



Michigan Commission on Law Enforcement Standards
7426 North Canal Road
Lansing, Michigan 48913
www.mcoles.org

2001 Annual Report

December 2002

Honorable John Engler
Governor of the State of Michigan
Lansing, Michigan 48909

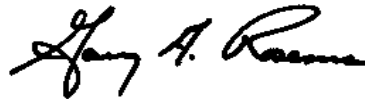
Dear Governor Engler:

I am pleased to submit the 2001 Annual Report of the Michigan Commission on Law Enforcement Standards (MCOLES). This report encompasses Fiscal Year 2001 plus the final three months of calendar year 2001. It, therefore, details the activities of the former Commission on Law Enforcement Standards, and it announces the issuance of Executive Order 2001-5, the appointment of the "new" Michigan Commission on Law Enforcement Standards, and it reports the new commission's activity over the closing months of 2001.

This report exhibits the commitment of this Commission to the betterment of law enforcement and criminal justice, through standards and training. Our commitment is, perhaps, best demonstrated in our ongoing Strategic Planning Initiative, explained in the report. Through this effort, we are producing a long-term design for the investment of MCOLES resources, one that reflects the intent of Executive Order 2001-5 and our expanded responsibilities in criminal justice training. We anticipate adoption of this plan by the end of 2002.

Your continuing leadership as well as the support of the Legislature, coupled with focused and energetic work by the new Commission, will sustain a steady contribution to the growth of professional law enforcement in Michigan. On behalf of the Commission, I extend our sincere thanks.

Respectfully Submitted,

A handwritten signature in black ink, reading "Gary A. Rosema". The signature is fluid and cursive, with the first name "Gary" being the most prominent.

Gary Rosema
Commission Chair

Table of Contents

THE NEW MCOLES.....	4
A HISTORIC STEP FORWARD	6
THE PROBLEM	6
THE SOLUTION	7
GOALS	8
BENEFITS.....	9
THE COMMISSIONS: PAST AND PRESENT	10
THE MICHIGAN COMMISSION ON LAW ENFORCEMENT STANDARDS	10
THANKING THE FORMER COMMISSIONS	12
THE IMMEDIATE-PAST MEMBERSHIP OF THE COMMISSION ON LAW ENFORCEMENT STANDARDS	13
THE IMMEDIATE-PAST MEMBERSHIP OF THE MICHIGAN JUSTICE TRAINING COMMISSION	14
MCOLES STAFF	14
ABOUT LAW ENFORCEMENT STANDARDS.....	16
MEETING AND MAINTAINING EMPLOYMENT SELECTION STANDARDS	18
BASIC TRAINING STANDARDS	18
STRATEGIC PLANNING FOR STANDARDS	22
LAW ENFORCEMENT CERTIFICATION	24
CERTIFICATION TESTING	26
PERSONNEL TRACKING	26
REVOCATION OF LAW ENFORCEMENT CERTIFICATION	27
DELIVERING SERVICES THROUGH PARTNERSHIPS.....	29
REGIONAL BASIC TRAINING ACADEMIES	30
PRE-SERVICE BASIC TRAINING ACADEMIES	31
TRAINING TO LOCALS FUNDING SUPPORT FOR BASIC TRAINING	33
PRE-EMPLOYMENT TESTING	35
WAIVER OF TRAINING	36
THE JUSTICE TRAINING FUND	37
STOP VIOLENCE AGAINST WOMEN ACT.....	39
LAW ENFORCEMENT RESOURCE CENTER	40
911 DISPATCHER TRAINING	40
POLICE OFFICER'S AND FIREFIGHTER'S SURVIVOR TUITION WAIVER PROGRAM	41
WWW.MCOLES.ORG	42
UNDER DEVELOPMENT	43
THE SUBJECT CONTROL PROJECT.....	46
THE EMERGENCY VEHICLE OPERATION PROJECT	46
THE MCOLES WEB ENABLED INFORMATION SYSTEM	47
ADULT LEARNING RESEARCH	47
FOR THE RECORD.....	49
MEETINGS OF THE COMMISSION.....	49
SPECIAL MEETINGS OF THE COMMISSION.....	49
TRAINING DIRECTOR CONFERENCES	49
MCOLES FY 2001 BUDGET.....	50
MCOLES CERTIFICATES ISSUED BY YEAR.....	51
TRAINING TO LOCALS FUNDING BY YEAR	51

PRE-EMPLOYMENT TESTING	52
2001 PRE-EMPLOYMENT TEST SITES	53
JUSTICE TRAINING FUND	54
JUSTICE TRAINING FUND REVENUE HISTORY	55
JUSTICE TRAINING FUND EXPENSES	55
2001	55
JUSTICE TRAINING FUND TOP FIVE TRAINING CATEGORIES	56
JUSTICE TRAINING FUND – ALL CATEGORIES OF TRAINING	56
JUSTICE TRAINING FUND	58
TRAINING PROVIDED IN-STATE VS. TRAINING PROVIDED OUT OF STATE.....	58
2002 COMPETITIVE GRANT AWARDS.....	59
(AWARDED DECEMBER 2001)	59
APPENDIX A THE COMMISSION ON LAW ENFORCEMENT STANDARDS ACT	60
APPENDIX B THE POLICE OFFICER’S AND FIRE FIGHTER’S SURVIVOR TUITION ACT.....	69
APPENDIX C EXECUTIVE ORDER 2001-5.....	72
APPENDIX D ACT 302 OF THE PUBLIC ACTS OF 1982.....	80



The "New" MCOLES

“A police officer’s work cannot be performed on native ability alone, no matter what his qualifications may be.” 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 its quest to fulfill 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 the 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 our original empowering legislation. 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), which more accurately reflects the work of this organization. We adopted the MCOLES acronym (*Michigan* Commission on Law Enforcement Standards) in response to the Michigan law enforcement community, which had begun referring to us by that name. An Executive Order issued by Governor John Engler officially added “Michigan” to our title in 2001.

The 1998 amendment also added revocation of certification to our list of responsibilities. Revocation of law enforcement certification is now mandatory if an officer is convicted of a felony or if it is discovered that the officer committed fraud in obtaining law enforcement certification. These cases represent a very small number of Michigan’s 23,000 law enforcement officers. They are each meticulously investigated with the accused afforded full

due process. Revocation is a sad but necessary fixture in the standards and training business, one that makes the profession stronger.

The Governor's Executive Order, 2001-5, did much more than institutionalize our label, MCOLES. It is the most significant piece in our history since the original enactment of Public Act 203. It paves the way for the achievement of what has been attempted since 1980, the linkage of standards and funding.

This odyssey 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 system.

Executive Order 2001-5 addresses this problem. The Governor's 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 "new" Michigan Commission on Law Enforcement Standards. Per the requirements of the Order, a newly appointed Commission, which is vested with policy setting authority, consists of 15 members representing the Michigan criminal justice community.¹

From the early MLEOTC days, which emphasized entry level standards and training of law enforcement officers, the scope of MCOLES responsibilities has gradually grown to encompass the entire law enforcement career, from "cradle to grave." With the present expansion of Commission responsibilities to include criminal justice training, at large, we now look to law enforcement in its most meaningful sense. Successful law enforcement can only happen when all components of the criminal justice system are working effectively. So inextricably interconnected are the different pieces of the criminal justice machine that its members share a common purpose.

We find our purpose, today, in the preservation of the safety and well being of every citizen. This is most notably visible in the absence of crime, fear and the preservation of order in every community. This conviction is underscored with the knowledge that the criminal justice professional must possess a broad array of knowledge and skill in order to effectively render their services. Moreover, we recognize that the acquisition of such knowledge and skill is a life long endeavor, one that is best fostered by the consistent application of standards and training.

¹ For additional information on the composition of the Commission and its members, refer to Appendix C, Page 70.

A Historic Step Forward

On April 6, 2001, Governor John Engler, in a letter to Chief Richard Butler, Chair of the Michigan Commission on Law Enforcement Standards (MCOLES) and Sergeant Charles Powell, Chair of the Michigan Justice Training Commission (MJTC), expressed his desire to consolidate the functions of the two commissions. The Governor indicated that he believed a consolidation would achieve the following:

- Streamline the administration of standards and training;
- Enhance accountability through the linkage of standards and funding;
- Eliminate duplicate or parallel responsibilities shared by the commissions; and
- Establish core in-service training standards for Michigan's 23,000 law enforcement officers.

Noting that he has received valuable input supporting a merger of the commissions, the Governor also recognized that concerns had been raised. He, therefore, requested that both commissions jointly deliberate the issues and submit a proposal, containing their recommendations, no later than July 15, 2001.

In response to the Governor's request, the joint leadership of both Commissions developed a strategy to address the issues raised in the Governor's request, assembling a joint Commission work group that consisted of one participant from each organizational entity represented on the two commissions. The work group was charged with exploring the Governor's concerns and those of individual Commissioners, reporting their deliberations back to their respective Commission memberships. A professionally facilitated session with full representation from both Commissions was then scheduled to work toward a consensus.²

A facilitated work session was conducted June 14, 2001. The Commissioners were initially divided into sub-groups, then concluded their work collectively. What emerged from those discussions was a consensus on how the two Commissions and their functions could most effectively be consolidated so as to enhance the administration of law enforcement standards and training in Michigan.

The Problem

At the heart of this effort was the desire to overcome a long standing problem. MCOLES and MJTC historically functioned as two separate and distinct organizations. Indeed, MJTC and MCOLES were organizationally separated for twelve years with MCOLES based within the Department of State Police and MJTC in the Department of Management and Budget. Yet,

² The work session facilitation was done by Dr. Lew Bender

each organization shared a common component in their mission, the development of in-service training for Michigan law enforcement.

MCOLES was charged with setting standards to establish a comprehensive in-service training infrastructure. MJTC was created to provide financial resources in support of in-service training. Each organization had come under criticism for shortfalls in fulfilling these responsibilities. MCOLES, lacking financial resources, had not implemented a plan to establish core in-service training standards for law enforcement, while MJTC implemented funding programs absent a development plan.

In the final analysis, both organizations owned the problem. Simply stated, the joint Commission sessions addressed this question. How can MCOLES and MJTC most effectively consolidate resources to enhance leadership and support of criminal justice training, especially in the development of a standards based in-service training system for Michigan law enforcement?

The Solution

On July 13, 2001, leadership of both Commissions submitted a document to Governor Engler entitled, “A Proposal to Link Standards and Funding.” In the cover letter of the proposal, the letter’s authors, Chief Richard Butler, former MCOLES Chair, and Sgt. Charles Powell, former MJTC Chair, made the following statement.

“We are pleased to report to you that a series of joint commission work sessions have resulted in the formation of a consensus to unite responsibility for standards and funding in one organization. Our proposal is for a single 15-member commission that will consolidate the work of each of its predecessors, MCOLES and MJTC. We believe a single streamlined commission will better serve the interests of criminal justice and enhance opportunities for progress.”

On August 30, 2001, Governor Engler issued Executive Order 2001-5³, which largely reflected the recommendations provided in the Commissions’ proposal. That Order took effect November 1, 2001. The Order removed the former Michigan Justice Training Commission, which was an 8-member Type II Advisory board. The Order also removed the former Commission on Law Enforcement Standards, which was an 11-member Type I policy setting board, appointed by the Governor.

