of three (3) individuals submitted by the Michigan Chapter of the Fraternal Order of Police or its successor organization;
 - g. One (1) individual selected from a list of three (3) individuals submitted by the Police Officers Association of Michigan or its successor organization;
 - h. One (1) individual selected from a list of three (3) individuals submitted by a police association representing officers employed by one police agency employing more than 15

Appendix C (Continued)

percent of the police officers in this state or their successor organizations; and

- i. The Governor may appoint any individual meeting the membership requirements of the organizations listed in 4. a. through 4. h. in the event that an organization required to submit a list of potential candidates fails to submit a list:
 - (1) at least 30 days prior to a vacancy created by the expiration of a term; or
 - (2) within 30 days of the effective date of any other vacancy.
5. An individual selected under subdivision 4 shall serve as a commission member only while serving as a member of the respective organizations in subparagraphs 4. a. through 4. h.
6. Except as otherwise provided in this subdivision, members of the Commission appointed under subdivision 4 shall hold office for a term of three (3) years. However:
 - a. Of the members initially appointed from the list of nominees submitted by the Michigan Association of Chiefs of Police, one (1) member shall be appointed for a term of three (3) years, one (1) member shall be appointed for a term of two (2) years, and one (1) member shall be appointed for a term of one (1) year.
 - b. Of the members initially appointed from the list submitted by the Michigan Sheriffs' Association, one (1) member shall be appointed for a term of three (3) years, one (1) member shall be appointed for a term of two (2) years, and one (1) member shall be appointed for a term of one (1) year.
 - c. The members initially appointed from the list of nominees submitted by the Michigan State Police Troopers Association and the Michigan Chapter of the Fraternal Order of Police shall be appointed for a term of two (2) years.
 - d. The members initially appointed from the list of nominees submitted by the Police Officers Association of Michigan and the police association representing officers employed by one police agency employing more than 15 percent of the police officers in this state shall be appointed for a term of one (1) year.
7. A vacancy on the commission caused by the expiration of a term or termination of the member's official position in law enforcement shall be filled in the same manner as the original appointment.
8. A member appointed to fill a vacancy created other than by expiration of a term shall be appointed for the unexpired term of the member who he or she is to succeed in the same manner as the original appointment. A member may be reappointed for additional terms.
- D. The new Michigan Commission on Law Enforcement Standards, in addition to exercising the statutory authority, powers, duties, functions and responsibilities transferred to it by this order, shall focus its activities in order to accomplish the following objectives involving law enforcement organizations and officers:
 1. Increase professionalism;
 2. Increase the number of law enforcement organizations that offer formal in-service training and increase the number of law enforcement officers who receive formal in-service training;
 3. Institute law enforcement in-service training standards applicable to all law enforcement in-service training in Michigan;
 4. Implement a web-based information system that will allow the Commission to accomplish its goals and communicate with Michigan law enforcement organizations in a more efficient manner, and;
 5. Ensure that grants awarded by the Commission to Michigan law enforcement organizations advance the objectives listed in subparagraphs D.1. through D.3.

II. Miscellaneous

- A. The Director of the Department of State Police shall provide executive direction and supervision for the implementation of all transfers of authority made under this Order.
- B. The Executive Director of the new Michigan Commission on Law Enforcement Standards shall administer the assigned functions transferred by this Order in such ways as to promote efficient administration and shall make internal organizational changes as may be administratively necessary to complete the realignment of responsibilities prescribed by this Order.
- C. The Director of the Department of State Police and the Executive Director of the new Michigan Commission on Law Enforcement Standards shall immediately initiate coordination to facilitate the transfer and shall develop a memorandum of record identifying any pending settlements, issues of compliance with applicable federal and State laws and regulations, or obligations to be resolved by the Michigan Justice Training Commission, the Michigan Justice Training Fund, the Commission on Law Enforcement Standards and the Law Enforcement Officers Training Fund.
- D. All records, personnel, property and unexpended balances of appropriations, allocations and other funds used, held, employed, available or to be made available to the Michigan Justice Training Commission, the Michigan Justice Training Fund, the Commission on Law Enforcement Standards and the Law Enforcement Officers Training Fund for the activities, powers, duties, functions and responsibilities transferred by this Order are hereby transferred to the new Michigan Commission on Law Enforcement Standards.
- E. The State Budget Director shall determine and authorize the most efficient manner possible for handling financial transactions and records in the state's financial management system for the remainder of the fiscal year.
- F. All rules, orders, contracts and agreements relating to the assigned functions lawfully adopted prior to the effective date of this Order shall continue to be effective until revised, amended or repealed.
- G. Any suit, action or other proceeding lawfully commenced by, against or before any entity affected by this Order shall not abate by reason of the taking effect of this Order. Any suit, action or other proceeding may be maintained by, against or before the appropriate successor of any entity affected by this Order.
- H. The invalidity of any portion of this Order shall not affect the validity of the remainder thereof.

