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## **Michigan Commission on Law Enforcement Standards**

**September 11, 2024**

**Kellogg Community College**

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### **COMMISSION MEMBERS PRESENT**

Director Kimberly Koster, representing the Michigan Association of Chiefs of Police  
Sheriff Anthony Wickersham, representing the Michigan Sheriffs' Association  
Mr. David Tanay, representing the Office of the Attorney General  
Mr. Jim Stachowski, representing the Police Officers Labor Council  
Ms. Chianté' Lymon, representing residents of the State  
Dr. Lisa Jackson, representing residents of the State  
Chief Issa Shahin, representing the Michigan Association of Chiefs of Police  
Deputy Matthew Hartig, representing the Deputy Sheriffs' Association of Michigan  
Trooper Nate Johnson, representing the Michigan State Police Troopers Association  
Mr. Matthew Saxton, representing the Michigan Sheriffs' Association  
Mr. Michael Sauger, representing the Fraternal Order of Police  
Ms. Linda Broden, representing the Detroit Police Officers Association  
Ms. Juli Liebler, on behalf of Colonel James F. Grady II, representing the Michigan State Police  
Mr. Anthony Lewis, representing the Michigan Department of Civil Rights  
Mr. Ken Grabowski, representing Police Officer's Association of Michigan  
Mr. Grant Ha, representing the Detroit Police Department

### **COMMISSION MEMBERS EXCUSED**

Pastor Tellis Chapman, representing residents of the State  
Mr. Michael Wendling, representing the Prosecuting Attorneys Association of Michigan  
Mr. Ronald Wiles, representing Michigan Association of Chiefs of Police  
Sheriff Greg Zybert, representing the Michigan Sheriff's Association  
Mr. Jeffery Hawkins, Residents of the State of Michigan

### **STAFF PRESENT (In-Person)**

Mr. Timothy Bourgeois, MCOLES Executive Director  
Mr. Joseph Kempa, MCOLES Deputy Executive Director  
Ms. Ali Pirich Busque, MCOLES Staff  
Mr. Mark Sands, MCOLES Legal Counsel  
Mr. Matthew Krumbach, MCOLES Staff  
Ms. Cristina Dowker, MCOLES Staff  
Mr. Leon Boyer, MCOLES Staff  
Mr. Danny Rosa, MCOLES Staff  
Ms. Amanda Beach, MCOLES Staff  
Mr. Eric Sanborn, MCOLES Staff

## **GUESTS ATTENDING**

Sgt. Kristina Droste, representing the Michigan State Police – Virtual Attendance  
Lt. Col. Michael Krumm, representing the Michigan State Police – Virtual Attendance  
Mr. Arthur Weiss, representing Criminal Defense Attorneys of Michigan – Virtual Attendance

## **CALL TO ORDER**

The Commission meeting was called to order by Chair Kim Koster on September 11, 2024, at 10:35 AM. The meeting was held in person in accordance with the Open Meetings Act and shared virtually via the Teams platform for staff and members of the public. Commissioners were required to attend in person to be able to actively participate in the meeting and be able to vote, although any Commissioner who attends virtually may address the Commission during the opportunities for citizen comments.

## **INTRODUCTIONS**

Chair Koster introduced herself and then asked the other Commissioners attending in person to do the same. Next, visitors attending in person were asked to introduce themselves, as were staff members in attendance. Finally, members of the public who were attending virtually were asked to identify themselves if they chose to be part of the minutes.

Commissioner Koster announced that if any member of the public wishes to make a comment, they will have two opportunities to do so. The first opportunity will be after the Changes or Additions to the Agenda portion of the meeting and the second opportunity will be at the end of the meeting. If you are present at the meeting, and wish to speak, please raise your hand. If you are attending virtually, please electronically or physically raise your hand. When the chair recognizes you to speak, you will have up to 3 minutes to make your comments. The purpose is for the Commission to listen to comments from the public. As such, they will not answer questions or engage in a dialogue with the speakers.

## **ACCEPTANCE OF THE JUNE 12, 2024, COMMISSION MEETING MINUTES**

The minutes from the June 12, 2024, meeting were made available electronically to the Commissioners. Chair Koster asked for a motion to approve the minutes.

A **MOTION** was made by Commissioner Sauger and supported by Commissioner Hartig to approve the June 12, 2024, Commission Meeting Minutes.

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

## **ADDITIONS TO THE AGENDA**

Chair Koster inquired if any Commissioner wanted to make a change or addition to the agenda.