Transferring the duties, powers and authority of each of the former Commissions to a “new” Michigan Commission on Law Enforcement Standards. The Order also joined the composition of the two former Commissions, establishing a new Commission as a 15-member Type I policy setting panel.

The Order provides for membership on the “new” Commission as follows:

³ The full text of Executive Order 2001-5 may be viewed in Appendix C

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 than 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:
 - Three (3) individuals selected from a list of nine active voting members of and submitted by the Michigan Association of Chiefs of Police or its successor organization;
 - Three (3) individuals selected from a list of nine elected sheriffs submitted by the Michigan Sheriffs' Association or its successor organization;
 - One (1) individual selected from a list of three individuals submitted by the Prosecuting Attorneys' Association of Michigan or its successor organization;
 - One (1) individual selected from a list of three individuals submitted by the Criminal Defense Attorneys of Michigan or its successor organization;
 - One (1) individual selected from a list of three individuals submitted by the Michigan State Police Troopers Association or its successor organization;
 - One (1) individual selected from a list of three individuals submitted by the Michigan Chapter of the Fraternal Order of Police or its successor organization;
 - One (1) individual selected from a list of three individuals submitted by the Police Officers Association of Michigan or its successor organization;
 - One (1) individual selected from a list of three individuals submitted by officers employed by one police agency employing more than 15 percent of the police officers in this state or their successor organizations.

Commissioners appointed from the group described in #4, above, will serve 3-year terms, however initial appointments were made in a staggered series of one, two and three year terms, thereby limiting the number of annual term expirations to four.

Goals

The Executive Order specifies a series of goals to be achieved pursuant to its execution. They are:

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 goals, listed above.

Benefits

Uniting the missions of the former COLES and MJTC holds the potential to strengthen law enforcement services through higher standards, derived by way of an improved organizational structure. Moreover, it consolidates law enforcement and its criminal justice counterparts in a relationship that strengthens our inter-dependence. In so doing, MCOLES becomes more capable of meeting the challenges that will arise in coming years. Among the expected benefits are the following:

- Alignment of law enforcement standard setting responsibilities with funding capability;
- Facilitates implementation of statewide law enforcement core standards to ensure that Michigan's 23,000 police officers meet or exceed minimum competencies;
- Establishes greater autonomy for the new Commission to carry out Justice Training Fund responsibilities;
- Eliminates duplication of parallel statutory responsibilities that existed under the former configuration;
- Streamlines the administration of law enforcement standards and training activities statewide (impacting over 610 law enforcement agencies employing over 23,000 police officers); and
- Broadens the Commission representation to a full criminal justice perspective.



The Commissions: Past and Present

The new Michigan Commission on Law Enforcement Standards conducted its inaugural meeting in Lansing on November 6, 2001. Official business was held to a minimum as the Commissioners took time to get acquainted. Dr. Lew Bender, an expert in organizational development facilitated the group in a discussion of how they perceived their responsibilities. Sheriff Gary Rosema was elected Commission Chair, and Major Marie Waalkes received the Commission's nod as Vice Chair. Raymond W. Beach Jr. was re-affirmed as Executive Director.

The Commission met again in Lansing on December 13 to hear public comment and make interim Justice Training Fund grant awards. The following week, on December 20, the Commission re-assembled, in Lansing, to make the final awards. Over \$3,000,000 in funding for criminal justice training grants was set for release.

Among the Commissioners, Major Marie Waalkes occupies a unique position, having served on both of the former Commissions. Her selection as Vice Chair rounds out the selection of Commissioner Chair, Sheriff Gary Rosema, both Commissioners possessing unique qualifications and experience. A quick look at the graphic below will reveal six other Commissioners with prior experience from the former Commission on Law Enforcement Standards and one, Mr. David Morse, with long experience on the former Michigan Justice Training Commission.

The Michigan Commission on Law Enforcement Standards

	Sheriff Gary Rosema, Chair Ottawa County Sheriff Department <u><i>Representing the Michigan Sheriffs Association</i></u>	
	Major Marie L. Waalkes, Vice Chair Michigan State Police <u><i>Representing Col. Michael Robinson</i></u>	

	<p>Director Robert Denslow Cadillac Department of Public Safety <u>Representing the Michigan Association of Chiefs of Police</u></p> <p>Sheriff Henry Zavislak Jackson County Sheriff Department <u>Representing the Michigan Sheriffs Association</u></p>	
	<p>Past Chairman William Dennis Office of the Attorney General <u>Representing Attorney General Jennifer Granholm</u></p> <p>Mr. John Buczek, Executive Director Michigan Chapter, Fraternal Order of Police <u>Representing the Fraternal Order of Police</u></p>	
	<p>Mr. James DeVries District Representative, Police Officers Association of Michigan <u>Representing the Police Officers Association of Michigan</u></p> <p>Sheriff Tom Edmonds Kalamazoo County Sheriff Department <u>Representing the Michigan Sheriffs Association</u></p>	
	<p>Chief Jerry Oliver Detroit Police Department <u>Representing the Detroit Police Department</u></p> <p>Officer Richard Weaver Detroit Police Department <u>Representing the Detroit Police Officers' Association</u></p>	
	<p>Mr. David Morse Livingston County Prosecutors Office <u>Representing the Prosecuting Attorneys Association of Michigan</u></p> <p>Chief James St. Louis Midland Police Department <u>Representing the Michigan Association of Chiefs of Police</u></p>	

	<p>Mr. Douglas Mulkoff Private Practice Attorney <u><i>Representing the Defense Attorneys Association of Michigan</i></u></p> <p>Chief Jeffrey Werner Bloomfield Township Police Department <u><i>Representing the Michigan Association of Chiefs of Police</i></u></p>	
<p>Raymond W. Beach, Jr., Executive Director Michigan Commission on Law Enforcement Standards</p>		

Thanking the Former Commissions

During their tenure, MCOLES and MJTC Commissioners invested countless hours on behalf of Michigan's law enforcement officers and citizens. Substantial amounts of time are required of Commissioners to apprise themselves of the various issues on which they must decide. Commissioners are frequently asked to attend and address academy graduations, as well as making public speaking appearances. Commissioners are also called upon to represent and explain Commission interests at meetings of the legislature, government agencies, and at conferences of professional organizations that have a stake in law enforcement. Commissioners must also be available to handle inquiries from their various constituencies concerning Commission policies and services.

In addition to the regular duties of Commissioners, the members of the former Commission on Law Enforcement Standards and the Michigan Justice Training Commission were called upon to wrestle with the difficult issues of consolidation. It is to their credit that the joint commissions ultimately crafted a consolidation proposal that is largely reflected in the Governor's Executive Order, merging the two bodies.

As a result of the consolidation the responsibilities of each former Commission were transferred to the new Michigan Commission on Law Enforcement Standards, and the former Commissions ceased operations. Accordingly, we thank each of you for your services.

The Immediate-Past Membership of the Commission on Law Enforcement Standards

	<p>Chief Richard Butler, Chairman Kalamazoo Township Police Department</p>	
	<p>Sheriff Gary Rosema, Vice Chairman Ottawa County Sheriff Department</p>	
	<p>Immediate Past Chairman William Dennis Office of the Attorney General</p>	
	<p>Mr. James DeVries Police Officers Association of Michigan</p>	
	<p>Chief Benny Napoleon Detroit Police Department</p>	
	<p>Officer Richard Weaver Detroit Police Officers' Association</p>	

The Immediate-Past Membership of the Michigan Justice Training Commission

	<p>Sgt. Charles Powell, Chairman Detroit Police Department</p> <p>Major Marie L. Waalkes Michigan State Police</p>	
	<p>Sheriff Gene Wrigglesworth Ingham County Sheriff Department</p> <p>Mr. Martin Tieber Criminal Defense Attorneys Association of Michigan</p>	
	<p>Mr. Kenneth Grabowski Police Officers Association of Michigan</p> <p>Sgt. Michael Herendeen Michigan State Police Troopers Association</p>	
	<p>Mr. David Morse Prosecuting Attorneys Association of Michigan</p> <p>Chief Michael Madden St. Johns Police Department</p>	

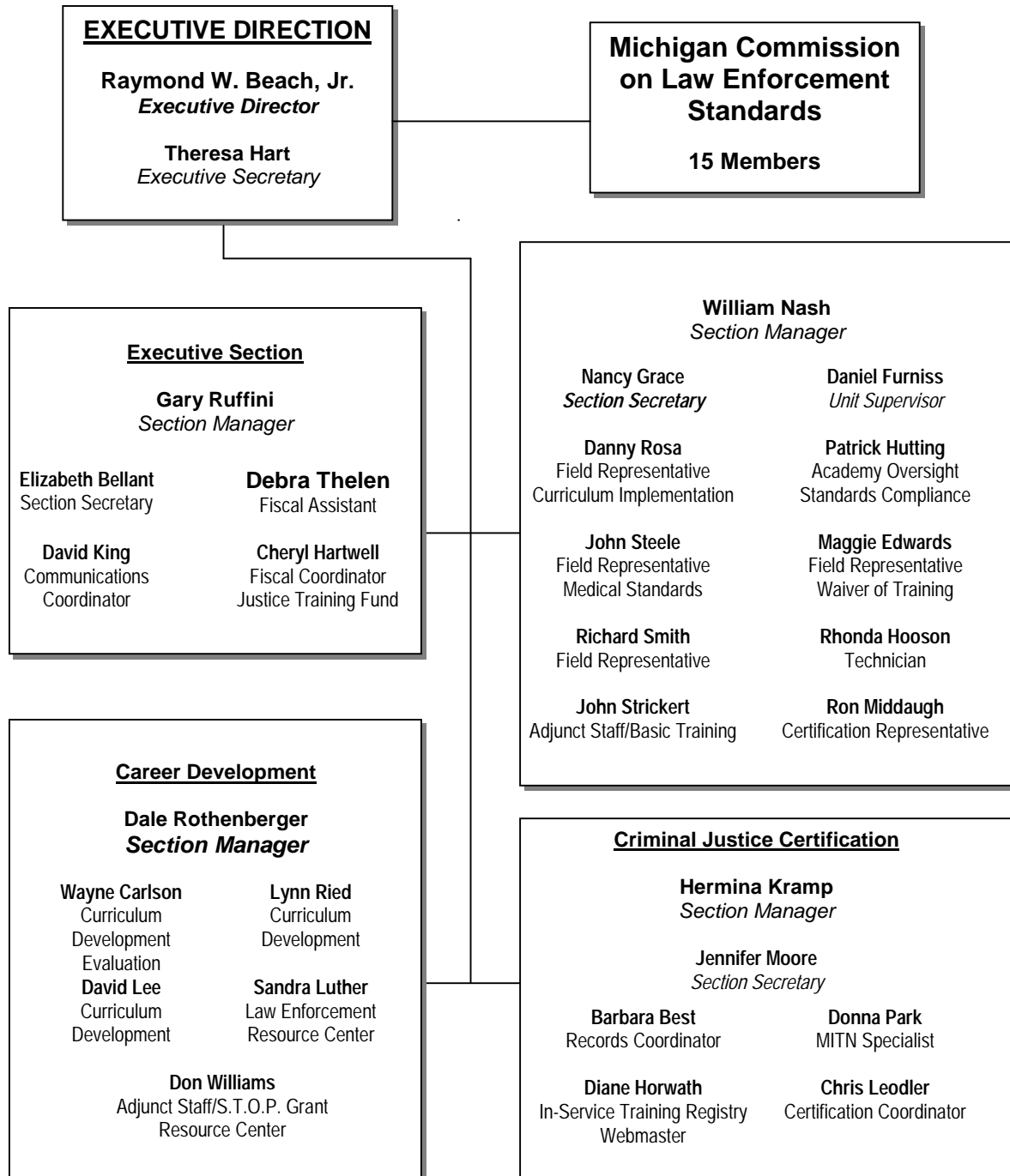
MCOLLES Staff

The Commission's staff carries out the work of the Commission. During the current fiscal year, a staff of 30 persons supported the Commission. Four of these staff members also provided support for the Michigan Justice Training Commission. The Commission's staff is supplemented from time to time by adjunct staff who serve under contract in a limited capacity. The level of adjunct staffing during this fiscal year was five. MCOLLES staff offices are located at the Michigan State Police Training Academy in Lansing, Michigan.