In fulfillment of the requirement of Article V, Section 2, of the Constitution of the state of Michigan of 1963, the provisions of this Executive Order shall become effective November 1, 2001.

Given under my hand and the Great Seal of the State of Michigan this 30th day of August, in the Year of our Lord, Two Thousand One.

Appendix D *Act No. 302 of the Public Acts of 1982, as amended*

An act to create the Michigan justice training commission and the Michigan justice training fund; to provide the powers and duties of certain state agencies; to provide for the distribution and expenditure of funds; to provide for the promulgation of rules; and to repeal this act on a specific date. Amended by P.A. 1989, No. 158, § 1, Imd. Eff. July 28, 1989; P.A. 1992, No. 104, § 1, Imd. Eff. June 25, 1992.

The People of the State of Michigan enact:

MCL §18.421. Definitions. Sec. 1.

As used in this act:

- (a) "Alcoholic liquor" means that term as defined in section 2 of the Michigan liquor control act, Act No.8 of the Public Acts of the Extra Session of 1933, being section 436.2 of the Michigan Compiled Laws.
- (b) "Eligible entity" means a city, village, township, county, junior college, community college, state supported college or university, or the department of state police.
- (c) "Fund" means the Michigan justice training fund created in section 5.
- (d) "In-service criminal justice training" means a criminal justice educational program presented by an agency or entity eligible to receive funds pursuant to this act or by a contractual service provider hired by the agency or entity eligible to receive funds pursuant to this act, including a course or package of instruction provided to an eligible trainee for the payment of a fee or tuition, or education or training presented through the use of audiovisual materials, which program, education, or training is designed and intended to enhance the direct delivery of criminal justice services by eligible employees of the agency or entity.
- (e) "MLEOTC certified police officer" means an individual certified as a police officer under the being sections 28.601 to 28.616 of the Michigan Compiled Laws.
- (f) "Professional association" means a national, state, or local police union, or an association or fraternal organization of police officers, correctional officers, or prosecuting attorneys.
- (g) "State or local agency" means any of the following:
 - (i) An agency, department, division, bureau, board, commission, council, or authority of the state or of a city, village, township, or county.
 - (ii) A state supported college or university.
 - (iii) A community college or junior college.
 - (iv) Any agency or entity of the judicial branch of government of this state.

MCL §18.422. Michigan Justice training commission, creation, members; business; voting. Sec. 2.

- (1) The Michigan justice training commission is created within the department of management and budget. The commission shall consist of the following members:
 - (a) The director of the department of state police or his or her representative.
 - (b) The president of the prosecuting attorneys' association of Michigan or his or her representative.
 - (c) The president of the Michigan sheriffs' association or his or her representative.
 - (d) The president of the Michigan association of chiefs of police or his or her representative.
 - (e) One person appointed by the governor who is employed by a police agency employing at least 20% of the police officers in this state.
 - (f) The president of the Michigan state police troopers association or his or her representative.
 - (g) One person appointed by the governor who has been elected by police officers other than police officers in administrative or managerial positions, representing the interests of police officers other than police officers in administrative or managerial positions.
 - (h) The president of the criminal defense attorneys of Michigan or his or her representative.
- (2) The commission shall elect a chairperson annually from among the members of the commission. A person shall not serve more than 2 consecutive years as chairperson.
- (3) The members of the commission shall be reimbursed for actual expenses, including travel expenses, from the fund. Members of the commission shall not be reimbursed for expenditures for alcoholic liquor, or for meal expenditures in excess of the per diem meal expenditures authorized for members of the state civil service.
- (4) The business which the commission may perform shall be conducted at a public meeting of the commission held in compliance with the open meetings act, Act No. 267 of the Public Acts of 1976, as amended, being sections 15.261 to 15.275 of the Michigan Compiled Laws. Public notice of the time, date, and place of the meeting shall be given in the manner required by Act No. 267 of the Public Acts of 1976, as amended.
- (5) The commission shall not perform any function authorized under section 3 without the affirmative votes of 5 members of the commission.

MCL §18.423. Duties of commission. Sec. 3.

