



# MCOLES

2000

## Annual Report

*35 Years of Service to  
Law Enforcement*

**Michigan Commission on  
Law Enforcement Standards**

Michigan Department of State Police  
7426 North Canal Road  
Lansing, MI 48913  
[www.mcoles.org](http://www.mcoles.org)

January 2001

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

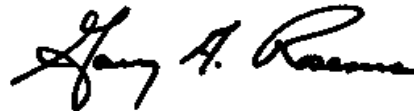
Dear Governor Engler:

As a member of the former Commission on Law Enforcement Standards and Chair of the "new" Michigan Commission on Law Enforcement Standards, it is my privilege to submit for your review the organization's FY2000 Annual Report. This will be the last annual report presented on behalf of the former Commission. The new Michigan Commission on Law Enforcement Standards, appointed November 1, 2001, anticipates submission of a report, in early 2002, that will encompass FY2001 plus the final 3 months of 2001. This will permit timely reporting of information on the consolidation of the Commission on Law Enforcement Standards with the Michigan Justice Training Commission under Executive Order 2001-5. The new Commission will present succeeding annual reports on a calendar year basis.

The FY2000 Annual Report outlines the continuing commitment of this organization to the betterment of law enforcement through standards and training. We have spent significant energy in consultation with our partners in the law enforcement community, presenting our agenda and seeking input. In so doing, we have developed the foundation for a strategic plan, reported herein, that I believe will enhance the organization's leadership during the coming decade. This report also reflects continued vigorous efforts in the implementation of responsibilities under Public Act 237 of 1998.

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 written in a cursive style with a large, stylized initial "G".

Gary Rosema  
Commission Chair

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# This is MCOLES

In 1965, the State of Michigan created the agency that is known today as the Michigan Commission on Law Enforcement Standards (MCOLES). The predecessor to MCOLES, the Michigan Law Enforcement Officers Training Council (MLEOTC), was established under Public Act 203. Over the ensuing decades, the responsibilities of this organization have grown steadily, and, consequently, the original enabling legislation has been amended nine times.

The most recent revision to Act 203 is found in Public Act 237 of 1998. This legislation renamed our organization, the Commission on Law Enforcement Standards. While the name has changed to more accurately reflect the nature of our work, the wisdom of the original architects of MLEOTC remains at the foundation of the MCOLES philosophy today. It holds that every citizen should be confident that the substantial powers of law enforcement would be exercised by persons who possess appropriate mental, physical and moral fitness.

The original **mission** of MCOLES is unchanged. Our central purpose is the development of effective law enforcement officers. The **vision** of the effective law enforcement officer, however, has evolved and changed over the years. The complexity of law enforcement duties has grown exponentially, and, hence, the ideal of an officer competent to meet the mental, physical, and moral challenges of the profession has adjusted accordingly. Today, through statewide standards, MCOLES sets the benchmark for the selection, employment, training, certification, and retention, of law enforcement officers who will meet the ever-rigorous demands of the law enforcement calling, throughout an entire career.

The original mission of MCOLES is unchanged. Our central purpose is the development of effective law enforcement officers.

## About The Commission

The Michigan Commission on Law Enforcement Standards consists of the Commission itself and the Commission's staff. The Commission is composed of 11 persons who are active members of the law enforcement community and represent its various concerns.

Michigan's Attorney General and the Director of the Department of State Police enjoy ex-officio positions on the Commission. The remaining nine members are appointed by the Governor, three representing the Michigan Sheriffs Association, three representing the Michigan Association of Chiefs of Police, one representing the Fraternal Order of Police, one representing the Police Officers Association of Michigan, and one representing the Detroit Police Officers Association.



**The Commission is composed of 11 persons who are active members of the law enforcement community and represent its various concerns.**

The Commission meets no less than four times annually to set policy regarding the selection, employment, training, certification, and retention of all law enforcement officers in Michigan.