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

enforcement experience of MCOLES staff now exceeds two hundred 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 and hold various post graduate degrees.

The wide span of MCOLES staff experience, education, and training is particularly necessary in order to accomplish a broad range of staff responsibilities. To fulfill these responsibilities, staff resources are organized into the sections, depicted below, with staff assignments for the 1999-2000 fiscal year.



About Law Enforcement Standards

As the organizational name would imply, the primary products that MCOLES produces for public benefit are law enforcement standards. What qualifications must the ideal law enforcement officer possess in order to be a suitable candidate for training, and what degree of competency should be achieved through training? These questions represent common themes that run throughout all of MCOLES work.

Law enforcement duties cannot be performed effectively by every person who decides to take up the profession. A law enforcement officer must possess a minimum level of physical and mental abilities as well as being able to meet ethical standards, psychological standards, and training standards. A summation of the standards that must be met by persons entering the law enforcement profession in Michigan are listed below.⁴

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

⁴ For commentary or further information regarding Michigan's employment standards for law enforcement officers 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.

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.
Physical Agility	Pass the MCOLES physical skills performance examination or an approved agency equivalent examination.
Police Training	Successfully complete the MCOLES mandatory basic training curriculum.

Certification Examination	Pass the MCOLES 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.

Meeting and Maintaining Employment Selection Standards

About half 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 of the minimum law enforcement standards prior to entering law enforcement training. This restriction protects candidates who have unidentified problems in meeting the standards (for example, color vision deficiency) 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* their compliance with standards in order to secure law enforcement employment.

Basic Training Standards

The foundation of law enforcement training in Michigan is the Basic Training Curriculum. This lengthy document 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 maintain this curriculum, providing updates and developing new subject matter.

The mandated minimum Basic Training Curriculum currently stands at 494 hours.

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. Subject matter experts are drawn from the field of law enforcement practitioners, academia, and training providers. Learning objectives are organized in terms of the behavior desired of the successful officer. The final products are subjected to review by a Curriculum Review and Advisory Committee which must assess the impact of the proposed new material upon law enforcement training providers as well as the entire law enforcement community.

The mandated minimum Basic Training Curriculum currently stands at 494 hours and is summarized below. Projects underway during the current fiscal year include the development of an emergency vehicle operation standard and revision of standards in subject control.⁵

Subject Area:	Overall Hours	Topical Hours
ADMINISTRATIVE TIME	18	
MCOLES Testing and Administration		8
Director Testing		10
I. INVESTIGATION (115 Hours)		
A. Introduction to Investigation	2	
1. Constitutional Law *		2
B. Substantive Criminal Law	24	
1. Laws Regarding Crimes Against Persons*		6
2. Laws Regarding Crimes Against Property *		6
3. Laws Regarding Contraband and Regulatory Crimes *		4
4. Laws Regarding Public Order Crimes*		2
5. Laws of Evidence*		4
6. Juvenile Law*		2
C. Criminal Procedure	31	
1. Laws of Admissions and Confessions*		4
2. Interrogation Procedures		3
3. Laws of Arrest*		4
4. Arrest Procedures		2
5. Laws on Search Warrants *		2
6. Search Warrant Procedures		2
7. Laws on Warrantless Searches*		6
8. Warrantless Search Procedures		6
9. Laws on Suspect Identification*		2
D. Investigation	12	

⁵ The Basic Training Curriculum may be reviewed in its entirety at www.mcoles.org.

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

Subject Area:	Overall Hours	Topical Hours
1. On-scene Preliminary Investigation		3
2. Preliminary Witness Interviewing		4
3. Preliminary Investigation of Deaths		2
4. Suspect Identification Procedures		3
E. Court Functions and Civil Law	6	
1. Court Functions and Civil Law*		6
F. Crime Scene Process	18	
1. Crime Scene Search		6
2. Recording the Crime Scene		4
3. Collection and Preservation of Evidence		6
4. Processing Property		2
G. Special Investigations	8	
1. Child Abuse and Neglect Investigation		3
2. Sexual Assault Investigation		3
3. Narcotics and Dangerous Drugs		2
H. Investigation of Domestic Violence	14	
1. Nature and Prevalence of Domestic Violence		3
2. Laws Regarding Domestic Violence*		3
3. Domestic Violence Response Procedures		8
II. Patrol Procedures (63 Hours)		
A. Patrol Operations	8	
1. Preparation for Patrol		1
2. Radio/Telephone Communications		6
3. Patrol Operation Administrative Duties		1
B. Ethics In Policing and Interpersonal Relations	27	
1. Ethics in Policing		4
2. Laws Pertaining to Civil Rights and Human Relations		2
3. Cultural Awareness/Diversity		12
4. Interpersonal Skills		8
5. Civil Dispute		1
C. Patrol Techniques	14	
1. Types of Patrol		1
2. Patrol Area Checks		6
3. Responding to Crimes in Progress		4
4. Handling Abnormal Persons		3
D. Report Writing	8	
1. Obtaining Information and Preparing Reports		8
E. Juveniles	6	
1. Dealing With Juvenile Offenders		4
2. Dealing With the Families of Juveniles		2
III. Detention and Prosecution (15 Hours)		
A. Receiving and Booking Process	6	

Subject Area:	Overall Hours	Topical Hours
1. Searching and Fingerprinting Prisoners		4
2. Dealing with the Families of Juveniles		2
B. Case Prosecution	8	
1. Warrant Preparation		1
2. Warrant Request and Arraignment		2
3. Preparation For Legal Proceedings		1
4. Testimony and Case Critique		4
Civil Process	1	
1. Civil Process		1
IV. Police Skills (194 Hours)		
A. First Aid	37	
1. Introduction to first aid		3
2. Bandaging Wounds and Controlling Bleeding		3
3. Treating Fractures		4
4. Administering CPR		12
5. Treating Environmental First aid Emergencies		2
6. Treating Medical Emergencies		3
7. Extricating and Transporting Injured Victims		2
8. Practical First Aid Exercises		8
B. Firearms	72	
1. Laws and Knowledge Related to Firearms Use		16
2. Firearms Skills		48
3. Firearms Range Assessment		8
C. Civil Process	61	
1. Mechanics of Arrest and Search		8
2. Police Tactical Techniques		5
3. Application of Subject Control		4
4. Defensive Tactics		44
D. Emergency Vehicle Operation	24	
1. Emergency Vehicle Operation: Legalities, Policies and Procedures		4
2. Emergency Vehicle Operation Techniques		20
V. Traffic (66 Hours)		
A. Motor Vehicle Law	12	
1. Michigan Vehicle Code: Content and Uses		1
2. MVC: Words and Phrases		2
3. MVC Offenses: Classification, Application and Jurisdiction		5
4. Application of Vehicle Laws and Regulations		4
B. Vehicle Stops	15	
1. Vehicle and Driver Licensing		2
2. Observation and Monitoring of Traffic		3
3. Auto Theft		2
4. Stopping Vehicles and Occupant Control		8

Subject Area:	Overall Hours	Topical Hours
C. Traffic Control and Enforcement	4	
1. Traffic Direction and Control		2
2. Traffic Warnings, Citations and Arrests		2
D. Operating Under the Influence of Liquor	7	
1. OUIL Law		2
2. Observation and Arrest of an OUIL Suspect		2
3. Processing the OUIL Suspect		1
4. Preparation For OUIL Prosecution		2
E. Motor Vehicle Traffic Crash Investigation	28	
1. Introduction to Traffic Crash Investigation		2
2. Preliminary Investigation at Traffic Crashes		1.5
3. Uniform Traffic Crash Report (UD-10)		6
4. Locating and Identifying Traffic Crash Victims and Witnesses		1.5
5. Traffic Crash Evidence Collection: Field Sketching and Measuring		6
6. Traffic Crash Evidence Collection: Roadway Surface		8
7. Traffic Crash Evidence Collection: The Vehicle		1.5
8. Traffic Crash Follow-Up and Completion		1.5
VI. Special Operations (23 Hours)		
A. Emergency Preparedness/Disaster Control	8	
1. Emergency Preparedness		6
2. Explosive Devices		2
B. Civil Disorders	8	
1. Civil Disorder Procedures		4
2. Techniques for Control of Civil Disorders		4
C. Tactical Operations	5	
1. Tactical Operations		5
D. Environmental Crimes	2	
1. Environmental Crimes		2

Strategic Planning for Standards

Over the past several years, MCOLES has been working diligently on the development of a long-range strategic plan. At the heart of this effort has been the intent to create an MCOLES that will be viable and capable of meeting client needs in the coming years. To this end, we have taken a serious look at our overall mission, our business practices, and our resources.

Plan development began in October 1999, engaging the services of an expert in organizational development, Dr. Lew Bender. Dr. Bender led both the Commission on Law Enforcement Standards and the Justice Training Commission, as well as staff, in 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. Interactions with a broad cross-section of the criminal justice community took place across the state. Among the sessions conducted were those of the MCOLES Administrative Rules Steering Committee, law enforcement Training Director Conferences, and numerous Town Hall Meetings. Presentations were also made at conferences of the professional organizations representing the various concerns of the law enforcement community, i.e., police chief groups, sheriff groups, labor groups, etc.

The original collection of ideas was expanded, modified, and fine-tuned. Gradually, three foundational concepts for development emerged.

- **Modernization of Law Enforcement Training.** Michigan's delivery system for law enforcement training has come a long way since its inception. Yet, modern learning technology now offers methodologies that hold the potential for substantial improvement in skill development and the retention and application of knowledge. To take advantage of these advances, fundamental changes in MCOLES philosophy and practices have to be worked out. Among these challenges would be shifting emphasis from process oriented management to an outcome oriented approach, placing greater emphasis on candidate evaluation, and replacing oversight with academy accreditation.
- **Enhancement of Law Enforcement Certification.** Clients need to conduct MCOLES 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. Any improvements planned for the certification process would include a complete review of selection standards for necessary additions, deletions and/or modifications. MCOLES would also need to address questions regarding duration of law enforcement certification and levels of experience.
- **Development of In-Service Training.** One of the clearest messages received from the field during the 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 would entail a linkage of MCOLES standards with MJTC funding and an improved course tracking system.

Underlying anticipated program development is the presumption that each of these components must be supported by a modern information system. MCOLES has already committed resources to this end.⁶

By the end of calendar year 2000, these concepts had been presented to the Commission and were approved for further development. In 2001, Governor Engler announced his intention to consolidate MCOLES with the Michigan Justice Training Commission. Plan development was suspended during this time pending the selection of the new Commission. At the close of 2001, the new Commissioners reviewed and embraced the planning components, and staff resumed development.

