
Michigan Commission on Law Enforcement Standards
Commission Meeting Minutes
November 17, 2021
Novi Police Department

COMMISSION MEMBERS PRESENT

Chief David Molloy, representing the Michigan Association of Chiefs of Police
Sheriff Gregory Zybert, representing the Michigan Sheriffs' Association
Lt. Col. Michael Krumm, representing the Michigan State Police
Mr. Duane Smith, representing the Police Officers Labor Council
Mr. Arthur Weiss, representing the Criminal Defense Attorneys of Michigan
Mr. Michael Kunath, representing the Michigan Association of Police
Trooper Nate Johnson, representing the Michigan State Police Troopers Assoc.
Mr. Michael Sauger, representing the Fraternal Order of Police
Mr. Anthony Lewis, representing the Michigan Department of Civil Rights
Dr. Lisa Jackson, representing residents of the state
Mr. David Tanay, representing the Office of the Attorney General
Sheriff Anthony Wickersham, representing the Michigan Sheriffs' Association
Director Ronald Moore, representing the Michigan Association of Chiefs of Police
Sheriff Matthew Saxton, representing the Michigan Sheriffs' Association
Ms. Linda Broden, representing the Detroit Police Officers Association
Mr. Thomas Adams, representing the residents of the State

COMMISSION MEMBERS ATTENDING VIRTUALLY (Non-voting)

Pastor Jeffery Hawkins, representing residents of the State
Deputy Matthew Hartig, representing Deputy Sheriff's Association of Michigan
Mr. Michael Wendling, representing the Prosecuting Attorneys Assoc. of Michigan

COMMISSION MEMBERS EXCUSED

Chief Eric Payne, representing the Michigan Association of Chiefs of Police
Mr. Ken Grabowski, representing Police Officers Association of Michigan
Commander Mark Bliss, representing the Detroit Police Department
Pastor Tellis Chapman, representing residents of the State

STAFF PRESENT (In Person)

Mr. Timothy Bourgeois, MCOLES Executive Director
Ms. Lauryl Scott, Commission Counsel

STAFF PRESENT (Virtually)

Ms. Jacquelyn Beeson, MCOLES Staff
Ms. Hermina Kramp, MCOLES Deputy Executive Director
Mr. Matt Krumbach, MCOLES Staff

Ms. Rhonda Hooson, MCOLES Staff
Mr. Leon Boyer, MCOLES Staff
Mr. Danny Rosa, MCOLES Staff
Mr. Pat Hutting, MCOLES Staff
Ms. Gretchen Galloway, MCOLES Staff
Mr. Ben Zyber, MCOLES Staff
Mr. David Lee, MCOLES Staff
Mr. Josh Monte, MCOLES Staff

GUESTS ATTENDING

Mr. David Duvall

CALL TO ORDER

The Commission meeting was called to order by Chair David Molloy on November 17, 2021 at 10:32 AM. The meeting was held in person in accordance with the Open Meetings Act and shared virtually via the Teams platform for MCOLES staff and members of the public. Commissioners that attended virtually were not eligible to vote.

Chair Molloy also provided the following guidelines for those attending the meeting virtually:

- Reminded members to mute their microphones unless speaking.
- Before speaking, everyone was asked to state their name and wait to be recognized by the chair, so it was clear who was speaking.
- He advised if a member of the public wanted to make a comment, they would have two opportunities. The first is after Changes to the Agenda and the second opportunity would be at the end of the meeting under Public Comment. The Commission is asking that comments be limited to 3 minutes and added that this would not be a question-and-answer situation, only an opportunity to address the Commissioners.

INTRODUCTIONS

Chair Molloy introduced himself and those attending in person did the same. He then gave staff members, Commissioners, and guests attending virtually an opportunity to identify themselves for the minutes. He advised they were not required to do so.

ACCEPTANCE OF THE SEPTEMBER 15, 2021 COMMISSION MEETING MINUTES

A **MOTION** was made by Commissioner Moore and supported by Commissioner Adams to approve the September 15, 2021 Commission Meeting Minutes as written.

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

ADDITIONS TO THE AGENDA

Chair Molloy inquired if any Commissioner wanted to add anything to the agenda. There were no changes requested.

A **MOTION** was made by Commissioner Wickersham and supported by Commissioner Adams to approve the agenda as written.

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

PUBLIC COMMENT

Chair Molloy stated this was the first opportunity to address the Commission. He added this is not a question-and-answer session. The Commission will listen but will not engage in dialogue and again stated that comments would be limited to 3 minutes. He asked if there was anyone who wanted to address the Commission.