The commission shall do all of the following, with the assistance of the department of management and budget:

- (a) Annually distribute 60% of the fund to eligible entities not including the money in the fund pursuant to section 5(2). An eligible entity receiving a distribution under this subdivision shall expend the distribution only for the in-service criminal justice training of its police officers. An eligible entity that uses money received under this subdivision shall maintain detailed records of the actual costs associated with the preparation for, the administration of, and the actual conducting of the training program. Use of money received under this subdivision for the payment of unreasonable or duplicative costs, as determined by the commission, shall result in the forfeiture of the money received by the eligible entity under this subdivision. Money distributed to an eligible entity which is not expended in the fiscal year of the distribution shall only be expended by the eligible entity for the in-service criminal justice training of its police officers in future fiscal years. An eligible entity receiving a distribution pursuant to this subdivision shall use the entire distribution for the in-service criminal justice training of its police officers within 2 years after receiving the distribution. If the eligible entity fails or refuses to use the entire distribution for the in-service criminal justice training of its police officers within 2 years after receiving the distribution, the eligible entity shall not be eligible to receive additional distributions pursuant to this subdivision until the prior distribution is used for the in-service criminal justice training of its police officers. A distribution made under this subdivision shall serve as a supplement to, and not as a replacement for, the funds budgeted on October 12, 1982, by an eligible entity for the in-service criminal justice training of its police officers. The distribution shall be made in 2 semiannual installments on dates determined by the commission and shall be expended only for the direct costs of the in-service criminal justice training of police officers. The funds shall be distributed on a per capita basis to eligible entities based upon the number of full-time equated sworn MLEOTC certified police officers employed. Each eligible entity shall receive a minimum distribution of \$500.00. For purposes of this subdivision, the number of full-time equated sworn MLEOTC certified police officers shall be determined by dividing the total number of paid work hours actually worked by sworn MLEOTC certified police officers in the eligible entity's fiscal year by 2,080 hours, rounded down to the nearest whole number. For each year, the percentage of police officers who provide direct police service receiving training under this act shall be equal to or greater than the percentage of police officers who are in full-time administrative positions receiving training under this act.
- (b) Annually distribute through a competitive grant process the balance of the fund after making the distributions required in subdivisions (a) and (d) and the expenditures required

Appendix D (Continued)

under section 2(3). In distributing money from the fund, the commission shall consider the quality and cost effectiveness of the training programs of applicants for funds and the criminal justice needs of this state. Money shall not be distributed under this subdivision to a professional association. In distributing money from the fund, the commission shall attempt to provide equity in funding for training programs for prosecutors and assigned criminal defense counsel. A state or local agency that uses money received under this subdivision shall maintain detailed records of the actual costs associated with the preparation for, the administration of, and the actual conducting of the training program. Use of money received under this subdivision for the payment of unreasonable or duplicative costs, as determined by the auditor general or the commission, shall result in the forfeiture of the money received by the state or local agency under this subdivision. Grants under this subdivision shall be distributed only to the following:

- (i) State or local agencies for the purpose of providing in-service criminal justice training programs to employees of those state or local agencies. A distribution made under this subparagraph shall serve as a supplement to, and not as a replacement for, the funds budgeted on October 12, 1982, by a state or local agency for in-service criminal justice training.
- (ii) State or local agencies providing criminal justice training to the employees or the contractual service providers of other state or local agencies. A distribution made under this subparagraph shall be used to enhance and increase, but not supplant, the amount of local, federal, and other state funds that, in the absence of money from the Michigan justice training fund, are available for criminal justice training. As used in this subparagraph, "criminal justice training" means training which is designed and intended to enhance the direct delivery of criminal justice services by employees of state or local agencies; which is not required minimum basic training for police officers or initial training for other employees; and which is any of the following:
 - (A) A criminal justice educational program presented by the state or local agency or by a contractual training provider hired by the agency.
 - (B) A criminal justice course or package of instruction provided to an eligible trainee for the payment of a fee or tuition.
 - (C) Promulgate rules pursuant to the administrative procedures act of 1969, Act No. 306 of the Public Acts of 1969, as amended, being sections 24.201 to 24.328 of the Michigan Compiled Laws, which prescribe the procedures by which the commission shall distribute money from the fund.
 - (D) Annually distribute an amount from the fund to the department of management and budget to cover the reasonable expenses of providing staff services to the commission, and to cover the expense of maintaining a register of available criminal justice training programs in this state.

MCL §18.424. Allowable expenditures. Sec. 4.

- (1) Distributions of money under this act shall not be expended for any of the following:
 - (a) Criminal justice training conducted by a training provider not based in this state unless the training event has first been approved by the commission.
 - (b) Criminal justice training not located in this state, unless the training event has first been approved by the commission.
 - (c) Criminal justice training in another country.
 - (d) Meal expenditures in excess of the per diem meal expenditures authorized for civil service employees.
 - (e) Purchasing alcoholic liquor.
 - (f) Travel costs to participate in criminal justice training, unless the criminal justice training program is for the sole purpose of training or offers not less than 6 hours of qualifying training within any 24-hour period.
 - (g) The publication of a newsletter.
- (2) The commission shall not approve any out-of-state training program unless the eligible entity requesting approval of the training program has exhausted all reasonable efforts to locate a similar training program in this state, and the commission is satisfied that a similar training program is not available in this state.

MCL §18.424a. Printed material. Sec. 4a.

Any material printed from funds distributed under this act shall contain a statement that Michigan justice training funds were used to print that material.