MCOLES Commissioners invest countless hours on behalf of Michigan's law enforcement officers. Substantial amounts of time are required of Commissioners to apprise themselves of the various issues before the Commission. They frequently are asked to attend and address academy graduations. Commissioners make public speaking appearances on behalf of MCOLES. They are often called upon to represent MCOLES at meetings of the legislature, other government agencies, and at conferences of professional organizations that have a stake in law enforcement. MCOLES Commissioners must also be available to handle inquiries from their various constituencies concerning MCOLES services and policies.

During this fiscal year, MCOLES Commissioners have continued the implementation of new MCOLES mandates, which are found in the most recent amendment to the original MCOLES legislation. On July 3, 1998, Governor John Engler signed into law the Commission on Law Enforcement Standards Act. In addition to changing the organizational name to the Commission on Law Enforcement Standards this legislation introduced new responsibilities; the revocation of law enforcement certification and employment tracking of certified law enforcement officers.

## Meet the Commissioners

	<p><b>Chief Richard Butler, Chairman</b> Kalamazoo Township Police Department 1720 Riverview Drive Kalamazoo, Michigan 49004</p> <p><b><u>Representing the Michigan Association of Chiefs of Police</u></b></p>
	<p><b>Sheriff Gary Rosema, Vice Charman</b> Ottawa County Sheriff Department 12220 Fillmore Street, West Olive, Michigan 49460-8986</p> <p><b><u>Representing Michigan Sheriffs Association</u></b></p>
	<p><b>Immediate Past Chairman William Dennis</b> Office of the Attorney General 6520 Mercantile Way, Suite 3 Lansing, Michigan 48910</p> <p><b><u>Representing Attorney General Jennifer Granholm</u></b></p>
	<p><b>Mr. Jack Brown</b> Fraternal Order of Police 1200 Michigan National Tower Lansing, Michigan 48933</p> <p><b><u>Representing the Fraternal Order of Police</u></b></p>



	<p><b>Director Robert Denslow</b>  Cadillac Department of Public Safety  200 Lake Street  Cadillac, Michigan 49601</p> <p><b><u>Representing Michigan Association of Chiefs of Police</u></b></p>
	<p><b>Mr. James DeVries</b>  Police Officers Association of Michigan  27056 Joy Road  Redford, Michigan 48239-1949</p> <p><b><u>Representing the Police Officers Association of Michigan</u></b></p>
	<p><b>Sheriff Tom Edmonds</b>  Kalamazoo County Sheriff Department  1500 Lamont  Kalamazoo, Michigan 49001</p> <p><b><u>Representing the Michigan Sheriffs Association</u></b></p>
	<p><b>Chief Benny Napoleon</b>  Detroit Police Department  1300 Beaubien, Room 303  Detroit, Michigan 48226</p> <p><b><u>Representing Michigan Association of Chiefs of Police</u></b></p>
	<p><b>Major Marie L. Waalkes</b>  Representing Colonel Michael Robinson  Michigan State Police  714 South Harrison Road  East Lansing, Michigan 48823</p> <p><b><u>Michigan State Police</u></b></p>

	<p><b>Officer Richard Weaver</b>          Detroit Police Department          1938 E. Jefferson          Detroit, MI 48207</p> <p><b><u>Representing Detroit Police Officers Association</u></b></p>
	<p><b>Sheriff Henry Zavislak</b>          Jackson County Sheriff Department          212 W. Wesley Street          Jackson, Michigan 49201</p> <p><b><u>Representing Michigan Sheriffs Association</u></b></p>
	<p><b>Raymod W. Beach, Jr.</b>          Michigan Commission on Law          Enforcement Standards          7426 North Canal Road          Lansing, Michigan 48913</p> <p><b><u>Executive Director</u></b></p>