⁶ For more information regarding MCOLES plan to upgrade its information system, please refer to "The MCOLES Web Enabled Information System," p. 44.

Law Enforcement Certification

Michigan Law Enforcement Certification symbolizes the recipient's readiness for entry into the law enforcement profession. The significance of Law Enforcement Certification should not be overlooked. A Michigan certified law enforcement officer has met MCOLES educational, medical, and background standards that distinguish the officer among other citizens. Successful completion of the challenging MCOLES Basic Training Curriculum means that the officer has mastered diverse bodies of

The Law Enforcement Certification is the result of a partnership between the candidate, training providers, and the law enforcement employer.

knowledge and demonstrated performance of the tough skills necessary to the performance of law enforcement duties. Finally, the Law Enforcement Certification signifies the beginning of a lifetime of experience in the exciting field of law enforcement.

How Certification is Issued: Law Enforcement Certification is the result of a partnership between the candidate, training providers, and the law enforcement employer. Each entity must fulfill a specific role in the successful certification. Certification 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 previously certified Michigan law enforcement officers or who were certified in another state, and who are seeking re-certification in Michigan are directed to the Commission's Waiver of Training Program.

The Commission's minimum selection and training standards are presented in the section of the report entitled, "**About Law Enforcement Standards.**" Law enforcement officer candidates are also required to take two pre-employment tests (persons who are formerly certified law enforcement officers are not required to take the pre-employment tests). The pre-employment tests consist of a reading and writing examination and a physical fitness examination. The tests are administered, periodically, at regional test centers throughout the state. A listing of approved pre-employment testing sites is included in the "**For the Record**" section of this report. A document entitled Pre-Employment Testing is published to provide information and assistance to candidates. It lists the current testing locations and outlines the requirements for passing the physical fitness examination.⁷ Typically, the reading and writing examination is the

⁷ Continuously updated schedules and information regarding pre-employment testing may be found at the MCOLES web site, www.mcoles.org.

starting point for most persons because its passing score is valid for three years. A passing score for the physical fitness examination is valid for one year.⁸

Basic recruit training must be completed at an approved training academy. Approved training academies are located throughout the state. Listings of approved regional and pre-service basic training academies appear on pages 24-27 of this report.⁹ All training academies are required to teach, as a minimum, the state's 494 hour Basic Training Curriculum. At the completion of the academy, all graduates must pass a comprehensive certification examination administered by the State.

Law enforcement candidates enter basic training along one of the following three paths.

- A. A law enforcement agency employs the candidate for the express purpose of training the candidate and then placing the candidate in a law enforcement officer position with that agency. The candidate attends basic training at a regional academy as an **employed candidate**.
- B. A candidate who has earned an Associate Degree, or higher, attends training as a **pre-service candidate** at a regional academy, prior to employment.
- C. The candidate attends a 2-year or 4-year "track" program at an approved community college or university as a **track candidate**, earning an Associate Degree, or higher, and seeks law enforcement employment upon successful completion.

Approximately 50% of the candidates make application directly to a law enforcement agency. In other words, they select path "A, from above. **Upon being hired, the agency will assume the cost of training as well as the candidate's wages while in attendance at the academy.** It should be pointed out that all selection standards must be met by the employed candidate prior to the start of the academy session.

Due to budgetary considerations, many law enforcement agencies will consider only those applicants who have already completed academy training. In Michigan, a candidate may attend an approved police academy prior to law enforcement employment at the candidate's own expense. **It is important to note that these "pre-service" candidates are required to obtain employment with a law enforcement agency as a law enforcement officer within one year of graduation in order to become certified.** One additional year of eligibility may be obtained by satisfactorily completing the Waiver of Training program.

Pre-service candidates (path "B") attend academy training that lasts between fourteen and sixteen weeks. In order to be accepted as a pre-service candidate, candidates must possess an Associate's Degree, or a higher degree. A pre-service candidate who does not possess a degree may consider path "C".

Pathway "C" into a law enforcement career is often referred to as the college "track" program. It is specifically designed for those candidates who do not possess a college degree and wish to enter law enforcement through a degree-granting program. **Track**

⁸ The Commission is currently conducting research to revise the physical fitness standard and incorporate health awareness training into the Basic Training Curriculum.

⁹ Academy listings may also be found at the MCOLES web site, www.mcoles.org.

programs offer academic classes designed for the candidate to earn a degree in Criminal Justice. The MCOLES 494-hour Basic Training Curriculum is offered the final year of the "track," and is included in degree requirements. Community college track programs offer the two-year Associate Degree, and university based "track" programs offer the four-year Bachelor Degree.

Certification Testing

Every candidate for Law Enforcement Certification must pass the State Certification Examination. This is a comprehensive written examination wherein the participants 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. Candidates who fail the examination are allowed one retest within one year of completing basic training. Factoring in retesting, 99% of the persons taking this examination pass. Various forms of this examination are administered to over 1200 persons annually.

Candidates who fail the examination are allowed one retest within one year of completing basic training.

Personnel Tracking

On July 3, 1998, Governor Engler signed into law Public Act 237, the Commission on Law Enforcement Standards Act. Among the changes required by Public Act 237 was the requirement for police agencies to report, to MCOLES, the employment or separation from employment of law enforcement officers.

These requirements 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 certification in Michigan, as well as most other states, is valid law enforcement employment, yet MCOLES and its predecessor, the Michigan Law Enforcement Officers Training Council, lacked a mechanism to track officer employment beyond activation of Law Enforcement Certification. The reporting requirement of Public Act 237 provided the remedy.

Baseline Registration was the cornerstone of the MCOLES strategy to implement the personnel tracking requirements of Public Act 237. The registration was carried out with a limited number of technical problems, concluding in February 2000. Information gleaned in the baseline registration is updated continuously in the MCOLES registration process.

The results of last year's registration and the updates reported to MCOLES thereafter continue to depict a fluctuating population of Michigan law enforcement officers and the agencies that employ them. Retirement of the so-called "baby-boomers" continues to characterize this era and, consequently, there are many new hires. 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 2001, 613 law enforcement agencies were operating in Michigan, employing over 23,000 officers. One of these agencies, the Michigan State Police, operated 64 posts throughout the state, employing over 2100 troopers. The largest law enforcement employer, the Detroit Police Department employed over 4000 officers. The smallest law enforcement employer in the state employed one officer. Agencies employing fewer than 29 officers numbered 468.

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. Finally, this process enables various assessments of Michigan's law enforcement population to determine demographic trends and predict training needs.

Revocation of Law Enforcement Certification

Unethical behavior by police officers or those who aspire to become police officers requires official action. The most serious violations warrant removal of law enforcement certification or, in the case of the uncertified candidate, denial of access to law enforcement certification.

MCOLES is now responsible for the revocation of law enforcement certification when the holder has been convicted of a felony ... Additionally, revocation is required when a person is found to have committed misrepresentation or fraud in gaining his/her law enforcement certification.

In the past, MCOLES had few tools to address the most serious ethical violations committed by certified law enforcement officers. As a result of Public Act 237 of 1998, MCOLES is now responsible for the revocation of law enforcement 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 his/her law enforcement certification. Each of these matters is investigated thoroughly, with the accused afforded full due process, specified under the Administrative Procedures Act of 1969.

MCOLES not only investigates matters of revocation, it investigates any standards compliance matter that impacts the ability of individual(s) to obtain or maintain law enforcement 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 certification, allegations of poor moral character, Law Enforcement Information Network (LEIN) violations, positive drug screens, mental and emotional stability, problems with visual acuity or color vision, and

disease or other medical problems that compromise a person's ability to perform law enforcement duties.

In the period of time between September 30, 2000 and December 31, 2001, MCOLES was at various stages of investigation and due process in **1386** such cases. 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.

By the close of calendar year 2001, a total of **339** of the **1386** cases cited above involved law enforcement officers who had either been charged with a felony or were suspected of committing fraud in the process of obtaining law enforcement certification. Of this amount, at the time of this writing, these investigations had produced **46** revocations, with an additional **11** cases resolved through the lapse of law enforcement certification and **3** cases resulting in voluntary surrender of law enforcement certification. Another **8** cases remained in criminal litigation, **9** cases were in various stages of administrative due process, **18** cases produced acquittals, and **35** cases were cleared by investigation when it was found that they did not fall within MCOLES statutory guidelines for revocation. MCOLES investigators have determined that **12** of the **35** cases cleared by investigation involved defendants who were originally charged with felonies and who plead guilty to misdemeanor charges. The remaining cases were either awaiting investigation, or were presently under investigation.

DELIVERING SERVICES THROUGH PARTNERSHIPS

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.

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 capable and willing to protect citizens, to act on conditions that foster 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 survival. 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 developed and provided.



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 by MCOLES upon meeting remaining employment standards, achieving law enforcement employment, and being sworn into office. The Regional Basic Training program trains all recruits employed by law enforcement agencies as well as eligible pre-service candidates who meet the degree



requirement for entry into a regional academy program. 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 in length and, on average, train approximately 75 percent of those individuals certified each year. Of the 13 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 Flint Police Regional Training Academy, 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.

<p>Delta College Criminal Justice Training Center Steve Schrumpf, Director Room G-127 University Center, MI 48710</p>	<p>Flint Police Regional Training Academy Sgt. Dan Allen, Director 3420 St. John Street Flint, MI 48505</p>
<p>Kalamazoo Regional Recruit Academy Don Cote, Director 6767 West "O" Avenue, Box 4070 Kalamazoo, MI 49003-4070</p>	<p>Michigan State Police Training Academy Captain Gene Hoekwater, Director 7426 North Canal Road Lansing, MI 48913</p>
<p>Macomb County Community College Criminal Justice Center Gil Bourgeois, Director 32101 Caroline Fraser, MI 48026</p>	<p>Northern Michigan University Kenneth Chant, Director Public Safety and Police Services 1401 Presque Isle Avenue Marquette, MI 49855-5335</p>

<p>Detroit Metropolitan Police Academy Inspector Crystal Harris, Director 2310 Park avenue Detroit, MI 48201-3439</p>	<p>Lansing Community College Criminal Justice & Law Center William Martin, Director 3420 Criminal Justice Center P.O. Box 40010 Lansing, MI 48901-7210</p>
<p>Kirtland Community College Jerry Boerema, Director 10775 N. St. Helen Roscommon, MI 48653</p>	<p>Oakland Police Academy Richard Tillman, Director Oakland Community College 2900 Featherstone Road Auburn Hills, MI 48326</p>
<p>Wayne County Regional Police Training Academy Robert Pearce, Director Schoolcraft College 1751 Radcliff Garden City, MI 48135</p>	<p>Washtenaw Community College Ralph Galvin, Director 4800 E. Huron River Drive P.O. Box D-1 Ann Arbor, MI 48106-0978</p>
<p>Department of Natural Resources Sgt. Jane Dunn, Director Law Enforcement Div. P.O. Box 30031 Lansing, MI 48909-7531 517/241-0698</p>	<p>Wayne County Sheriff Department Lt. Blake Hershey, Director Wayne County Community College Western Campus 9555 Haggerty Road Belleville, MI 48111</p>
<p>Ferris State University Police Corp Program Robert Parsons, Director 501 Bishop Hall 1349 Cramer Circle Big Rapids, MI 49307 231/591-2710</p>	

Pre-Service Basic Training Academies

The Pre-service Basic Training Track programs offer mandatory basic police training in conjunction with a degree program. Students entering these programs are guided through a college-designed curriculum, which allows a qualified graduate to be certified as a law enforcement officer upon employment. The designed curricula in these programs include designated courses that incorporate all of MCOLES's present mandatory 494 hour curriculum. Students must achieve satisfactory grades of C, or 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 certified. Presently, there are eight locations that offer pre-service programs. They are listed below in alphabetical order.