MCL §18.425. Michigan justice training fund; creation; distribution; investment earnings. Sec. 5.

- (1) The Michigan justice training fund is created in the state treasury.
- (2) Money in the fund which is not distributed in a fiscal year, and which was to be distributed under section 3(b) shall remain in the fund for distribution in future fiscal years only for the purposes described in section 3(b).
- (3) Investment earnings from the Michigan justice training fund assets shall be deposited in the Michigan justice training fund.

MCL §18.426. Annual reports. Sec. 6.

Each eligible entity and state or local agency receiving a distribution under this act shall report annually to the commission on the results of its training programs. Each training program financed in whole or in part by a distribution from the Michigan justice training fund shall be separately identified. The commission shall report annually to the appropriating committees of the legislature on the results of the expenditure of the amount distributed.

MCL §18.427. Repealed by P.A. 1984, No. 364, § 2, Eff. March 29, 1985. Sec. 7. Repealed.

MCL §18.428. Contingent enactment. Sec. 8.

This act shall not take effect unless House Bill No. 5520 of the 81st Legislature is enacted into law.

MCL §18.429. Audits. Sec. 9.

The books, records, and accounts of the Michigan justice training commission shall be audited by the auditor general every 2 years.

MCL §18.430. Repealed by P.A. 1992, No. 104, § 2, Eff. June 25, 1992. Sec. 10. Repealed.

MCL §18.431. Michigan justice training commission and justice training fund; transfer of powers and duties to the department of state police

WHEREAS, Article V, Section 2, of the Constitution of the State of Michigan of 1963 empowers the Governor to make changes in the organization of the Executive Branch or in the assignment of functions among its units which he considers necessary for efficient administration; and

Appendix D (continued)

WHEREAS, the Michigan Justice Training Commission and the Michigan Justice Training Fund were created within the Department of Management and Budget by Act No. 302 of the Public Acts of 1982, as amended, being Section 18.421 et seq. of the Michigan Compiled Laws; and

WHEREAS, the functions, duties and responsibilities assigned to the Michigan Justice Training Commission and the Michigan Justice Training Fund can be more effectively carried out under the supervision and direction of the head of the Department of State Police.

NOW, THEREFORE, I, John Engler, Governor of the State of Michigan, pursuant to the powers vested in me by the Constitution of the State of MICHIGAN of 1963 and the laws of the State of Michigan, do hereby order the following:

1. All the statutory authority, powers, duties, functions and responsibilities of the Michigan Justice Training Commission and the Michigan Justice Training Fund are hereby transferred to the Department of State Police, by a Type II transfer, as defined by Section 3 of Act No 380 of the Public Acts of 1965, as amended, being Section 16.103 of the Michigan Compiled Laws.
2. The Director of the Office of Contract Management of the Department of Management and Budget shall provide executive direction and supervision for the implementation of the transfers. The assigned functions shall be administered under the direction and supervision of the Department of State Police, and all prescribed functions of rule making, grant awards and annual distributions shall be transferred to the Department of State Police.
3. All records, personnel, property and unexpended balances of appropriations, allocations and other funds used, held, employed, available or to be made available to the Michigan Justice Training Commission and the Michigan Justice Training Fund for the activities transferred are hereby transferred to the Department of State Police to the extent required to provide for the efficient and effective operation of the Michigan Justice Training Commission and Michigan Justice Training Fund.
4. The Director of the Office of Contract Management of the Department of Management and Budget and the Director of the Department of State Police shall immediately initiate coordination to facilitate the transfer and develop a memorandum of record identifying any pending settlements, issues of compliance with applicable federal and State laws and regulations, or obligations to be resolved by the Michigan Justice Training Commission and the Michigan Justice Training Fund.
5. All rules, orders, contracts and agreements relating to the assigned functions lawfully adopted prior to the effective date of this Order shall continue to be effective until revised, amended or repealed.
6. Any suit, action or other proceeding lawfully commenced by, against or before any entity affected by this Order shall not abate by reason of the taking effect of this Order. Any suit, action or other proceeding may be maintained by, against or before the appropriate successor of any entity affected by this Order.

In fulfillment of the requirement of Article V, Section 2, of the Constitution of the State of Michigan of 1963, the provisions of this Executive Order shall become effective 60 days after filing.

Appendix E *Licensing of Private Security Police Officers*

PRIVATE SECURITY BUSINESS AND SECURITY ALARM ACT (EXCERPTS) Act 330 of 1968

MCL 338.1052 Definitions; persons not subject to act. Sec. 2.