Mr. David Duvall advised he would like to speak. He explained the reason he was speaking today was because he has been in a standstill with MCOLES regarding his license status since last April. He stated he was going through a compliance review which was initiated after he resigned from his last position. He said he voluntarily resigned to take employment with another agency that was closer to his residence.

Mr. Duvall added he has a chief of police that has already sworn him in and has tried multiple times to activate his license. He stated he has made numerous calls to MCOLES to obtain the status of his license, but no one will call him back. He said he has never had a citizen's complaint or an HR complaint. He sent MCOLES all the necessary paperwork and still no response. He has not had an income in over 9 months while waiting to hear from MCOLES. He is also concerned because his license will expire in April 2022, and he will then have to attend the RPTE program to be eligible for employment.

Mr. Duvall stated that Chief Gary Hanselmann from Adrian Charter Township Police Department wants to hire him. He is requesting that we complete his review so he can go to work. He has been 9 months without any income. He added that he has done everything on his part by submitting all the necessary paperwork.

Chair Molloy advised Mr. Duvall his 3 minutes were up. Mr. Duvall thanked the Commissioners for their time.

Chair Molloy asked if there was anyone else who would like to address the Commission. Seeing and hearing no response, he closed the first public comment section.

CHAIR'S REPORT

Executive Director's Compensation – Chair Molloy advised the Commissioners that in December of 2020, the Commission addressed the Executive Director's compensation. When he started with the Commission his compensation was at an MSP level 17 which is consistent with a division commander. Colonel Gasper took office in 2019 and reclassified the level 17 commanders to a

Senior Policy Executive 18 because it more accurately described their duties. With this reclassification came pay raises. Director Bourgeois was reclassified but did not receive the raises. In 2020, a motion was approved by Commission Grabowski and supported by Commissioner Saxton to approve the compensation of the executive director at the Senior Policy Executive 18 until otherwise directed. It has come to our attention that the executive director is still not there in terms of getting the additional pay increases or adjustments as directed.

Lt. Col. Krumm advised that there are five select positions within MSP that are called unclassified. Executive Bourgeois is positioned as a division director at the Senior Police Level 18 but is not afforded the same civil service benefits that everyone else at that level receives. The salary increases or enhancements are being handled retroactively on a single case by case basis. It is a nuisance within the Department to have to individually address five positions repeatedly out of three thousand employees. We certainly support Executive Director Bourgeois getting his compensation aligned with the other Senior Police Level 18s as division directors/commanders.

Chair Molloy asked for a motion to approve Executive Bourgeois' salary and compensation at the Senior Police Level 18 position on the Civil Service schedule and to award any increases they are given as has been the custom unless and until the executive director or the Commission wishes to do otherwise. This will eliminate the Commission having to come back every time an adjustment is made to the Civil Service compensation schedule.

A **MOTION** was made by Commissioner Jackson and supported by Commissioner Zyburt to approve the current increase and all other increases in the future to the Executive Director's salary so that it remains aligned with the Senior Police Level 18 position on the Civil Service compensation schedule until either the Commission or the executive director wish to do address compensation in another fashion.

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

LEO Population Report – Chair Molloy reported the Law Enforcement Officer Population Report for the month of October was made available to the commissioners. The number of officers and positions both decreased.

Grant Adjustments – This report provides information on adjustments requested by the grantees for the Justice Training Grants. This report was sent out with the electronic distribution and did not require Commission action.

Special Use Requests – The Commissioners received this report via the electronic distribution. There were no questions.

DIRECTOR'S REPORT

PSOB Reporting – Executive Director Bourgeois advised at the last meeting Commissioner Smith asked that we include the cause of death in the PSOB resolutions. This was discussed internally, and it was agreed that since this is public money and the cause can be included without being too intrusive to the awardee and/or their survivors, going forward the cause of death will be

included. This meeting has two PSOB resolutions and you will find the cause of death listed in both.

Legislative Updates – Executive Director Bourgeois advised that the legislature has been extremely active. He reminded them the Commission is a registered lobbyist and he is registered as the Commission’s lobbyist agent. He added there are several bills pending that could affect the Commission. He said if there is something imminent, he will contact the Commission and look for guidance

COMMITTEE REPORTS

Executive Committee – Chair Molloy advised the Executive Committee met that morning prior to the Commission meeting. He said the committee members discussed the nomination procedures for the new Chair and Vice-Chair, adding the cause of death to the PSOB resolutions, and the legislative updates.

Nominating Committee – Chair Molly reminded the Commission that Commissioner Saxton, Commissioner Johnson, and Commissioner Payne were appointed to the Nominating Committee. They met November 3 and decided their nomination for the Chair position was Commissioner Zyburt.

Chair Molloy opened the floor for any other nominations. There were no other nominations.