<p>Ferris State University Law Enforcement Programs Terry Nerbonne, Director 501 Bishop Hall 1349 Cramer Circle Big Rapids, MI 49307</p>	<p>Kellogg Community College Linda Lovchuk, Director 450 North Avenue Battle Creek, MI 49016</p>
<p>Lake Superior State University Criminal Justice Dr. Paige Gordier, Director Sault Ste. Marie, MI 49783</p>	<p>Grand Rapids Community College George F. Zeeff, Director 143 Bostwick, NE Grand Rapids, MI 49503</p>
<p>Northwestern Michigan College Alan Hart, Director 1701 E. Front Street Social Sciences Division Traverse City, MI 48684</p>	<p>Grand Valley State University Terry Fisk, Director Dr. Brian Johnson (Acting Director) School of Criminal Justice One Campus Drive 224 Mack Allendale, MI 49401</p>
<p>West Shore Community College Dan Dellar, Director P.O. Box 227 Scottville, MI 49454</p>	<p>Kalamazoo Valley Community College Jeffrey Shouldice, Director 6767 West "O" Avenue, Box 4070 Kalamazoo, MI 49003-4070</p>

Training To Locals Funding Support for Basic Training

Training to Locals (TTL) is an MCOLES program, which provides reimbursement to local law enforcement agencies for part of the tuition expenses of sending employed candidates to basic law enforcement training.

Michigan law enforcement agencies that employ individuals for the express purpose of becoming 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 will be 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 to the academy and a copy of the paid receipt from the academy for submission to MCOLES along with the required financial documentation.

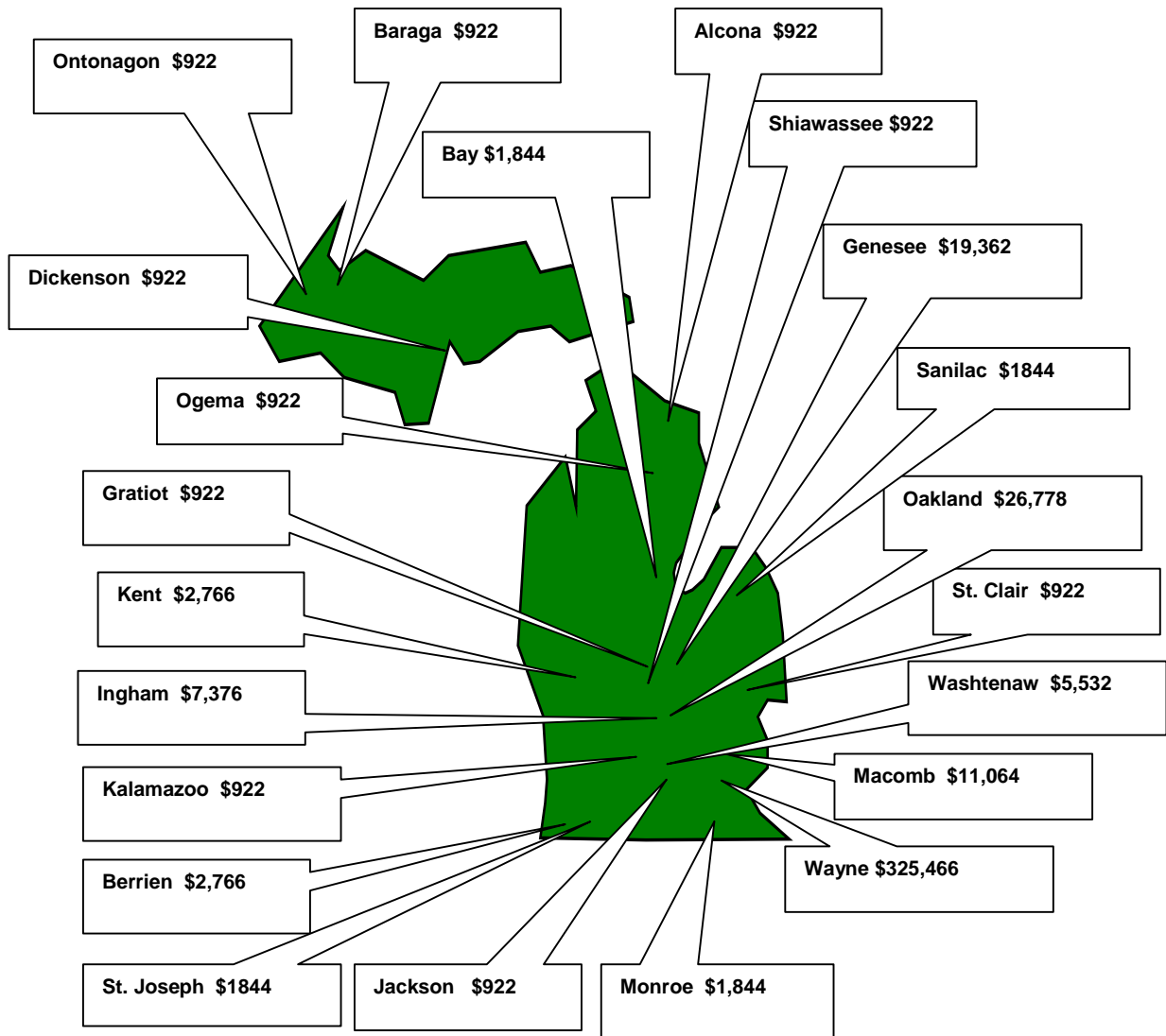
Training to Locals is an MCOLES program which provides reimbursement to local law enforcement agencies for part of the tuition expenses of sending employed candidates to basic law enforcement training.

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 1 through July 31st of the following year. In order to qualify for the partial tuition reimbursement, an agency's recruit must complete training and be certified as a law enforcement officer prior to July 31st of the funding year. The MCOLES staff will review all submitted financial documentation and make 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 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 2000 was \$922. A total of \$417,706 was distributed.

Fiscal Year 2001 Distribution of Training To Locals Funds by County



Pre-Employment Testing

The Michigan Commission on Law Enforcement Standards is charged with the responsibility of setting employment standards for persons entering the law enforcement profession in Michigan. In order to fulfill this requisite, MCOLES has developed examinations to test candidates for minimum performance levels in reading skills and physical fitness. Candidates who cannot achieve a passing score on these examinations would find it difficult, if not impossible to complete the law enforcement training process.

The Reading and Writing Test is designed to measure the writing skills and reading comprehension required in basic law enforcement training and on the job. The Physical Fitness Test is designed to measure the strength, endurance and agility that is required of law enforcement officers. These job-related tests are scientifically validated for persons entering the law enforcement profession in Michigan.

There are two MCOLES pre-employment tests; the Reading and Writing Test, and the Physical Skills Test.

Applicants and agency administrators should be aware that the MCOLES Pre-Employment Tests are administered only at MCOLES Approved Test Centers, and other forms of testing or testing at non-approved sites will not satisfy the requirements for test score transferability to all Michigan law enforcement agencies.

All persons entering law enforcement in Michigan must demonstrate proficiency on both the physical fitness and the reading and writing examinations. Previously certified officers are not required to take these tests.

Passing test scores for the Reading and Writing Test are valid for three years from the date of the test. A letter grade accompanies the passing score, i.e., 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."

Passing scores for the Physical Fitness Test are valid for one year from the date of the test. However, if a candidate is placed on a hiring agency's certified employment list for a law enforcement position within one year from the date of the test, the physical skills test score remains valid for two years from the date of the examination.

Physical Fitness Test scores are reported as "pass" or "fail", with a score. A candidate may retake the Physical Fitness Test in an effort to improve a passing score in the event that he/she applies to an agency which uses a rank order of Physical Fitness Test scores in determining whom to hire.

Test results are mailed to candidates by the MCOLES within thirty days of the test date. The results are printed on a form entitled "Notification of Test Results," which may be given to prospective employers as proof of compliance.

Hiring authorities may use tests other than the MCOLES tests, if they can demonstrate to MCOLES that the tests are professionally validated and job-related. Agencies may also use one of the MCOLES tests and one of their own.

The present physical fitness standard has served as an entry standard for law enforcement employment. The test events assess components of fitness, some of which involve performance of job-related activities; i.e., moving a life form dummy or climbing a wall.

Over the past two years, MCOLES has researched methods of administering a more comprehensive fitness standard that would better assist officers throughout their careers. This research has produced a conceptual design for a program that would identify initial candidate fitness levels and then provide both academic and physical training, teaching the candidate how to improve strength and aerobic capacity. This program design has been developed under the banner, "Fit for Duty, Fit for Life."

The program would involve pre-enrollment testing of academy candidates to ensure they possess sufficient conditioning to undergo the challenges of the proposed fitness-training program. Then, after completing both the cognitive as well as the physical training, candidates would again submit to physical testing, in which they would be expected to perform at an equal or higher level.

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

- maximum number of pushups in sixty-seconds;
- maximum number sit-ups in sixty-seconds;
- a maximum height vertical jump; and
- a ½ mile shuttle run, timed.

The proposed program will be presented to the law enforcement community during 2002, and full implementation is expected in early 2003.

Waiver of Training

The Waiver of Training process is designed to facilitate the re-entry into law enforcement of officers previously certified in Michigan, 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 certified law enforcement officers in states other than Michigan may also utilize the Waiver of Training process to gain Michigan law enforcement certification status, providing they have successfully completed a basic police training academy program and functioned for a minimum of one year as a state certified 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 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 preparatory program to assist them in preparing for the examinations or they may elect to take the examinations without the assistance of the preparatory program. The programs and examinations are scheduled for an entire calendar year with a program being presented approximately every five (5) weeks and a testing opportunity provided every two (2) to three (3) weeks. All approved Waiver of Training applicants must successfully complete a written examination with a score of 70% or better 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 certifiable status.

After completing all the examination and first aid requirements, applicants are eligible for certification for a period of one year from the examination date.

After completing all the examination and first aid requirements, applicants are eligible for certification 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 certification will be awarded.

There are two approved training facilities that provide the Waiver of Training Program and testing.

Kirtland Community College Contact: Dick Cook 10775 N. St. Helen Roscommon, MI 48653	Lansing Community College Contact: Mike Ross 3420 Criminal Justice Center P.O. Box 40010 Lansing, MI 48901-7210
--	--

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.

