

Organized Retail Crime (ORC) Advisory Board

Meeting Minutes – September 20, 2018

Attendees:

Insp. John Card, MSP
D/Lt. Brad Cox, MSP
Sgt. Tim Fitzgerald, MSP
Ms. Tami Risner, MSP

Mr. Bill Hallan, Michigan Retailer's Assoc.
Mr. Doug Lloyd, Eaton Co. Prosecutor's Office
Director Joshua Meier, Canton PD Director
D/Lt. Mike Steckel, Canton PD
Mr. John Shuler, Target
Mr. Duane Cole, Kroger
Mr. Shannon Simon, ORC Board Member

Legislative Update

Sergeant Fitzgerald talked about house bill 5256, which requires pawn shops to hold property for 90 days when notified by law enforcement that the property may be related to an active case; and they may be required to hold for up to two additional 90-day periods as well. This bill has passed the house and may end up in the full senate. Sergeant Fitzgerald will keep the group updated.

Sergeant Fitzgerald reported that Representative LaFave is introducing House Bill 6256 to get ORC law added into racketeering. HB 6256 would amend the current definition to prohibit a person from committing or attempting to commit the listed offenses for financial gain by obtaining money, property, or any other thing of value. There was discussion.

Old Business

The minutes of June 14, 2018 were reviewed. Mr. Doug Lloyd moved to approve the meeting minutes of June 14, 2018, as written. Mr. Bill Hallan seconded the motion. All approved; the motion carried.

New Business

Changes to MSP Staff

Inspector Card reported that D/F/Lt. James Grady has moved on to be the Post Commander at the Metro South Post, and D/F/Lt. Denise Powell is now the Fraud Investigation Section Commander. D/Lt. Brad Cox is attending today for Lieutenant Powell and will assist in updating her on everything in the Fraud Investigation Section. Inspector Card gave the group D/F/Lt. Denise Powell's contact information.

Forming an Association

Bill Hallan shared the draft articles of incorporation he wrote for the Michigan Organized Retail Crime Association. A 501C6 is a nonprofit organization; a business organization that is organized for a nonprofit reason. The common interest between law enforcement, prosecutors and retailers is that all parties want to see organized retail crime reduced or prevented. Bylaws for the Association have not yet been drafted. The articles of incorporation incorporate the organization in accordance with the requirements of Michigan law. It includes typical provisions, such as indemnification of directors and officers. A resident agent is a required item to incorporate a non-profit in Michigan. There was discussion about who should be the 'resident agent'. Incorporators must be named for the nonprofit. The incorporators will include ORC board members, Joshua Meier, Doug Lloyd, and Bill Hallan, with the other two members being the Attorney General's office, and Michigan State Police. All agreed that Michigan State Police (MSP) should be the resident agent with an individual named as the designee. The MSP Legal Division will want to review and approve the articles of incorporation and the bylaws of the association.

There was discussion about the type of nonprofit organization that will best suit the ORC Advisory Board. Bill Hallan will check into the specifics and differences between a 501C6 and a 501C3 regarding taking donations, etc. The group will further discuss the articles of incorporation at the December meeting, and if all agree, Mr. Hallan will have the articles of incorporation ready for signatures.

ORC Conference

John Shuler started discussion about the Michigan ORC Conference to be held in March 2019. He reported that he recently attended the CCROC conference and has obtained their vendor list. He confirmed that we are offering a good training product to our membership. The conference held last March had good reviews and comments indicated we offered good topics and speakers. The group discussed possible locations for the conference, the benefit of offering MCOLES certification again, food options, and what to charge for the conference.

Mr. Shuler will contact the different venues discussed to get prices and availability for March. He will report back at the December meeting and a location can be decided on. The group will then discuss conference topics and possible speakers.

ORC Website

John Shuler reported that we are officially severed from Lexus Nexus on the website. He will attend a conference call today to go over the concept for a national website. The national website will include a mobile application which will offer alerts, chat sessions, etc., with a single sign-on, if we have been vetted and approved by the other ORCAs. The ownership will be called the National Partnership with bylaws in place. Every ORCA will have a board member assigned to the partnership. There will be an annual fee to be a part of the partnership, however, Minnesota has offered to pay the initial fee and we are looking for retail organizations to donate toward the partnership. Walmart has expressed an interest in donating to the partnership.

Roundtable

The group gave updates on current fraud cases.

Adjourn

A motion to adjourn the meeting was moved and seconded. With all in favor, the meeting adjourned at 3:45 p.m.

Next ORC Advisory Board Mtg. Date

The next ORC Advisory Board meeting is scheduled for Thursday, December 6, 2018, at 2:30 p.m. in the Trooper of the Year conference room at MSP HQ.