A **MOTION** was made by Commissioner Adams and supported by Commissioner Saxton to approve Commissioner Greg Zybert as the new Chair.

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

The Nominating Committee advised they were nominating Commissioner Ronald Moore for the position of Vice-Chair.

Chair Molloy opened the floor for any other nominations. There were none.

A **MOTION** was made by Commissioner Wickersham and supported by Commissioner Krumm to approve Ronald Moore for the position of the new Commission Vice-Chair.

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

CONSENT AGENDA - There was nothing new to report.

NEW BUSINESS

Commission Resolution 2021-10 – Chair David Molloy read into the record Commission Resolution 2021-10 honoring Kalamazoo County Sheriff's Deputy Ryan Proxmire and Extending Public Safety Officer Benefits.

A **MOTION** was made by Commissioner Zyburt and supported by Commissioner Saxton to approve Commission Resolution 2021-10 honoring Kalamazoo County Sheriff's Deputy Ryan Proxmire and Extend Public Safety Officer Benefits.

Commissioner Saxton then asked if there was a way to amend the resolution. He advised that Deputy Proxmire was posthumously promoted and for the family's sake he would like the resolution to acknowledge the promotion. Chair Molloy asked if there were any objections to the change. He said after hearing none, he asked that if everyone was in favor of changing the resolution to Sergeant Proxmire, indicate by saying "aye".

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

Commission Resolution 2021-11 – Chair David Molloy read into the record Commission Resolution 2021-11 honoring fallen Branch County Sheriff's Office Corrections Officer Kevin Kokinis and extending Public Safety Officer Benefits.

A **MOTION** was made by Commissioner Moore and supported by Commissioner Lewis to approve Commission Resolution 2021-11 honoring fallen Branch County Sheriff's Office Corrections Officer Kevin Kokinis and extending Public Safety Officer Benefits.

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

2022 Commission Meeting Dates – Chair Molloy advised the Commissioners received a list of proposed meeting dates for 2022. He asked if there was anyone who had a potential conflict with the dates. He went on to say that due to social distancing we have had to take the meetings on the road because the MCOLES conference room is not large enough anymore. Dr. Jackson offered up Schoolcraft College for one of the meetings. In the future if there are others with a location large enough to facilitate the meeting, please let the Chair know.

One of the Commissioners stated that the November meeting interferes with hunting season. He suggested we move that meeting to another day. A discussion occurred and it was decided to hold the November Meeting on Tuesday, November 22, 2022.

A **MOTION** was made by Commissioner Johnson and supported by Commissioner Smith to approve the Commission Meeting dates for 2022 with the November meeting changed to the November 22.

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

OLD BUSINESS – Chair Molloy stated that we did not have any Old Business items to discuss.

MISCELLANEOUS

Chair Molloy went around the table asking if any of the commissioners had a topic they would like to discuss. The following is a list of items that were discussed.

- Officers employed at multiple departments
- Duties of an agency compared to duties of MCOLES
- Asking Commissioners to take part in the community to change the narrative and image of police officers
- Adding positivity to the portrayal of the position of a law enforcement officer
- Thanking Chair Molloy for his time as Chair and for hosting that day's meeting
- Changing the pool of candidates for law enforcement to diversify and find the best people who want to help, not people who just want power
- The difference between law enforcement and policing
- Legislation pending addressing retention, selection, and recruitment of law enforcement officers
- MCOLES development of a module for the basic academy curriculum on the history of law enforcement
- Start recruiting earlier by having liaisons in the schools making positive communications and contacts before graduation
- Basic academy curriculum updates

PUBLIC COMMENT

Chair Molloy asked if there was anyone who wanted to address the commissioners as this was the second opportunity. Comments would be limited to 3 minutes. Ryan Duvall wanted to address the Commissioners for a second time. He wanted to add to the Commissioners previous discussion that he felt community policing is very important in law enforcement. He said he would get out of the car between calls and interact with the people in his district. He stated the commissioners discussed the shortage of police officers, and he doesn't understand why it has taken 9 months to get his license back. He has a department that is holding a spot for him, but his license is going to lapse because of how long the investigation has taken. He said this will be the nineteenth job that he will lose due to MCOLES.


NEXT MEETING

Chair Molloy advised that the next meeting will be February 16, 2022. He wanted to thank everyone for the opportunity to serve as chair. He added that it has been a privilege and honor and he is looking forward to continuing the work on building trust and confidence and professional policing.

Date: February 16, 2022 @ 10:30 AM
Location to be determined.

ADJOURNMENT:

A **MOTION** was made by Commissioner Moore and supported by Commissioner Broden to adjourn the meeting at 11:45 AM.

Approved:  Date Feb 16, 2022

Witness:  Date Feb 16, 2022