



**Commission Resolution 2015-01
Dedicated MCOLES Funding Recommendation**

WHEREAS, article XVI, section 404(1) of 2014 PA 252 requires the Commission on Law Enforcement Standards (MCOLES) to “maintain the staffing and resources necessary to exercise the authority, powers, functions, and responsibilities necessary to establish standards for the selection, employment, training, education, licensing, and revocation of all law enforcement officers and provide the basic law enforcement curriculum for law enforcement training academy programs statewide, as provided” for by statutes governing MCOLES; and

WHEREAS, article XVI, section 404(4) of 2014 PA 252 requires the MCOLES to “maintain the staffing and resources necessary to update law enforcement standards within 30 days of the effective date of new legislation”; and,

WHEREAS, since 2007 the annual revenue collections and cash earnings in funds intended to provide assistance to the criminal justice system in conducting critical training and continuing education have been steadily declining; and,

WHEREAS, Executive Order 2009-22 ordered a reduction of \$600,000.00 General Fund/General Purpose funding in the MCOLES Standards and Training appropriation that would otherwise have supported the MCOLES in meeting the mandates of 1965 PA 203, Executive Order 2001-5, 1982 PA 302 and 2014 PA 252, Article XVI, Section 404(1)(d)-(h); and

WHEREAS, in fiscal year 2010 the Legislature through the enactment of budget legislation combined all grant and administrative support funding sources for the Commission into a single appropriation and further reduced the Commission’s general fund support; and,

WHEREAS, since 2010 the MCOLES has been projecting and reporting that without a stable and dedicated funding source, remaining revenue balances in state restricted funds will be insufficient to provide for grants and disbursements in support of training, education and maintenance of critical skills for the Criminal Justice system; and,

WHEREAS, the Commission has been projecting and reporting that fund balances at the conclusion of fiscal year 2015 will be insufficient to award in-service training grants or to distribute reimbursements for basic training; and,

WHEREAS, after verifying the insufficiency of revenue to fund training grant awards and reimbursements the Commission was forced to suspend these programs in 2015 and 2016; and,

WHEREAS, amendments added to Senate Bill 92 will serve to undo the legislative changes made in 2010 thereby rendering the Commission unfunded for its primary mission of maintaining professional standards; and,

WHEREAS, in 1965 the Michigan Legislature established the Michigan Law Enforcement Officers Training Council (MLEOTC) renamed through amendment in 1998 to the Commission on Law Enforcement Standards; and,

WHEREAS, Executive Order 2001-5 created the new Michigan Commission on Law Enforcement Standards (MCOLES) transferring to it, “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; and,

WHEREAS, Executive Order 2001-5, further directs the Commission to focus its activities to: increase professionalism; increase the amount of in-service training being provided and the number of law enforcement officers who receive formal in-service training; institute law enforcement in-service training standards; 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 ensure that grants awarded by the Commission to Michigan law enforcement organizations advance these objectives; and,

WHEREAS, since the 1960’s 49 other states established boards and created standards and training organizations identical to the MCOLES in response to federal initiatives intended to establish selection, employment and training standards for law enforcement officers thereby enhancing professional standards, police community relations and public safety; and,

WHEREAS, since the initial creation of these organizations other countries and territories have also created standards and training organizations based on the MCOLES model; and,

WHEREAS, all of these organizations now come together as an international association to improve standards and training for the law enforcement profession to ensure constitutional protections and public safety; and,

WHEREAS, the current national debates on police minority relations and the recent events involving the police use of force creates an urgent training need to re-establish public trust between the law enforcement profession and the communities it serves; and,

WHEREAS, research has shown that other states fund professional standards and training organizations using dedicated funding; and,

WHEREAS, a secure, stable, dedicated funding source would allow the MCOLES to meet its statutory mandates; and,

WHEREAS, on February 11, 2015, the Commission directed that an alternative funding source be identified that would enable the MCOLES to support its mission and goals.

NOW, THEREFORE BE IT RESOLVED, that it is recommended that dedicated funding be secured by legislation assessing and collecting a fixed surcharge, in the form of an appropriate percentage, on insurance premiums sold in the State of Michigan recognizing that:

- A secure, stable, dedicated funding source would allow the MCOLES to meet all of its statutory mandates; and,
- Revenue from such surcharges would be stable over time and would keep pace with inflation; and,
- Consumers purchasing such insurance policies are the direct beneficiaries from law enforcement services regulated by MCOLES; and,
- The benefits and costs of insurance policies are distributed proportionally statewide and do not disproportionately burden specific geographic areas; and,

This funding mechanism would need to generate \$13-14 million in revenue annually to allow the MCOLES to support the delivery of training that will maintain the critical skills and competencies of all MCOLES licensed law enforcement officers.

Unanimously adopted by the Michigan Commission on Law Enforcement Standards on March 11, 2015.



Jerry Clayton, Chair