There were no changes or additions requested.

A **MOTION** was made by Commissioner Saxton and supported by Commissioner Lymon to approve the September 11, 2024, agenda.

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

## **PUBLIC COMMENT – NONE**

## **CHAIR'S REPORT**

Penalty for Failure to Comply Committee – Chair Koster appointed Commissioner Weiss to the Committee, at his request, after the June 12, 2024, meeting. In the future, committee appointments will only be made during the Open Meeting to comply with the Open Meetings Act. The Penalty for Failure to Comply Committee will meet immediately following the Commission meeting on September 11, 2024.

LEO Population – The Law Enforcement Officer Population Report for August was sent electronically to the Commissioners. The number of officers and positions showed a very slight decrease of about a dozen in each category.

Grant Adjustments – This report provides information on adjustments requested by the grantees of the Justice Training Fund grants. The report was sent out earlier and does not require Commission action. It is for information only.

SUR Report – Any Special Use Request made by an agency is reported to the Commission. This report includes requests for out-of-state training and equipment purchases. The total amount requested since our last meeting was \$109,850.97. This report is for information only.

Nominating Committee – A committee needs to be established for nominations of the Chair and Vice-Chair positions for 2025. Currently the Chair is Kimberly Koster, who has served a one-year term, and the Vice-Chair is Anthony Wickersham, who has also served one year. The Nominating Committee members will need to meet prior to the November 20, 2024, meeting to decide on their recommendations. The following Commissioners have been appointed to the Nominating Committee: Commissioner Tanay, Commissioner Lymon, and Commissioner Johnson. Commissioner Tanay was appointed Chair of the Nominating Committee. Chair Koster and Vice Chair Wickersham both announced they would be interested in serving another year in their positions, respectively.

2025 Commission Meeting Dates – The proposed 2025 meeting dates were sent out electronically. The Commission will vote on the proposed dates at the November 20, 2024, meeting.

## **DIRECTOR'S REPORT**

Introduction of New Staff Members – Executive Director Bourgeois stated three new staff members have been hired. Their respective managers will formally introduce them to the Commission.

Leon Boyer addressed the group and introduced Jenna Gallagher, who was not present at the meeting. Jenna is a Human Resources Developer with the Career Development section and has a degree in Psychology, with special emphasis on mental health. She serves in the U.S. Army National Guard. She is a great addition, and we are happy to welcome her to MCOLES.

Danny Rosa introduced Amanda Beach. Amanda is responsible for document indexing, records retention and retrieval requests with the Administrative Services and Budget section. Amanda comes with an extensive mortgage background and experience in document management and scanning.

Secondly, Danny Rosa introduced Eric Sanborn. Eric is responsible for the licensing of PA 330 Private Security Police, Railroad Police and standards compliance reviews. This is a position that has been vacant for five years. With a master's degree in public management, Eric has 28 years of law enforcement experience and recently retired from Livingston County Sheriff's Office.

Legislative Update – Senate Bill (SB) 483 – Executive Director Bourgeois stated that Senate Bill 483 has been introduced. SB 483 would change the Public Safety Officer Death or Permanent Disability Benefit from \$25,000 to \$50,000. The 2025 Fiscal Year Budget, which will take effect at the beginning of next month, October 1<sup>st</sup>, does call for the Commission to increase the amount.

Executive Director Bourgeois explained the underlying bill is the Public Safety Death and Disability Benefit, which does not authorize the increase in amount. Therefore, a budget implementation bill has been introduced. SB 483 is receiving a committee and Senate hearing. We have strong support from many of the Commissioners' organizations and look forward to having this approved in this legislative session.

Executive Director Bourgeois updated the Commission on the further development and implementation of the Penalties Committee, to determine penalties for those who do not comply with both the MCOLES Act, PA 203 of 1965 and the Law Enforcement Officers Separation of Service Record Act, PA 128 of 2017. Executive Director Bourgeois is in discussions with Senator Chang and Senator Irwin; these Senators are highly interested in what they refer to as "Police Improvement".

The Senators have ideas of how they want to collaborate on police improvement. Executive Director Bourgeois noted that some of Senators' ideas are out of the purview of the Commission. He offered a licensing improvement topic to the Senators, which would revolve around updating and modernizing the MCOLES Act and the Law Enforcement Officers Separation of Service Record Act. The original MCOLES Act was originated in 1965 and has been amended several times since, however, the bulk of the Act was written in the 1980s. These discussions are a way to modernize these Acts.