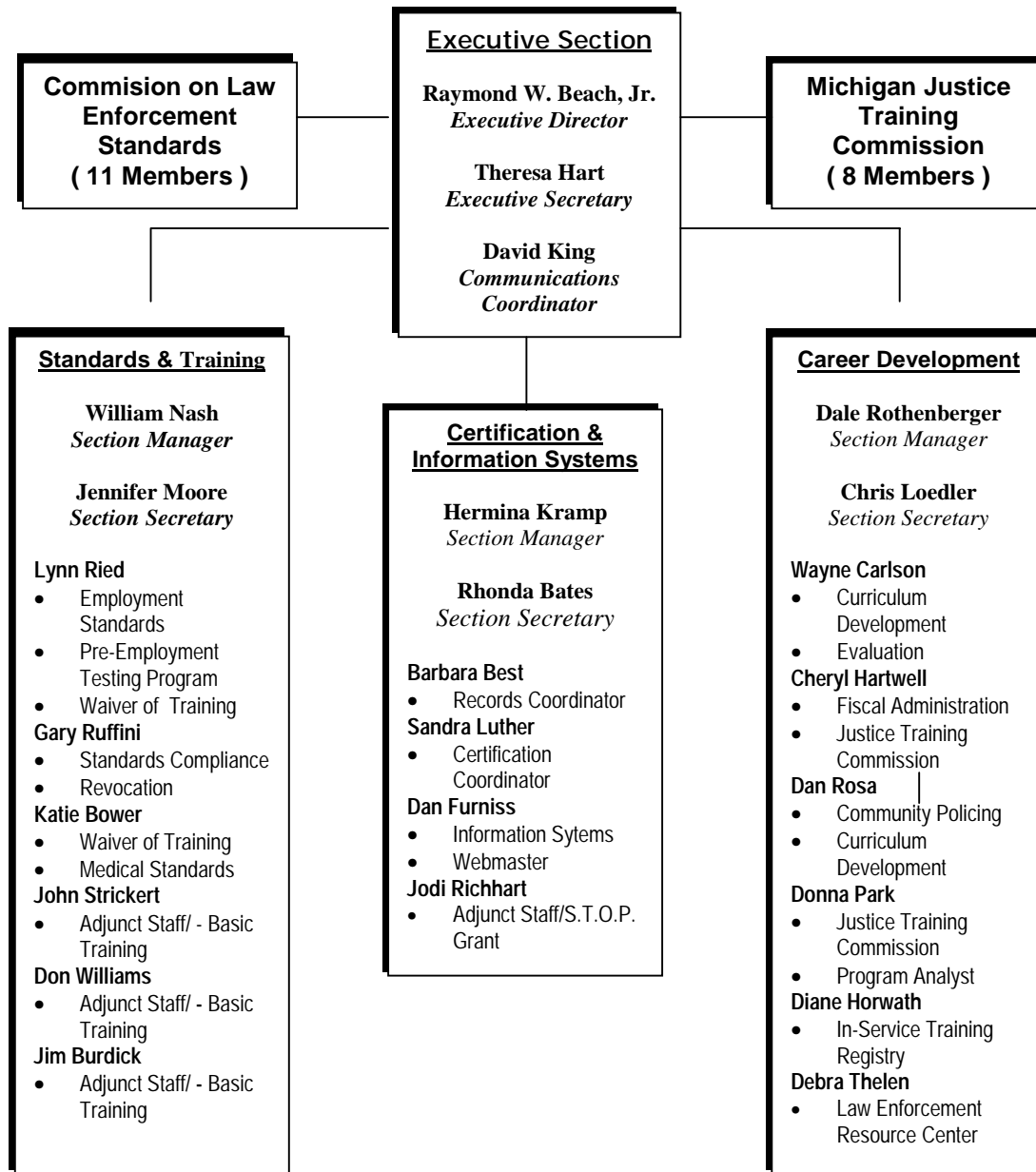
## **MCOLES Staff**

The Commission's staff carries out the work of the Commission. During the 1999-2000 fiscal year, a staff 24 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 average level of adjunct staffing during the 1999-2000 fiscal year was six. MCOLES staff offices are located at the Michigan State Police Training Academy in Lansing, Michigan.