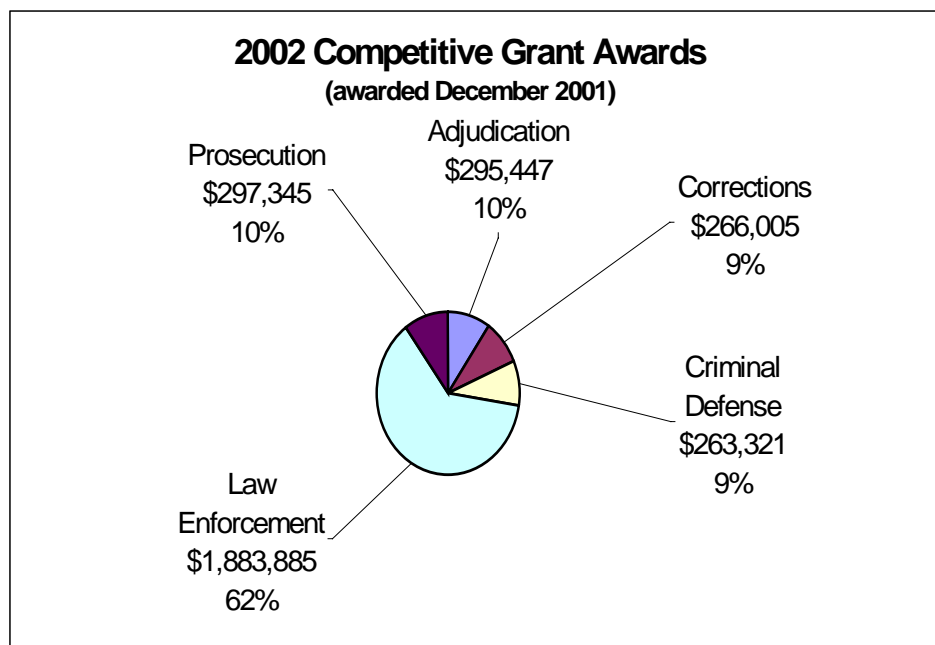
The Michigan Justice Training Fund operates in the following manner. Public Act 301 of 1982, which amended P.A. 300 of 1949 (the Michigan Motor Vehicle Code), provides for District Courts to collect a \$5.00 assessment on each civil infraction fine (traffic violation conviction), excluding parking violations 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 Michigan 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 sixty 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 dependent on the number of MCOLES certified police officers employed by cities, villages, townships, counties, colleges and universities, and the Department of State Police.

During the 2001, \$4,449,283.40 was disbursed to law enforcement agencies on a per capita basis. The fall distribution provided 434 agencies with \$2,281,912.40. The per capita amount was \$114.05. The spring distribution provided 430 agencies with \$2,148,371.05. The per capita amount was \$107.65. In each distribution, 38 law enforcement agencies employing 3 or fewer law enforcement officers received the minimum distribution of \$250.

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 the award of grants, 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, 85 grant applications were reviewed. Of these, 54 applications were awarded a total of \$3,006,206. The following is a breakdown of funding by category.¹⁰



Pursuant to the 1989 amendment of Act 302, MCOLES maintains a **registry of criminal justice in-service training programs** offered in Michigan. The Schedule of Criminal Justice Training Courses is a compilation of in-service training programs

¹⁰ Please refer to chart on p. 56 for further information regarding grant awards.

offered by Michigan colleges, universities, state and local governmental agencies, and private training providers. The schedule is published annually and distributed to criminal justice agencies statewide. It is periodically updated, with the most recent revisions appearing in a complete publication of the registry at the MCOLES web site, www.mcoles.org.

Staff provides comprehensive training for participants in both the Competitive Grants Program and the Law Enforcement Distribution. Workshops for law enforcement agencies and potential grant applicants are presented each year. Staff also conducts on-site monitoring of grant programs resulting in first hand reports to the Commission on grant activities. To inform the field about Fund activity Michigan Justice Training Fund news is periodically published in the MCOLES newsletter.¹¹

Stop Violence Against Women Act

Domestic violence is a long-standing criminal justice problem. Ignorance 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.

MCOLES provides technical assistance to agencies in the area of domestic violence training and policy.

The law enforcement response to domestic violence has suffered from 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 to improve the Michigan response to domestic violence since 1993.

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 adjunct staff delivers part of the training and services funded by the STOP Grant. MCOLES has also sub-granted portions of these funds to the Michigan State Police and the Wayne County Prosecutor's Office. These funds provide training of detectives, troopers, and other key criminal justice personnel, statewide.

This fiscal year continued an active partnership between MCOLES and 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

¹¹ 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

delivery of statewide domestic violence training. Under STOP grant funding, the Department has shared in the design of a standardized domestic violence reporting form for general law enforcement use, it has participated in the Lt. Governor's task force on domestic violence fatalities, and it has sponsored and facilitated statewide domestic violence conferences. On the training front, the Prevention Services Section of the Michigan State Police is developing a CD-Rom training program in domestic violence and it is also proposing training to aid dispatchers in handling domestic violence situations effectively.

Law Enforcement Resource Center

The Law Enforcement Resource Center (LERC) serves as a central repository for law enforcement training media and is available to all law enforcement agencies in Michigan, all MCOLES certified law enforcement officers, law enforcement training academies, and MCOLES approved criminal justice programs.

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. Patrons range from the smallest police departments to centralized training facilities of the larger police departments. Colleges and universities also use the Resource Center to facilitate MCOLES approved in-service programs presented at these institutions.

The Law Enforcement Resource Center serves as a central repository for law enforcement training media and is available to all law enforcement agencies in Michigan.

The Resource Center has become an integrated and integral part of the support system for the criminal justice training delivery system in Michigan. Over 880 law enforcement patrons depend upon the Resource Center to supplement their training needs. Due to budget restraints of many law enforcement agencies, the Resource Center has become an irreplaceable tool that enables them to receive training support materials that may otherwise be unavailable to them.¹² LERC information and assistance can be found through the LERC 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 bill imposes a \$.55 surcharge per month on all phone bills for wireless telephones. Act 78 dedicates 1½ cents monthly toward training of emergency dispatchers. The telephone companies are responsible for collecting the service charge and forwarding the funds to the Michigan Department of Treasury.

¹² For a summary of the year to year activity of the Law Enforcement Resource Center, please refer to the section entitled, "*For the Record.*"

These funds are distributed semi-annually to public safety agencies and counties to be used for training of Public Safety Access Point (PSAP) (9-1-1 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 9-1-1 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 9-1-1 operations training.**
- (ii) To provide in-service training to employees engaged in 9-1-1 service.”**

As the above reads, 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 Act provides 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.

Police Officer's and Firefighter's Survivor Tuition Waiver Program

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.

During the current fiscal year, MCOLES processed and approved seven applications for waiver of tuition at eleven Michigan colleges and universities.

This year, MCOLES processed seven applications for waiver of tuition at Michigan colleges and universities. Six applications were approved. A total of \$26, 164.75 in tuition was waived for students in this program during Fiscal Year 2001.

www.mcoles.org



The world has changed. In our technology driven environment, 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. Originally

named www.coles-online.org the MCOLES web site is now called www.mcoles.org. In June of 2000, the web site of the Law Enforcement Resource Center was consolidated within the MCOLES site. Today, the MCOLES web site offers convenient access to organizational information such as the enabling MCOLES legislation, Commission newsletters, prior annual reports, and staff information. The site also contains a directory of Michigan law enforcement agencies, a current events calendar, links to related web sites, and answers to frequently asked questions.

Under Development

MCOLCS enters each new fiscal year engaged in a number of major projects, carried over from previous years. In fact, many of MCOLCS research and development efforts span several years before implementation. The amount of time taken to develop major MCOLCS programs reflects the meticulous research and development that is poured into each project. We take this approach, because each major MCOLCS undertaking has the potential of impacting a large segment, if not all, of Michigan's law enforcement and/or criminal justice population.

The following is a progress report concerning the work that is underway: what has been done; what is not yet done; what we hope to complete in the coming year; and, what results you may expect from this work.

The Administrative Rules Project

MCOLCS promulgates administrative rules to prescribe procedures and practices that reflect the intent of its enabling legislation, Public Act 203 of 1965 and Public Act 302 of 1982, as amended. Administrative Rules have the authority of law, hence they are carefully developed. Periodically, as the organization grows and changes, Administrative Rules must be updated.

Since MCOLCS Administrative Rules were last modified, Act 203 has been amended several times, most recently adding the responsibilities of personnel tracking and revocation of law enforcement certification, as well as renaming the organization. With the issuance of Executive Order 2001-5, MCOLCS has also added the administration of the Michigan Justice Training Fund to its list of responsibilities.

The Administrative Rules Project began several years ago with the formation of the Administrative Rules Steering Committee. This is a large group representing all aspects of criminal justice. The group was assembled to provide expert input and to assess the feasibility and potential impact of proposed administrative rules on user agencies.

As of this writing, this committee has conducted an organizational meeting, and it has begun discussions regarding issues associated with various rules. In anticipation of the consolidation of MCOLCS and the former Michigan Justice Training Commission, committee activity was suspended in 2001 but is expected to resume with the approval of the new Commission in 2002.

The original committee membership is presented below.

Original Administrative Rules Steering Committee	
<u>Committee Member</u>	<u>Organization Name</u>
Mr. Bruce McDonald	AAA Mich./Claims Invest. Unit/Auto Theft
Chief Robert Metzger	Adrian Police Department
Chief Doreen Olko	Auburn Hills Police Department
Chief M. Jeff Heppler	Augusta Police Department

Original Administrative Rules Steering Committee

<u>Committee Member</u>	<u>Organization Name</u>
Mr. Jeff Happles	Augusta Police Department
Mr. Hal Berriman	Belleville Police Department
Director Kevin Courtney	Big Rapids Public Safety
Chief Jeffrey Werner	Bloomfield Township Police Department
Chief Michael Martin	Bridgeport Township Police Department
Captain Alex Wilson	Canton Police Department
Chief Dennis Halverson	Charlevoix Police Department
Chief Vane King	Charter Township of Flint
Lieutenant James Hockin	Charter Township of Flint
Mr. Dennis Habedank	Charter Twp. Of Garfield
Director Kurt Jones	Cheboygan Department of Public Safety
Chief Alexander Ernst	Clinton Township Police Department
Chief Gary Chester	Coldwater Police and Fire
Mr. Ray Hochradel	Dearborn Police Department
Mr. Michael Sturm	Dearborn Police Department
Mr. Glenn Harper	Dearborn Police Department
Sheriff Gary Carlson	Delta County Sheriff Department
Director Robert Denslow	Cadillac Department of Public Safety
Inspector Herbert Moreland	Detroit Police Department - Personnel
Inspector Krystal Harris	Detroit Police Department - Training
Chief Benny Napoleon	Detroit Police Department
Deputy Chief Walter Shoulders	Detroit Police Department
Sheriff Don Charlevoix	Dickinson County Sheriff Department
Director Peter Gallagher	East Grand Rapids Department of Public Safety
Mr. Jeffrey Sauter	Eaton County Prosecutors Office
Director Wayne Heikkila	Escanaba Department of Public Safety
Chief William Dwyer	Farmington Hills Police Department
Chief Gerald Cattaneo	Fenton Police Department
Dt/Lt. Joseph Swiercz	Ferndale Police Department
Deputy Bill Browne	Genesee County Sheriff Department
Chief John C. Biggar	Gerrish Township Police Department
Director W. Robert Huff	Grand Haven Public Safety
Chief Harry Dolan	Grand Rapids Police Department
Mr. James Loonsfoot	Grand Traverse Band Law Enforcement
Sheriff Harold Barr	Grand Traverse County
Mr. Peter Stephan	Grayling Police Department
Chief Lawrence Semple	Harper Woods Police Department
Mr. James Lant	Highland Park Public Safety
Chief John Kirkbride	Homer Police Department
Mr. Donald Sommerfeld	Human Resources Services
Mr. Jeff Cook	Ingham County Sheriff Department
Sheriff Gene Wriggelsworth	Ingham County Sheriff Department
Deputy Mark Filice	Ingham County Sheriff Department
Mr. Thomas Wheeler	Ingham County Sheriff Department
Sheriff Tom Edmonds	Kalamazoo County Sheriff Department
Mr. Don Cote	Kalamazoo Regional Training Academy
Chief Richard Butler	Kalamazoo Township Police Department
Director Jeffrey Shouldice	Kalamazoo Valley Community College
Chief Howard Chanter	Kensington MetroPark
Director Jerry Boerema	Kirtland Dept. Public Safety
Director James Kobolt	Lake Superior State University
Director William Martin	Lansing Community College
Ex. Director Thomas Krug	Lodge #141 Fraternal Order of Police Labor Program
Chief James Valentine	Lowell Police Department
Sheriff Kevin Erickson	Luce County Sheriff Department