Executive Director Bourgeois explained how and in what way the Act was written and categorized with respect to licensing officers. The Act is broken into the following sections for licensing:

- 1) General Law Enforcement; (Section 9)
- 2) Elected or appointed sheriffs who have not previously been licensed; (Section 9a)
- 3) Tribal Officers who must be empowered by another entity; (Section 9b)
- 4) Fire and arson investigators; (Section 9c) and
- 5) Private college security police PA 330 of 1968 officers who meet additional requirements. (Section 9d)

Assistant Attorney General Sands has redrafted those sections to make them compact and only address what is unique about each special license class beyond the Section 9 officers, thereby shortening the Act and making it less repetitive.

Language is being requested to address statutory changes that now impact an individual's ability to possess firearms and/or ammunition since the ability to do so is a requirement of licensure.

Additionally, Executive Director Bourgeois explained language is being requested for a short window to rescind a license should it be issued in error, provided the person does not meet the standards.

Lastly, additional language reinforcing the requirement of agencies to perform comprehensive background investigations to determine compliance with the character fitness rule and other minor language clean up is being requested.

Law Enforcement Officer Separation of Service Record Act was to prevent non-disclosure agreements and fully inform hiring agencies of the reason(s) for separation of employment and the circumstances surrounding it. Unfortunately, as written it assumes that an individual is going to fully separate from one agency before they go to the next. That is the exception and not the rule. It also did not contemplate an individual working at more than one agency, as about 500 officers in the state do. This creates an impossible situation since the agency cannot create a separation of service record until the individual separates and the Act prohibits the Commission from licensing an individual at a new agency unless and until the new agency attest it received and reviewed the record. Language is being requested to allow for interim reports to give the Act its intended effect, while still requiring a permanent record upon separation.

Additional language clean up, consistency in reports and other minor changes are being requested.

Executive Director Bourgeois concluded the discussion by reiterating that the re-draft of the MCOLES Act is to include and improve transparency. He is having a follow-up conversation with Senator Chang after the Commission meeting on September 11, 2024. He is keeping the executive committee briefed on this work and hopes to have draft bills available for the full Commission's review by the November meeting.

Tribal Authority – In support of the Commission's resolution on this topic, Executive Director Bourgeois and AAG Sands continue to attend numerous meetings with a variety of stakeholders regarding proposed legislation to empower federally recognized tribes that have law enforcement

agencies to empower their own officers to enforce state law. Currently, tribal officers must be empowered by other entities to enforce state law (See the MCOLES Act, Section 9b).

## **COMMITTEE REPORTS**

Executive Committee – Chair Koster advised that the Executive Committee met this morning prior to the Commission meeting. The topics on the agenda and covered by Executive Director Bourgeois were discussed.

## **CONSENT AGENDA**

Revocation – Dajaun Dickerson – Chair Koster requested AAG Mark Sands to address this topic. AAG Sands advised the revocation was for Dajuan Dickerson. He added that the certified record of this proceeding was provided in the electronic distribution for Commissioners to review. Under the Act, the Commission shall revoke the license of an officer that was subjected to an adjudication of guilt for an offense enumerated by the Act that is punishable by more than one year imprisonment. The Act and Rules provide that the revocation proceedings shall be conducted as a contested case under the Administrative Procedures Act. (APA) If the hearing substantiates the licensed officer was subjected to an adjudication of guilt for an enumerated act or an act that is punishable by more than one year of imprisonment, the Commission shall revoke the license, the administrative law judge gives the Commission a Proposal for Decision advising the statute is met and recommending the Commission revoke the license as required by law. AAG Sands reminded the Commissioners their consideration of the facts and evidence is limited to those in the certified record and if the statutory requirements for revocation are met, as in this case, the Commission is required by law to revoke the law enforcement license. The chair may entertain a motion to adopt the Proposal for Decision issued as entered by the ALJ and revoke Dajuan Dickerson's law enforcement license.

A **MOTION** was made by Commissioner Tanay and supported by Commissioner Johnson to accept the administrative law judge's Proposal for Decision to revoke Dajuan Dickerson's law enforcement license.

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

## **NEW BUSINESS**

Services, Training, Officers & Prosecutors STOP Grant Program – Chair Koster introduced Matt Krumbach to address this topic. Matt provided an introduction. He is the MCOLES STOP Grant Coordinator and has a 29-year background in law enforcement; Matt spent the last 25 years with the Lansing Police Department as a violent crime detective specializing in domestic violence and sexual assault.