MCOLES 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.

*The organizational structure of MCOLES reflects the consolidation of services into three sections operating under the direction of the Executive Section.*



# 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 are the common theme that runs 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.<sup>1</sup>

<b>Age</b>	Not less than 18 years
<b>Citizenship</b>	United States Citizenship
<b>Education</b>	High School Diploma or GED
<b>Felony Convictions</b>	No prior felony convictions (includes expungements)
<b>Moral Character</b>	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.
<b>Driver's License</b>	Possess a valid Michigan operator's or chauffeur's license
<b>Disorders, Diseases or Defects</b>	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.
<b>Hearing</b>	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:

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<sup>1</sup> For a 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](http://www.mcoles.org).

	500, 1000, 2000, 3000, and 4000 hertz.
<b>Height/Weight</b>	Height and weight in relation to each other as indicated by accepted medical standards
<b>Mental/Emotional Disorders</b>	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.
<b>Physical Integrity</b>	Be free from any impediment of the senses, physically sound and in possession of extremities
<b>Vision, Color</b>	Possesses normal color vision
<b>Vision, Corrected</b>	Possesses 20/20 corrected vision in each eye
<b>Vision, Normal Functions</b>	Possesses normal visual functions in each eye.
<b>Reading and Writing</b>	Pass the MCOLES reading and writing examination or an approved agency equivalent examination.
<b>Physical Agility</b>	Pass the MCOLES physical skills performance examination or an approved agency equivalent examination.
<b>Police Training</b>	Successfully complete the MCOLES mandatory basic training curriculum.
<b>Certification Examination</b>	Pass the MCOLES certification examination upon the completion of basic training.
<b>Medical Examination</b>	Examination by a licensed physician to determine that the applicant meets all medical standards.
<b>Fingerprinting</b>	The applicant must be fingerprinted with a search made of state and federal fingerprint files to disclose criminal record.
<b>Oral Interview</b>	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.
<b>Drug Testing</b>	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.

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.**

The mandated minimum Basic Training Curriculum currently stands at 494 hours and is summarized below. Projects underway during the 1999-2000 fiscal year include the development of an emergency vehicle operation standard and revision of standards in firearms and subject control.

<b>Subject Area:</b>	<b>Overall Hours</b>	<b>Topical Hours</b>
<b>ADMINISTRATIVE TIME</b>	18	
MCOLES Testing and Administration		8
Director Testing		10

<b>Subject Area:</b>	<b>Overall Hours</b>	<b>Topical Hours</b>
<b>I. INVESTIGATION (115 Hours)</b>		
<b>A. Introduction to Investigation</b>	2	
1. Constitutional Law *		2
<b>B. Substantive Criminal Law</b>	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
<b>C. Criminal Procedure</b>	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
<b>D. Investigation</b>	12	
1. On-scene Preliminary Investigation		3
2. Preliminary Witness Interviewing		4
3. Preliminary Investigation of Deaths		2
4. Suspect Identification Procedures		3
<b>E. Court Functions and Civil Law</b>	6	
1. Court Functions and Civil Law*		6
<b>F. Crime Scene Process</b>	18	
1. Crime Scene Search		6
2. Recording the Crime Scene		4
3. Collection and Preservation of Evidence		6
4. Processing Property		2
<b>G. Special Investigations</b>	8	
1. Child Abuse and Neglect Investigation		3
2. Sexual Assault Investigation		3
3. Narcotics and Dangerous Drugs		2
<b>H. Investigation of Domestic Violence</b>	14	
1. Nature and Prevalence of Domestic Violence		3
2. Laws Regarding Domestic Violence*		3
3. Domestic Violence Response Procedures		8
<b>II. Patrol Procedures (63 Hours)</b>		
<b>A. Patrol Operations</b>	8	
1. Preparation for Patrol		1
2. Radio/Telephone Communications		6
3. Patrol Operation Administrative Duties		1
<b>B. Ethics In Policing and Interpersonal Relations</b>	27	