- (1) As used in this act:
- (a) "Department" means the department of consumer and industry services except that in reference to the regulation of private security police, department means the department of state police.
- (b) "Licensee" means a sole proprietorship, firm, company, partnership, limited liability company, or corporation licensed under this act.
- (c) "Private security guard" means an individual or an employee of an employer who offers, for hire, to provide protection of property on the premises of another.
- (d) "Private security police" means that part of a business organization or educational institution primarily responsible for the protection of property on the premises of the business organization.
- (e) "Security alarm system" means a detection device or an assembly of equipment and devices arranged to signal the presence of a hazard requiring urgent attention or to which police are expected to respond. Security alarm system includes any system that can electronically cause an expected response by a law enforcement agency to a premises by means of the activation of an audible signal, visible signal, electronic notification, or video signal, or any combination of these signals, to a remote monitoring location on or off the premises. Security alarm system does not include a video signal that is not transmitted over a public communication system or a fire alarm system or an alarm system that monitors temperature, humidity, or other condition not directly related to the detection of an unauthorized intrusion into a premises or an attempted robbery at a premises.
- (f) "Security alarm system agent" means a person employed by a security alarm system contractor whose duties include the altering, installing, maintaining, moving, repairing, replacing, selling, servicing, monitoring, responding to, or causing others to respond to a security alarm system.
- (g) "Security alarm system contractor" means a sole proprietorship, firm, company, partnership, limited liability company, or corporation engaged in the installation, maintenance, alteration, monitoring, or servicing of security alarm systems or who responds to a security alarm system. Security alarm system contractor does not include a business that only sells or manufactures security alarm systems unless the business services security alarm systems, installs security alarm systems, monitors or arranges for the monitoring of a security alarm system, or responds to security alarm systems at the protected premises.
- (h) "Security business" means a person or business entity engaged in offering, arranging, or providing 1 or more of the following services:
 - (i) Security alarm system installation, service, maintenance, alteration, or monitoring.
 - (ii) Private security guard.
 - (iii) Private security police.
- (2) All businesses furnishing security alarm systems for the protection of persons and property, whose employees and security technicians travel on public property and thoroughfares in the pursuit of their duties, are subject to this act.
- (3) A communications common carrier providing communications channels under tariffs for the transmission of signals in connection with an alarm system is not subject to this act.
- (4) Railroad policemen appointed and commissioned under the railroad code of 1993, 1993 PA 354, MCL 462.101 to 462.451, are exempt from this act.

History: 1968, Act 330, Imd. Eff. July 12, 1968 ;—Am. 1969, Act 168, Imd. Eff. Aug. 5, 1969 ;—Am. 1975, Act 190, Imd. Eff. Aug. 5, 1975 ;—Am. 2000, Act 411, Eff. Mar. 28, 2001 ;—Am. 2002, Act 473, Eff. Oct. 1, 2002.

MCL 338.1056 License; qualifications. Sec. 6.

- (1) The department shall issue a license to conduct business as a security alarm system contractor or a private security guard, private security police, or to a private security guard business, if it is satisfied that the applicant is a sole proprietorship, or if a firm, partnership, company, limited liability company, or corporation the sole or principal license holder is an individual, who meets all of the following qualifications:
 - (a) Is not less than 25 years of age.
 - (b) Has a high school education or its equivalent.
 - (c) In the case of a licensee under this section after March 28, 2001, has not been under any sentence, including parole, probation, or actual incarceration, for the commission of a felony.
 - (d) In the case of a person licensed under this section on or before March 28, 2001, has not been under any sentence, including parole, probation, or actual incarceration, for the commission of a felony within 5 years before the date of application.
 - (e) Has not been convicted of an offense listed in section 10(1)(c) within 5 years before the date of application.
 - (f) Has not been dishonorably discharged from a branch of the United States military service.
 - (g) In the case of an applicant for a private security guard or agency license, has been lawfully engaged in 1 or more of the following:
 - (i) In the private security guard or agency business on his or her own account in another state for a period of not less than 3 years.
 - (ii) In the private security guard or agency business for a period of not less than 4 years as an employee of the holder of a certificate of authority to conduct a private security guard or agency business and has had experience reasonably equivalent to not less than 4 years of full-time guard work in a supervisory capacity with rank above that of patrolman.
 - (iii) In law enforcement employment as a certified police officer on a full-time basis for not less than 4 years for a city, county, or state government, or for the United States government.
 - (iv) In the private security guard or agency business as an employee or on his or her own account or as a security administrator in private business for not less than 2 years on a full-time basis, and is a graduate with a baccalaureate degree or its equivalent in the field of police administration or industrial security from an accredited college or university.
- (h) In the case of an applicant for a security alarm system contractor license, has been lawfully engaged in either or both of the following:
 - (i) The security alarm system contractor business on his or her own account for a period of not less than 3 years.
 - (ii) The security alarm system contractor business for a period of not less than 4 years as an employee of the holder of a certificate of authority to conduct a security alarm system contractor business, and has had experience reasonably equivalent to at least 4 years of full-time work in a supervisory capacity or passes a written exam administered by the department designed to measure his or her knowledge and training in security alarm systems.
- (i) Has posted with the department a bond provided for in this act.
- (j) Has not been adjudged insane unless restored to sanity by court order.