Matt explained how the STOP Grant program incorporates five classes taught throughout the state of Michigan for in-service law enforcement officers, victim advocates, and prosecutors. The five classes are: The Law Enforcement Response to Domestic Violence; The Law Enforcement Response to Stalking/PPO/Bond Violations; Comprehensive Sexual Assault Investigations; Investigating Non-Fatal Strangulation/Suffocation cases; and Investigating Non-Stranger Sexual Assault.

All STOP Grant classes are free and are taught in a variety of settings from college campuses, police departments, and victim advocacy centers. Instructors come from all over the state from various police, advocacy agencies, and prosecutors' offices. Classes are co-instructed by a prosecutor, police officer, and victim advocate. The Investigating Non-Fatal Strangulation/Suffocation class includes a S.A.N.E nurse as an instructor. All the STOP Grant classes are taught in a victim-centered and offender focused fashion. MCOLES works in close partnership with MDHHS in the review of courseware and direction of the program, including vetting of instructors. MDHHS also works with MCOLES' Career Development section to continue to work with the STOP Grant program to update and refresh the program courseware. A yearly instructor symposium is held in Mt. Pleasant for all STOP Grant instructors to keep them updated and exposed to new information.

2025 Michigan Justice Training Fund Grants & 2024 MJTF Update – Chair Koster asked Executive Director Bourgeois to introduce the topics.

Executive Director Bourgeois explained the Michigan Justice Training Fund consists of funding through a statute, PA 302 of 1982. The MJTF is funded through the larger Justice System Fund, generated by fees on criminal cases and civil infraction violations. PA 302 requires 60% of the MJTF funds be distributed by the Commission to law enforcement agencies on a per capita basis for training and the remaining 40% to be used for the administrative cost for the grant program and for competitive grants. Executive Director Bourgeois introduced Cristy Dowker, MCOLES Grant and Contract Manager, to present on the topics.

Cristy provided the following updates.

#### **MJTF Current Grant Year Update**

Grantees have been sent a draft of a Grant Outcomes report and have been asked to voluntarily complete it at the end of the grant year. This report will be submitted to MCOLES for review and posting to our website. We have asked grantees to also post the information to their own websites. Beginning in calendar year 2025, the Grant Outcomes report will be **mandatory** for all grantees to complete, submit, and post. The Grant Outcomes Report is intended to document the measurable objectives and the impact of the grant funds. It will demonstrate to the Commission and the public what transpired through the course of the grant project.

#### **2025 MJTF Recommendations**

A total of eighteen applications were received totaling \$1,574,573.81 in requested grant funds. The applications were subject to programmatic review of the proposed training courses, examining the content for justification, training methods and objectives, and adherence to the priority listing approved by the Commission. Additionally, a fiscal review is performed to ensure the budget narrative and detail are consistent with the request and that items meet the guidelines for expenditures. There were minimal corrections necessary as many applicants have multiple

years' experience submitting grant applications. Since the total funds requested is less than the available funds, no reductions were required except for those necessary to meet grant requirements. It is recommended that the Commission vote to approve these grant applications for award, with consideration of staff recommendations for adjusted funding amounts.

A **MOTION** was made by Commissioner Grabowski and supported by Commissioner Hartig to approve the funding for the 2025 MJTF Grants.

<b>Applicant</b>	<b>Project Title</b>	<b>Requested Grant Funding</b>	<b>Recommended Grant Funding</b>	<b>Total Trained</b>	<b>Reductions/Comments</b>
Bloomfield Township Police Department	21 <sup>st</sup> Century Law Enforcement Decision Making	\$6,600.00	\$6,600.00	467-700	
Grand Rapids Community College	Safety Patrol Tactics and Decision Making	\$13,365.00	\$13,365.00	132-200	
Grand Valley State University/West Michigan Criminal Justice Training Consortium	Police Precision Driving	\$84,729.65	\$84,729.65	240-360	
Holland Department of Public Safety/West Michigan Training Consortium	Realistic De-Escalation Instructor and Body-Worn Camera	\$24,000.00	\$24,000.00	57-85	
Ingham County Sheriff's Office	Ingham Regional Active Violence Preparedness	\$71,903.21	\$71,903.21	84-126	
Jackson Police Department	Active Shooter Response Training	\$19,461.75	\$9,276.00	44-64	Reduce grant by \$10,185.75 to remove participant salary costs, as they are unallowable.
Jackson Police Department/Southern Michigan Criminal	Effective Fitness Combative	\$63,923.85	\$33,723.00	22-33	Reduce grant by \$30,200.85 to remove participant salary costs,