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

<b>Subject Area:</b>	<b>Overall Hours</b>	<b>Topical Hours</b>
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
<b>C. Patrol Techniques</b>	14	
1. Types of Patrol		1
2. Patrol Area Checks		6
3. Responding to Crimes in Progress		4
4. Handling Abnormal Persons		3
<b>D. Report Writing</b>	8	
1. Obtaining Information and Preparing Reports		8
<b>E. Juveniles</b>	6	
1. Dealing With Juvenile Offenders		4
2. Dealing With the Families of Juveniles		2
<b>III. Detention and Prosecution (15 Hours)</b>		
<b>A. Receiving and Booking Process</b>	6	
1. Searching and Fingerprinting Prisoners		4
2. Dealing with the Families of Juveniles		2
<b>B. Case Prosecution</b>	8	
1. Warrant Preparation		1
2. Warrant Request and Arraignment		2
3. Preparation For Legal Proceedings		1
4. Testimony and Case Critique		4
<b>Civil Process</b>	1	
1. Civil Process		1
<b>IV. Police Skills (194 Hours)</b>		
<b>A. First Aid</b>	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>B. Firearms</b>	72	
1. Laws and Knowledge Related to Firearms Use		16
2. Firearms Skills		48
3. Firearms Range Assessment		8
<b>C. Civil Process</b>	61	
1. Mechanics of Arrest and Search		8
2. Police Tactical Techniques		5
3. Application of Subject Control		4
4. Defensive Tactics		44
<b>D. Emergency Vehicle Operation</b>	24	
1. Emergency Vehicle Operation: Legalities, Policies and Procedures		4
2. Emergency Vehicle Operation Techniques		20
<b>V. Traffic (66 Hours)</b>		



<b>Subject Area:</b>	<b>Overall Hours</b>	<b>Topical Hours</b>
<b>A. Motor Vehicle Law</b>	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>B. Vehicle Stops</b>	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
<b>C. Traffic Control and Enforcement</b>	4	
1. Traffic Direction and Control		2
2. Traffic Warnings, Citations and Arrests		2
<b>D. Operating Under the Influence of Liquor</b>	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
<b>E. Motor Vehicle Traffic Crash Investigation</b>	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
<b>VI. Special Operations (23 Hours)</b>		
<b>A. Emergency Preparedness/Disaster Control</b>	8	
1. Emergency Preparedness		6
2. Explosive Devices		2
<b>B. Civil Disorders</b>	8	
1. Civil Disorder Procedures		4
2. Techniques for Control of Civil Disorders		4
<b>C. Tactical Operations</b>	5	
1. Tactical Operations		5
<b>D. Environmental Crimes</b>	2	
1. Environmental Crimes		2

## Strategic Planning for Standards

Over the past year, 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.<sup>2</sup>**

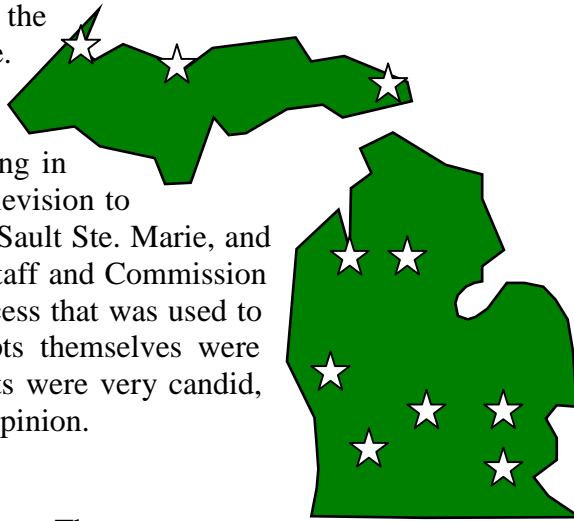
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<sup>2</sup> For more information regarding MCOLES plan to upgrade its information system, please refer to "The MCOLES Web Enabled Information System," p. 39.