Original Administrative Rules Steering Committee	
<u>Committee Member</u>	<u>Organization Name</u>
Director Gil Bourgeois	Macomb Police Academy
Sheriff Michael Lovelace	Marquette County Sheriff Department
Mr. Gene King	Meadowbrook Insurance Group
Chief Phillip Ludos	Memphis Police Department
Mr. Andy Mayer	Mich. Municipal Risk Mgmt. Auth.
Mr. William Page	Mich. Municipal Risk Mgmt. Authority
Inspector Richard Darling	Mich. State Police
Mr. Gordon Gotts	Mich. State Police Tprs. Assoc.
President Mike Herendeen	Michigan State Police Troopers Assoc., Inc.
Mr. Joseph Fremont	Michigan Municipal League
Mr. Rod Pearson	Michigan Municipal Liability & Property Pool
Col. Michael Robinson	Michigan State Police
Director Bruce Benson	Michigan State University Police Department
Sheriff John Reder	Midland County Sheriff Department
Chief James St. Louis	Midland Police Department
Chief Michael Lubeckyj	Mount Clemens Police Department
Capt. Gene Hoekwater	Michigan State Police - Training Division
Mr. Robert Baker	Nashville Police Department
Chief Fred Rogers	Niles Police Department
Director G. Robert Seifert	Oak Park Department of Public Safety
Capt. Doug Eader	Oakland Co. Sheriff Department
Chief Jim Malcolm	Oxford Police Department
Sgt. Stephen Burnham	Oxford Police Department
Chief John Bonter	Paw Paw Police Department
Director Joseph Lybik	City of Monroe
Director John Phillips	Pittsfield Township Public Safety
Mr. Thomas Reed	Police Officers Labor Council
Mr. Edward Hillyer	Police Officers Labor Council
Chairperson Steven Boss	Police Officers Labor Council
Mr. Danny Bartley	Police Officers Labor Council
Mr. James Quinn	Police Officers Labor Council
Chief William Corbett	Port Huron Police Department
Mr. J. Nicholas Bostic	Prosecuting Attorneys Assoc. of Mich.
Mr. Kim Eddie	Prosecuting Attornys Assoc. of Michigan
Chief Dennis Wilkins	Ross Township Police Department
Chief Louis Murray	Saultl Ste. Marie Police Department
Chief Rod Somerlott	South Haven Police Department
Chief Kevin Walters	South Rockwood Police Department
Sheriff Dan Lane	St. Clair County Sheriff Department
Chief Donald Barnum	St. Clair Police Department
Mr. Elwood Brown	St. Clair Co. Pros. Attorney
Chief Mike Madden	St. Johns Police Department
Mr. Jacques DesRosiers	Taylor Police Department
Chief Laurence Van Alstine	Tecumeseh Police Department
Lt. Robert Smith	Charter Township of Plymouth Police Department
Ms. Colleen Mott	Troy Police Department
Sheriff Tom Kern	Tuscola County Sheriff Department
Lt. Terry Piersantae	Univ. of Mich. Public Safety
Captain Terry Seames	Univ. of Michigan Public Safety
Mr. Douglas Duncan	University of Mich.-Flint - Dept. of Public Safety
Director Lonnie Landeros	University of Michigan Flint Public Safety
Mr. Dan Antieau	Wayne County Regional Training Center
Exec. Lt. Blake Hershey	Wayne County Sheriff
Sgt. Garya Kellner	Wayne County Sheriff Department
Mr. Anthony Shannon	Wayne County Sheriff Department

Original Administrative Rules Steering Committee	
<u>Committee Member</u>	<u>Organization Name</u>
Lt. Stephen Hausner	Wayne State University Police Department
Chief James Bartholomew	Whitehall Police Department
Chief Edward Edwardson	Wyoming Police Department
Chief Michael Roney	Yale Police Department

The Subject Control Project

A major initiative has been underway to update training in the use of force and defensive tactics. The program has been built around the concept that supports the Michigan Law Enforcement Officer Subject Control Continuum. That concept embraces officer safety and holds that in a physical conflict the interests of citizens and officers are best served by controlling, as opposed to defeating, an opponent.

The purpose of this project is the development of comprehensive standards integrating survival mindset, fear and anger management, and tactical communication with the physical skills that are necessary to control persons in confrontational or resistive arrest situations. The project will also identify post-incident responsibilities for law enforcement officers who have become involved in such encounters.

Unique features of the curricula developed by this project include experiential learning techniques and outcome-based performance objectives. Experiential learning will take the trainee through a progressively more complex series of reality-based exercises designed to simulate typical law enforcement encounters involving confrontation or resistance to arrest. Within each encounter, the trainee will learn to achieve control of the situation (the outcome) by employing various combinations of knowledge, communications, and physical skills.

Evaluations will be based upon trainee achievement of desired outcomes, not upon the quality of execution for a particular technique or skill. In fact, trainees and trainers will be able to choose from a variety of physical technique training models to develop trainee skills necessary to achieve the performance objectives. It is important to note that despite the shift in emphasis to performance outcomes, as opposed to technique, a person of average physical ability would find achievement of control in the resistive scenarios portrayed in this curricula difficult, if not impossible, absent a reasonable set of functioning physical skills.

Twenty-two subject matter experts have been involved in the development of this material. During 2001, the Subject Control curriculum underwent pilot testing. This produced some adjustment and fine tuning. Full implementation is expected in 2002, pending Commission approval.

The Emergency Vehicle Operation Project

Early this year, the decision was made to overhaul MCOLES standards on Emergency Vehicle Operation (EVO). The project was divided into three major areas of responsibility: first, a review and update of existing training standards was necessary; second, it would be necessary to develop a skills assessment to support the training

standards; finally, it would be necessary to create a Manual for Michigan EVO Instructors.

In order to obtain input from training providers and law enforcement practitioners, MCOLES sent out queries to the Michigan law enforcement community. This resulted, in the selection of a panel consisting of sixteen subject matter experts to assist in this initiative. Beginning in March 2000, a series of brainstorming sessions were conducted. This group ultimately produced a large grouping of competencies it considered essential to law enforcement emergency vehicle operation. An interactive group process, utilizing concept mapping, was employed for this purpose. MCOLES staff organized the selected competencies into a rough outline, and then converted them into behavioral outcomes suitable for use in MCOLES curricula.

The developed curriculum materials identify six component driving skills. They are steering, braking, backing, accelerating, cornering, and skid control. The subject matter experts eventually developed cone courses to be used both in training and evaluation processes.

During 2001, MCOLES staff developed the instructor manual for this project. Pilot testing of the curriculum materials also began in 2001. Pending Commission approval, full implementation is anticipated during 2002.

The MCOLES Web Enabled Information System

MCOLES spent much of 2000 engaged in strategic planning. At the conclusion of the year, a consensus supported modernizing law enforcement standards and training as well as the processes that support it. The universal assumption supporting the move to modernization was that MCOLES was ready to migrate from a complicated paper-based system to a user-friendly, computerized environment available to all of its user agencies. Great strides that have been made in technology now make a statewide system not only possible but affordable.

As envisioned, MCOLES will advance a plan to develop a web-enabled information system capable of providing secure transactions for agencies accessing MCOLES services. The system would, among other things, allow for on-line activation of law enforcement certification, registration for law enforcement distribution, approval of in-service training, and submission of in-service training records. Users would reach the system through the Internet and then access a secure area within the web site, unavailable to the general public, where MCOLES transactions, which now occur via U.S. Mail, would take place. Staff applications for such a system would extend to nearly every aspect of MCOLES business.

Adult Learning Research

This year, MCOLES began serious consideration of methods to employ adult learning strategies, also referred to as experiential learning, in Michigan law enforcement training. Contacts with our counterpart organizations across the country as well as in Canada revealed significant breakthroughs. Perhaps the most revealing information came from the Royal Canadian Mounted Police (RCMP), which indicated that its training program was producing candidates, using adult learning that, in ability, closely

resembled two-year veterans upon academy graduation. It was also evident that these applications were more effective in fostering ethical decision making.

All of the successful programs that MCOLES examined were conducted in less complex environments than the Michigan law enforcement training system. For instance, the RCMP program only trained RCMP personnel. Other applications, namely the federal Police Corp program, involved only one academy. Michigan's 23-academy system, operating in a de-centralized environment poses challenges not faced in the examples that were studied.

Another challenge to implementing adult learning in Michigan law enforcement training is the migration of instructors from lecture-based training to facilitation. Adult learning strategies do not work well with solely lecture-based presentations. "Telling is not teaching," is one of the mantras of adult learning. Rather than telling information to the passively engaged student, a facilitator guides an actively engaged student through lifelike scenarios in which the information is "experienced." The development of facilitators is just one example of the challenges associated with implementing an adult learning program.

As MCOLES began identifying and addressing issues associated with bringing about adult learning in Michigan's law enforcement training system, it consulted, this year, with two international experts: Dr. Karen Spencer of Maryland, and Dr. Gary Bell of Regina, Saskatchewan. It should be noted that this effort coincides with that of the college-based academies, all of which also are being moved in this direction by their accreditation authorities.

For the Record

The purpose of the "For the Record" section of this annual report is to allow us the chance to present information that may be of use to readers who are conducting research.

Meetings of the Commission October 2000 to December 2001	
October 12, 2000	Traverse City
December 14, 2000	Lansing
February 22, 2001	Grand Rapids
April 12, 2001	Flint
June 14, 2001	Wayne County Airport
August 23, 2001	Marquette
October 11, 2001	Cadillac
December 20, 2001	Lansing

Special Meetings of the Commission October 2000 to December 2001	
October 1, 2000	Executive Committee/Staff
February 27, 2001	Executive Committee
March 5, 2001	Executive Committee
April 10, 2001	Executive Committee
June 15, 2001	Commission Planning Session

Training Director Conferences October 2000 to December 2001	
October 18-20, 2000	Gaylord
April 24-25, 2001	Lansing
October 17-19, 2001	Gaylord

MCOLES FY 2001 BUDGET

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

<u>Appropriation Category</u>	<u>Appropriation Amount</u>	<u>Full Time Equated Classified Positions</u>
Standards and Training.....	\$ 1,675,400	24.0
DOJ-OJP Domestic Violence Grant.....	\$ 360,000	
Training only to local units.....	\$ 659,400	
Officer Survivor Tuition Program.....	\$ 50,000	
Michigan Justice Training Commission.....	\$ 9,026,100	4.0
TOTALS.....	\$ 11,770,900	28.0

<u>Revenue Source</u>	<u>Amount</u>
Federal Revenues:	
DOJ-OJP	\$ 360,000
State Restricted Funds:	
Secondary Road Patrol & Training Fund.....	\$ 659,400
Michigan Justice Training Fund.....	\$ 9,026,100
State General Fund/General Purpose.....	\$ 1,725,400

MCOLES Certificates Issued by Year					
Type of Certificate	Fiscal Year 1997	Fiscal Year 1998	Fiscal Year 1999	Fiscal Year 2000	Fiscal Year 2001
Pre-Service - Law Enforcement Certification ¹³	617	572	557	858	631
Employed - Law Enforcement Certification ¹⁴	471	951	687	779	659

Training To Locals Funding by Year	
Fiscal Year	Reimbursement
Fiscal Year 1996 October 1, 1995 to September 30, 1996	\$1,400
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

¹³ 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 Certification.