Appendix E (continued)

- (k) Does not have any outstanding warrants for his or her arrest.
- (2) In the case of a sole proprietorship, firm, partnership, company, or corporation now doing or seeking to do business in this state, the resident manager shall comply with the applicable qualifications of this section.

History: 1968, Act 330, Imd. Eff. July 12, 1968 ;—Am. 1969, Act 168, Imd. Eff. Aug. 5, 1969 ;—Am. 1975, Act 190, Imd. Eff. Aug. 5, 1975 ;—Am. 1994, Act 326, Eff. Mar. 30, 1995 ;—Am. 2000, Act 411, Eff. Mar. 28, 2001 ;—Am. 2002, Act 473, Eff. Oct. 1, 2002.

MCL 338.1057 License; application; references; investigation; approval; nonrenewable temporary license; fees. Sec. 7.

- (1) The department shall prepare a uniform application for the particular license and shall require the person filing the application to obtain reference statements from at least 5 reputable citizens who have known the applicant for a period of at least 5 years, who can attest that the applicant is honest, of good character, and competent, and who are not related or connected to the applicant by blood or marriage.
- (2) Upon receipt of the application and application fee, the department shall investigate the applicant's qualifications for licensure.
- (3) The application and investigation are not considered complete until the applicant has received the approval of the prosecuting attorney and the sheriff of the county in this state within which the principal office of the applicant is to be located. If the office is to be located in a city, township, or village, the approval of the chief of police may be obtained instead of the sheriff. Branch offices and branch managers shall be similarly approved.
- (4) If a person has not previously been denied a license or has not had a previous license suspended or revoked, the department may issue a nonrenewable temporary license to an applicant. If approved by the department, the temporary license is valid until 1 or more of the following occur but not to exceed 120 days:
 - (a) The completion of the investigations and approvals required under subsections (1), (2), and (3).
 - (b) The completion of the investigation of the subject matter addressed in section 6.
 - (c) The completion of the investigation of any employees of the licensee as further described in section 17.
 - (d) Confirmation of compliance with the bonding or insurance requirements imposed in section 9.
 - (e) The applicant fails to meet 1 or more of the requirements for licensure imposed under this act.
- (5) The fees for a temporary license shall be the applicable fees as described in section 9.

History: 1968, Act 330, Imd. Eff. July 12, 1968 ;—Am. 1975, Act 190, Imd. Eff. Aug. 5, 1975 ;—Am. 2000, Act 411, Eff. Mar. 28, 2001 ;—Am. 2002, Act 473, Eff. Oct. 1, 2002.

338.1060 License; revocation; grounds; failure to pay fines or fees; surrender of license; misdemeanor. Sec. 10.

- (1) The department may revoke any license issued under this act if it determines, upon good cause shown, that the licensee or his or her manager, if the licensee is an individual, or if the licensee is not an individual, that any of its officers, directors, partners or its manager, has done any of the following:
 - (a) Made any false statements or given any false information in connection with an application for a license or a renewal or reinstatement of a license.
 - (b) Violated any provision of this act.
 - (c) Been, while licensed or employed by a licensee, convicted of a felony or a misdemeanor involving any of the following:
 - (i) Dishonesty or fraud.
 - (ii) Unauthorized divulging or selling of information or evidence.
 - (iii) Impersonation of a law enforcement officer or employee of the United States, this state, or a political subdivision of this state.
 - (iv) Illegally using, carrying, or possessing a dangerous weapon.
 - (v) Two or more alcohol related offenses.
 - (vi) Controlled substances under the public health code, 1978 PA 368, MCL 333.1101 to 333.25211.
 - (vii) An assault.
 - (d) Knowingly submitted any of the following:
 - (i) A name other than the true name of a prospective employee.
 - (ii) Fingerprints not belonging to the prospective employee.
 - (iii) False identifying information in connection with the application of a prospective employee.
- (2) The department shall not renew a license of a licensee who owes any fine or fee to the department at the time for a renewal.
- (3) Within 48 hours after notification from the department of the revocation of a license under this act, the licensee shall surrender the license and the identification card issued under section 14. A person who violates this subsection is guilty of a misdemeanor punishable by imprisonment for not more than 93 days or a fine of not more than \$500.00, or both.

History: 1968, Act 330, Imd. Eff. July 12, 1968 ;—Am. 1994, Act 326, Eff. Mar. 30, 1995 ;—Am. 2000, Act 411, Eff. Mar. 28, 2001 ;—Am. 2002, Act 473, Eff. Oct. 1, 2002.

Appendix F *Licensing of Railroad Police Officers*

MCOLES Certification and Commissioning
PA 354 of 1993

462.367 Railroad police officer; appointment; commission; eligibility; duration of commission; employment before certain date.