## Town Hall Meetings

A series of ten Town Hall Meetings were held across the state by MCOLES staff to examine the concepts that have emerged from the MCOLES strategic planning initiative.

These meetings occurred in all regions of the state, beginning August 11, 2000, and concluding September 14, 2000. A meeting in Marquette was telecast via closed circuit television to three other meeting locations in Houghton, Sault Ste. Marie, and Traverse City. In each of these meetings, staff and Commission members explained to the audience the process that was used to develop these concepts. Then the concepts themselves were presented. In each meeting, the participants were very candid, leading to an honest exchange of ideas and opinion.



***A Consensus for Modernizing Basic Training.*** There was a consensus favoring the modernization of law enforcement training. No serious opposition was voiced. Again, some of the implementation issues associated with this concept resulted in questions that will be more appropriately addressed during the program development phase of this strategic planning effort.

The introduction of problem or experience based learning strategies was well received. The participants suggested that this type of training might reveal employee problems earlier during the learning experience as opposed to on-the-job-revelation.



The most consistent theme throughout all of the Town Hall Meetings was the lack of report writing ability by new officers. This was thoroughly discussed. Training Directors and law enforcement administrators agreed that candidates who scored in the "C" band of the MCOLES Reading and Writing examination were predictably poor report writers and the least likely to succeed through remedial training. Despite this observation, the participants indicated that higher scoring candidates were not always available, many being lured away by big business. Re-working the MCOLES report writing standard was recommended.

Accreditation of law enforcement training organizations was viewed by most academy directors with both interest and concern. The obvious concern that they shared focused on their own organization's perceived ability to meet accreditation standards. There was also some concern that accreditation would result in the loss of the "limited franchise" status of currently approved academies. The participants agreed, however, that this type of concern represented a developmental challenge, rather than a conceptual objection. With regard to the concept of accreditation, there were no serious objections.

***Enhancement of Law Enforcement Certification Supported.*** The concept of enhanced law enforcement certification was supported in the Town Hall Meetings, especially as it relates to the application of standards. There was a consensus among the participants that certification standards should follow the officer throughout an entire career. Questions that were raised regarding a graduated certification process revolved around implementation issues, i.e. union resistance, empowerment levels, and measurement of officer experience. Again, however, there was agreement that these are implementation issues that would be most effectively worked out in a development phase.

There was not a call for the addition or deletion of selection standards. The participants did, however, request strengthening of the psychological standard and improved definition of the moral character standard.

Nearly all of the discussion regarding employment standards turned to the subject of background investigation. There was a clear message from the field that MCOLES assistance is desired in this area. Many agencies are investing significant resources in background investigations only to discover, after the fact, that these efforts have duplicated those of another agency that has already investigated the candidate. Suggestions for MCOLES involvement ranged from a referral system to an MCOLES repository for background files. The referral system would inform investigators of other agencies that have notified MCOLES of background investigation underway on the same candidate. The repository would involve MCOLES warehousing background files and making disclosure to inquiring law enforcement agencies.

***In-Service Training-“Enough talk, let’s get it done.”*** There was broad support for implementation of an MCOLES In-Service Training standard integrated with the support of the Justice Training Commission. Some discussion revolved around the whether to use incentives or a mandate, however a clear direction was not established. Another suggestion concerned proficiency testing at the in-service training level. The overriding sentiment was, "Enough talk, let's get it done."

**The overriding sentiment was, "Enough talk, let's get it done".**

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

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

*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 are 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 requirements are outlined on pages 8-10 of this publication, and a summary of the basic training curriculum standards begins at page 11. Candidates are required to take two pre-employment tests; however, persons who are formerly certified law enforcement officers are not required to take these 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.<sup>3</sup> Typically, the starting point for most is taking the reading and writing examination because its passing score is valid for three years. The physical fitness examination passing scores are valid for one year.