¹⁴ 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 Certification.

Pre-Employment Testing			
Fiscal Year	Reading & Writing Examination	Physical Fitness 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

Law Enforcement Resource Center Activity¹⁵						
Activity	1996	1997	1998	1999	2000	2001
Audio-Video Training Programs Requested	2,310	2,420	2,476	1,845	1,482	1,263
Audio-Video Training Program Recipients	51,701	58,805	63,117	44,417	37,051	29,475
Audio-Video Training Program Purchases	67	54	62	67	69	66
Training Book & Periodical Purchases	96	61	57	54	45	45
Law Enforcement Training Patrons	887	982	1,076	1,146	1,219	1,219

¹⁵ 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.

2001 Pre-Employment Test Sites	
REGIONAL TEST CENTER	CONTACT/PHONE
LAKE SUPERIOR STATE UNIVERSITY Law Enforcement & Criminal Justice Sault Ste. Marie, MI 49783	Charles Ludwig Director (906) 635-2384
NORTHERN MICHIGAN UNIVERSITY Public Safety and Police Services 1401 Presque Isle Avenue Marquette, MI 49855	Mike Quayle Test Registrar (906) 346-4504
DETROIT METROPOLITAN POLICE ACADEMY 2310 Park Avenue Detroit, MI 48201	Juanita Wynn-Poole, Sgt. Test Registrar (313) 596-2700
OAKLAND COMMUNITY COLLEGE Criminal Justice Training Center Auburn Hills Campus 2900 Featherstone Road Auburn Hills, MI 48326-2845	Norm O'Brien, Lt. Test Registrar (248) 340-6716
MACOMB COMMUNITY COLLEGE Macomb Regional Police Academy 32101 Caroline Fraser, MI 48026	Mark A. Hackel, Sheriff Test Registrar (810) 296-3987
WASHTENAW COMMUNITY COLLEGE Public Service Training 4800 East Huron River Drive Ann Arbor, MI 48106	Ralph Galvin, Director (734) 677-5024
WAYNE COUNTY REGIONAL POLICE ACADEMY 1751 Radcliff Garden City, MI 48135	Robert Pearce, Director (734) 462-4783

2001 Pre-Employment Test Sites	
REGIONAL TEST CENTER	CONTACT/PHONE
DELTA COLLEGE Criminal Justice Training Center Room G-127 University Center, MI 48710	Jill Gallihugh Test Registrar (517) 686-9108
FLINT LAW ENFORCEMENT TRAINING CENTER 3420 St. John Street Flint, MI 48505	Charles Monroe or 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) 771-4113
KALAMAZOO VALLEY COMMUNITY COLLEGE Kalamazoo Regional Recruit Academy 6767 West "O" Avenue PO Box 4070 Kalamazoo, MI 49003-4070	Don Cote, Director (616) 372-5336
KIRTLAND COMMUNITY COLLEGE 10775 N. St. Helen Roscommon, MI 48653	Richard Cook Test Registrar (517) 275-5619
LANSING COMMUNITY COLLEGE Mid-Michigan Police Academy Criminal Justice Center 419 North Capitol Ave. Lansing, MI 48901-7210	Mike Ross Test Registrar (517) 483-1571

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 35

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
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

Justice Training Fund Expenses 2001	
Law Enforcement Distribution	\$4,449,605.58
Competitive Grants	\$3,006,206.02
Administrative Costs	\$557,957.39
Registry/Website	\$62,261.66
Total Program Costs	\$8,076,030.95

Justice Training Fund Top Five Training	
Management/Supervision	\$530,931.78
Firearms/Weapons	\$422,251.17
Interpersonal Communication	\$283,831.72
General Investigation	\$375,600.08
Traffic	\$328,734.02
All Other Categories	\$1,802,105.40
Total 2001 Training Program Expenditures	\$3,743,454.20

Justice Training Fund – All Categories of Training					
Training Category	Total Attendees	Total Hours of Training	Michigan Based Providers	Out-of-state Providers	Cost
Community Relations	357	3430.2	149	0	\$58,153.48
Computer Video	8	53.5	3	0	\$1376.30
Conferences	959	7,456.5	281	48	\$275,167.22
Corrections	1037	2221	44	2	\$46,044.60
Crime Prevention	337	4414	108	4	\$74,959.94
Cultural Diversity	630	931	43	5	\$30,128.81
Domestic Violence	508	1738	121	7	\$47,423.37
Field Training Officer	629	3951.5	106	9	\$104,928.62
Firearms/Weapons	8,009	17,416	648	63	\$454,458.74
First Aid	1,245	1,782	97	0	\$38,610.05
General Investigation	2,155	15,508	580	95	\$463,005.44
Interpersonal Communication	2,500	7,727	363	79	\$311,191.42
Laboratory	634	7,997	237	25	\$161,389.55
Legal	3,210	6061.2	559	7	\$139,672.09
LETN	1	8	1	0	\$97.50

Justice Training Fund – All Categories of Training					
Training Category	Total Attendees	Total Hours of Training	Michigan Based Providers	Out-of-state Providers	Cost
Management/Supervision	2,036	35,129	666	62	\$593,048.36
Motor Carrier	54	862	42	1	\$19,226.85
Patrol Activities	2,382	15,603	582	38	\$288,093.07
Self Defense	662	4,092.5	155	25	\$81,453.73
Special Assignments	42	186	11	0	\$2,882.93
Special Crimes	771	5,021.5	250	24	\$114,264.77
Special Situations	2502	2,974.3	287	7	\$71,547.65
Special Tactics	1,371	8,994.5	252	29	\$226,804.34
Stress/Trauma	609	1,853.5	100	23	\$74,029.90
Support Operation	742	7,630	173	11	\$290,085.73
Traffic	1,555	19,244	804	4	\$333,971.97
Totals	35,218	182,346.2	6,662	568	\$4,305,982.60

Justice Training Fund Training Provided In-State vs. Training Provided Out of State								
Training Category	In-State Training Attendees	Out of State Training Attendees	In-State Training Hours	Out of State Training Hours	In-State Training Cost	Out-of-State Training Cost	Average Cost Per Hour for In-State Training	Average Cost Per Hour for Out-of-State Training
Community Relations	357	2	3,430.2	30	\$58,153.48	\$0.00	\$8.16	\$0.00
Computer Video	8	0	53.5	0	\$1,376.30	\$0.00	\$11.71	\$0.00
Conferences	856	102	5,720	1,712.5	\$147,753.18	\$126,927.11	\$9.78	\$32.68
Corrections	1037	3	2221	61	\$46,044.60	\$3,948.17	\$2.46	\$40.29
Crime Prevention	335	2	4,374	40	\$73,625.94	\$1,334.00	\$7.81	\$33.35
Cultural Diversity	580	2	889	40	\$28,010.16	\$1,663.00	\$2.21	\$20.79
Domestic Violence	498	10	1,506	232	\$32,687.17	\$14,736.20	\$6.27	\$38.38
Field Training Officer	622	7	3,775	176	\$97,078.32	\$7,850.30	\$7.13	\$31.65
Firearms/Weapons	7,975	34	16,960	456	\$422,251.17	\$32,207.57	\$1.11	\$25.01
First Aid	1,232	0	1,754	0	\$38,050.05	\$0.00	\$3.33	\$0.00
General Investigation	2,078	76	13,604	1,900	\$375,600.08	\$87,412.68	\$9.43	\$31.17
Interpersonal Communication	2,484	16	7,399	328	\$283,831.72	\$27,359.70	\$10.44	\$41.71
Laboratory	594	40	7,317	680	\$116,300.38	\$45,089.17	\$7.99	\$26.71
Legal	3,203	7	5,869.2	192	\$131,134.39	\$8,537.70	\$4.30	\$39.53
LETN	1	0	8	0	\$97.50	\$0.00	\$12.19	\$0.00
Management/Supervision	2,267	39	34,270	858.5	\$530,931.78	\$62,116.58	\$2.64	\$46.69
Motor Carrier	54	0	862	0	\$19,226.85	\$0.00	\$17.84	\$0.00
Patrol Activities	2,374	8	15,139	464	\$274,433.90	\$13,659.17	\$6.81	\$29.44
Self Defense	658	4	3,964.5	128	\$75,719.10	\$5,734.63	\$6.30	\$34.13
Special Assignments	42	0	186	0	\$2,882.93	\$0.00	\$6.06	\$0.00
Special Crimes	754	17	4,394.5	627	\$86,691.56	\$27,573.21	\$9.33	\$36.91
Special Situations	2,498	4	2,950.3	24	\$69,594.53	\$1,953.12	\$4.27	\$20.35
Special Tactics	1,334	37	7,672.5	1,322	\$192,334.29	\$34,470.05	\$5.02	\$17.29
Stress/Trauma	592	17	1,381.5	472	\$46,029.49	\$28,000.41	\$9.89	\$41.67
Support Operation	723	19	7,105	525	\$264,881.41	\$25,204.32	\$9.27	26.64
Traffic	1,550	5	19,124	120	\$328,734.02	\$5237.95	\$8.79	\$14.55
Totals	34,706	449	171,929.70	10,358	\$3,743,454.20	\$561,015.04	\$3.83	\$30.89

2002 Competitive Grant Awards

(awarded December 2001)

Criminal Justice Category Recipient Agencies	Number of Awards	Funds Awarded	Percent of Category	Percent of Total
Law Enforcement				
Police Departments	6	\$348,252	18%	
Sheriff Departments	3	\$274,594	15%	
Michigan State Police	4	\$229,562	12%	
Colleges / Universities	23	\$1,031,477	55%	
Law Enforcement Subtotal	36	\$1,883,885		62%
Corrections				
County Sheriff Departments	4	\$70,957	27%	
Department of Corrections	2	\$29,400	11%	
Colleges / Universities	5	\$165,648	62%	
Corrections Subtotal	11	\$266,005		9%
Prosecution				
Prosecuting Atty Coord Council	1	\$297,345	100%	
Prosecution Subtotal	1	\$297,345		10%
Adjudication				
Circuit / District Courts	1	\$90,766	31%	
Michigan Judicial Institute	2	\$204,681	69%	
Courts Subtotal	3	\$295,447		9%
Defense				
State Appellate Defender	2	\$234,643	89%	
Appellate Assigned Counsel	1	\$28,678	11%	
Defense Subtotal	3	\$263,321		10%

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.

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 voluntary 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 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

does not include a person whose job description, duties, or responsibilities do not include direct involvement in fire suppression.

- (g) "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.
- (h) "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.
- (i) "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.
- (j) "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 rulemaking, 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 than 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 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.

GOVERNOR

BY THE GOVERNOR:

SECRETARY OF STATE

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 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.

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

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.