RAILROAD CODE OF 1993 (EXCERPT)
Act 354 of 1993

462.367 Railroad police officer; appointment; commission; eligibility; duration of commission; employment before certain date. Sec. 367.

- (1) Upon application in writing of a company owning, leasing, using, or operating any railroad company in this state, whether by steam, electricity, or other motive power, accompanied by the statements of 3 reputable United States citizens testifying to the moral character of the person mentioned in the application, the director of the department of state police, if the director finds the person to be suitable and qualified, may appoint and commission the person to act as a police officer for the company, upon the premises of the company, or elsewhere within the state, when in the discharge of his or her duties as a police officer for the company.
- (2) A person shall not be eligible to receive an appointment unless the person is 18 years of age or older and has completed a minimum of 440 hours of training, which shall be certified by the Michigan law enforcement training council created by the Michigan law enforcement officers training council act of 1965, Act No. 203 of the Public Acts of 1965, being sections 28.601 to 28.616 of the Michigan Compiled Laws. Every police officer so appointed shall be known and designated as a railroad police officer. A railroad police officer's commission shall be in force until it becomes null and void or terminated as provided in this act.
- (3) A railroad police officer employed on or before November 18, 1975 may continue that employment, and failure to meet the training standards required by this act shall not be grounds for dismissal or termination of employment.

History: 1993, Act 354, Imd. Eff. Jan. 14, 1994.

RAILROAD CODE OF 1993 (EXCERPT)
Act 354 of 1993

462.377 Railroad police officer; duties and powers. Sec. 377.

Every railroad police officer, who is appointed and commissioned as provided in this act, shall have, exercise, and possess, throughout the state, while in the discharge of his or her duties as a railroad police officer, the powers of sheriffs, marshals, constables, and municipal police officers except in the service of civil process. A railroad police officer shall enforce and compel obedience to the laws of this state and to the ordinances of the cities, villages, and townships of this state when engaged in the discharge of his or her duties as a railroad police officer for the company.

History: 1993, Act 354, Imd. Eff. Jan. 14, 1994.

Appendix G *Public Safety Officers Benefit Act*

Act 46 of 2004

AN ACT to provide compensation to dependents of public safety officers who are killed or who are permanently and totally disabled in the line of duty; to create the public safety officers benefit fund; to prescribe the duties and responsibilities of certain state officers; and to make an appropriation.

History: 2004, Act 46, Eff. Oct. 1, 2003.

Compiler's note: Enacting section 1 of Act 46 of 2004 provides

"This act is retroactive and is effective October 1, 2003."

The People of the State of Michigan enact:

28.631 Short title.

Sec. 1. This act shall be known as the "public safety officers benefit act".

History: 2004, Act 46, Imd. Eff. Oct. 1, 2003.

Compiler's note: Enacting section 1 of Act 46 of 2004 provides:

"This act is retroactive and is effective October 1, 2003."

28.632 Definitions.

Sec. 2. As used in this act:

- (a) "Commission" means the commission on law enforcement standards created under the commission on law enforcement standards act, 1965 PA 203, MCL 28.601 to 28.616.
- (b) "Dependent" means any individual who was substantially reliant for support upon the income of the deceased public safety officer.
- (c) "Direct and proximate" means that the antecedent event is a substantial factor in the result.
- (d) "Firefighter" means a regularly employed member of a fire department of a city, county, township, village, state university, or community college or a member of the department of natural resources who is employed to fight fires. Firefighter includes a volunteer member of a fire department.
- (e) "Law enforcement officer" means an individual involved in crime and juvenile delinquency control or reduction or enforcement of the criminal law. Law enforcement officer includes police, corrections, probation, parole, bailiffs, or other similar court officers.
- (f) "Line of duty" means either of the following:
 - (i) Any action which an officer whose primary function is crime control or reduction, enforcement of the criminal law, or suppression of fires is obligated or authorized by rule, regulations, condition of employment or service, or law to perform, including those social, ceremonial, or athletic functions to which the officer is assigned, or for which the officer is compensated, by the public agency he or she serves. For other officers, line of duty means any action the officer is so obligated or authorized to perform in the course or controlling or reducing crime, enforcing the criminal law, or suppressing fires.
 - (ii) Any action which an officially recognized or designated public employee member of a rescue squad or ambulance crew is obligated or authorized by rule, regulation, condition of employment or service, or law to perform.
- (g) "Member of a rescue squad or ambulance crew" means an officially recognized or designated employee or volunteer member of a rescue squad or ambulance crew.
- (h) "Permanent and total disability" means medically determinable consequences of a catastrophic, line-of-duty injury that permanently prevent a former public safety officer from performing any gainful work.
- (i) "Public safety officer" means any individual serving a public agency in an official capacity, with or without compensation, as a law enforcement officer, firefighter, rescue squad member, or ambulance crew member.
- (j) "Surviving spouse" means the husband or wife of the deceased officer at the time of the officer's death, and includes a spouse living apart from the officer at the time of the officer's death for any reason.