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Justice Training Consortium	Instructor Certification				as they are unallowable.
Kellogg Community College	APEX Officer Program and Public Safety Training	\$20,000.00	\$20,000.00	Unlimited	
Kirtland Community College/Kirtland Community College Regional Law Enforcement Training Consortium	Advanced Law Enforcement Refresher Training	\$52,501.34	52,348.34	402-606	Reduce by \$153.00 in order to adjust meal costs to meet state rates.
Kalamazoo Valley Community College/West Michigan Criminal Justice Training Consortium	Calibre Press Use of Force/Search and Seizure Courses	\$37,200.00	\$37,200.00	2,400-3,600	
Michigan State Police/Michigan Technology Investigations and Forensic Training Consortium	Building Forensic and Investigative Capacity in Technology	\$123,125.00	\$123,125.00	34-63	
Michigan State Police/Organizational Development Division	2025 Leadership Development Academy	\$25,879.50	\$25,879.50	80-200	
Michigan State Police/Organizational Development Division	Evidence Tech School	\$38,243.24	\$37,217.24	10-16	Reduce by \$1,026.00 in order to remove refreshment costs, as they are unallowable.
Michigan State Police/Forensic Science Division	Forensic Science Training	\$749,843.00	\$749,843.00	673	
Michigan State Police/Grants and Community Services Division	Victim Services Unit Training	\$37,796.25	\$37,796.25	10-15	
Monroe County Sheriff's Office	FY 2025 Monroe County Annual Training Plan	\$21,839.66	\$21,839.66	130-200	
Northern Michigan University	Law Enforcement	\$165,232.36	\$165,232.36	438-584 Unlimited	

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	Competitive Training Grant 2025			(Use of Force Simulator)	
Utica Police Department	Utica Police VR Training	\$18,930.00	\$18,930.00	40-64	
	TOTAL	\$1,574,573.81	\$1,533,008.21	5,263-7,589+ Trainees	

After Ms. Dowker read into the record the grants that were being funded, there was a discussion regarding the amount of the funds originally available, who could request the grant funds, the timeline for the next grant cycle and a request that the Commission be notified when the 2026 application process opens, so they can also remind their constituents to apply.

Executive Director Bourgeois asked AAG Sands to discuss the potential conflict of interest when voting on the grants.

AAG Sands stated based on the standards of conduct for public officers and employees, he is recommending that if any Commissioner is a member of or connected to any of the grantees, to avoid the appearance of conflict of interest or violating the statute, they should abstain from voting on such grants. He advised them when they vote to name the grants from which they abstain their vote.

A **ROLL CALL** vote was taken, and the following votes were recorded. The **MOTION** passed.

COMMISSIONER	VOTE	ABSTAIN
Commissioner Grabowski	Yes	
Commissioner Jackson	Yes	
Commissioner Johnson	Yes	Michigan State Police Grants – 5 Total
Commissioner Liebler	Yes	Michigan State Police Grants – 5 Total
Commissioner Ha	Yes	
Commissioner Lewis	Yes	
Commissioner Lymon	Yes	
Commissioner Sauger	Yes	
Commissioner Shahin	Yes	
Commissioner Saxton	Yes	
Commissioner Wickersham	Yes	
Commissioner Stachowski	Yes	
Commissioner Koster	Yes	West Michigan Criminal Justice Training Consortium grants, Grand Valley State University, Holland DPS, Kalamazoo Valley Community College
Commissioner Tanay	Yes	
Commissioner Broden	Yes	
Commissioner Hartig	Yes	

**OLD BUSINESS – NONE**

**PUBLIC COMMENT – NONE**

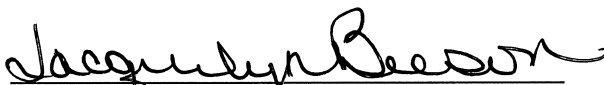
**NEXT MEETING** – The next meeting is scheduled for November 20, 2024. The location will be determined at a later date. **The Commissioners were reminded to respond promptly via email to meeting announcements whether they will be attending the commission meetings. This is very important to ensure there is a quorum for Commission action.**

**ADJOURNMENT**

A **MOTION** was made by Commissioner Broden and supported by Commissioner Wickersham to adjourn the meeting at 11:37 AM.

  
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Kimberly Koster, Chair

11/20/2024  
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Date

  
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Witness

11-20-24  
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Date