History: 2004, Act 46, Imd. Eff. Oct. 1, 2003.

Compiler's note: Enacting section 1 of Act 46 of 2004 provides:

"This act is retroactive and is effective October 1, 2003."

28.633 Public safety officers benefit fund; creation; disposition and investment of funds; lapse; expenditures; rules.

Sec. 3. (1) The public safety officers benefit fund is created within the state treasury.

(2) The state treasurer may receive money or other assets from any source for deposit into the fund. The state treasurer shall direct the investment of the fund. The state treasurer shall credit to the fund interest and earnings from fund investments.

(3) Money in the fund at the close of the fiscal year shall remain in the fund and shall not lapse to the

general fund.

(4) The commission shall expend money from the fund, upon appropriation, only to carry out the purposes of this act.

(5) The commission shall promulgate rules pursuant to the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328, that prescribe standards and rules for the distribution of benefits commensurate with the purpose of this act.

History: 2004, Act 46, Imd. Eff. Oct. 1, 2003.

Compiler's note: Enacting section 1 of Act 46 of 2004 provides:

"This act is retroactive and is effective October 1, 2003."

28.634 Death or disability of public safety officer; benefit; amount; additional benefit.

Sec. 4. (1) If a public safety officer dies or is permanently and totally disabled as the direct and proximate result of a personal injury sustained in the line of duty, the state shall pay a benefit of \$25,000.00 to 1 of the following:

- (a) If the deceased public safety officer leaves a surviving spouse, to that surviving spouse.
- (b) If the deceased public safety officer does not leave a surviving spouse, to his or her dependents.
- (c) If the public safety officer does not leave a surviving spouse or any surviving dependents, payment shall be made to the estate of the deceased public safety officer.
- (d) If the public safety officer is permanently and totally disabled, to the spouse, but if there is no spouse, to the dependents, and if there are no dependents, then to the entity providing care to the permanently and totally disabled public safety officer.

(2) The benefit shall be paid in addition to any other benefit that the beneficiary receives due to the death of the public safety officer.

History: 2004, Act 46, Imd. Eff. Oct. 1, 2003.

Compiler's note: Enacting section 1 of Act 46 of 2004 provides:

"This act is retroactive and is effective October 1, 2003."

28.635 Interim benefit.

Sec. 5. (1) If it appears to the commission that a benefit will be paid under section 4, and if a showing of need is made, the commission may make an interim benefit payment of not more than \$3,000.00 to the person or entity who would be entitled to receive the full benefit payment.

(2) The amount of an interim benefit payment shall be deducted from the amount of any final benefit paid.

(3) If an interim benefit is paid under this section, but a final benefit in that case is not paid because the death or the permanent and total disability of the public safety officer is determined not to be covered under section 4, the recipient of the interim benefit payment is liable for repayment of that benefit payment. However, the state may waive its right to repayment of all or part of the interim benefit payment if substantial hardship would result to the recipient.

History: 2004, Act 46, Imd. Eff. Oct. 1, 2003.

Compiler's note: Enacting section 1 of Act 46 of 2004 provides:

"This act is retroactive and is effective October 1, 2003."

28.636 Benefit payment; prohibitions.

Sec. 6. A benefit payment shall not be made under this act if any of the following apply:

- (a) The personal injury that resulted in death or permanent and total disability was caused by the intentional misconduct of the public safety officer or by his or her intent to bring about the injury.
- (b) The public safety officer was voluntarily intoxicated at the time the personal injury occurred.
- (c) The public safety officer was performing his or her duties in a grossly negligent manner at the time the personal injury occurred.
- (d) The injury was the direct and proximate result of the actions of an individual to whom payment would be made under this act.

History: 2004, Act 46, Imd. Eff. Oct. 1, 2003.

Compiler's note: Enacting section 1 of Act 46 of 2004 provides:

"This act is retroactive and is effective October 1, 2003."

28.637 Appropriation; amount.

Sec. 7. One hundred twenty-five thousand dollars is hereby appropriated from the general fund to the public safety officers benefit fund for fiscal year 2003-2004 to pay for the benefits prescribed in this act.

History: 2004, Act 46, Imd. Eff. Oct. 1, 2003.

Compiler's note: Enacting section 1 of Act 46 of 2004 provides:

"This act is retroactive and is effective October 1, 2003."

28.638 Payment of benefits; condition.

Sec. 8. The payment of benefits under this act is subject to an appropriation by the legislature of money necessary to make the payment.

History: 2004, Act 46, Imd. Eff. Oct. 1, 2003.

Compiler's note: Enacting section 1 of Act 46 of 2004 provides:

"This act is retroactive and is effective October 1, 2003."