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.<sup>4</sup> All training academies are required to teach, as a minimum, the state's 494 hour Basic Training Curriculum. At the

<sup>3</sup> Continuously updated schedules and information regarding pre-employment testing may be found at the MCOLES web site, [www.mcoles.org](http://www.mcoles.org).

<sup>4</sup> Academy listings may also be found at the MCOLES web site, [www.mcoles.org](http://www.mcoles.org).

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 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 wage 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.

**Approximately 99 % of the persons taking the state certification examination pass.**

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 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. Approximately 99% of the persons taking this examination pass. Various forms of this examination are administered to over 1200 persons annually.

## 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.

**Among the changes required by Public Act 237 is the necessity 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, have lacked a mechanism to track officer employment beyond activation of Law Enforcement Certification. The reporting requirement of Public Act 237 provides the remedy.

In order to implement the personnel tracking requirements of Public Act 237, it was essential to establish a "baseline" of Michigan's currently certified law enforcement officers and their employers. A census was required. Accordingly, MCOLES developed detailed plans to execute a one-time "Baseline Registration" operating in conjunction with the Michigan Justice Training Commission's long standing registration for P. A. 302 funds, the Law Enforcement Distribution.

Before it was conducted, the Baseline Registration process was discussed thoroughly with the various constituencies in Michigan's law enforcement community. The subject was first introduced in 1998 Stakeholder meetings. During 1999, MCOLES Commission and staff discussed this topic among law enforcement groups and in MCOLES publications. Written communications to the field included a letter, from the Executive Director, distributed via U. S. Mail and on the MCOLES web site to Michigan's chief law enforcement administrators. During 1999, two "Executive Update" publications were circulated to Michigan's law enforcement leadership, the first devoting half of its space to Baseline Registration and the second dedicating the entire issue to this matter. MCOLES leadership delivered conference presentations and passed out written materials regarding Baseline Registration to the Michigan Association of Chiefs of Police, the Michigan Sheriffs Association, the Fraternal Order of Police, the Police Officers Association of Michigan, the Police Officers Labor Council, the Michigan Association of Police and others. The topic was also discussed across the State during ten Town Hall Meetings conducted by MCOLES staff during the Summer of 1999.

## **The 2000 Baseline Registration**

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.

The preliminary results of this registration show the continuously fluctuating population of Michigan law enforcement officers and the agencies that employ them. We are in an era that has seen many retirements of the so-called “baby-boomers,” 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.

As of the end of the registration period, February 11, 2000, 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 2180 troopers. The largest law enforcement employer, the Detroit Police Department employed 4251 officers. The smallest law enforcement employer in the state employed one officer. Agencies employing fewer than 29 officers numbered 468.

The information provided by the Baseline Registration will serve law enforcement well. First, it provided a current listing of Michigan's practicing police officers and the law enforcement agencies through which they are empowered. Secondly, Baseline Registration provided law enforcement employers with verified histories of law enforcement employment in Michigan. Third, this process will eventually streamline the registration system for the Law Enforcement Distribution. Finally, this process enabled 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 is unpleasant, yet it cannot be ignored. Most ethical breaches require official action, the majority of these being handled by law enforcement employers. Some violations, however, warrant removal of the individual's ability to remain in the law enforcement profession. The most effective way to do this is revocation of law enforcement certification.

Until recently, MCOLES had few tools to address 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.



On September 24, 1998, the Commission enacted an interim policy for the receipt and processing of cases that fall within the statutory parameters outlined above. **MCOLES does not take action on ethics complaints that fall outside the statutory guidelines specified in P.A. 237.** This remains the responsibility of local authorities. Each case that falls under MCOLES' purview is investigated thoroughly, and the accused officers are afforded due process, specified under the Administrative Procedures Act of 1969.

**MCOLES does not take action on ethics complaints that fall outside the statutory guidelines specified in P.A. 237 of 1998.**

At the close of this fiscal year, 176 new cases had been reported to MCOLES, bring the total number of cases reported since the 1998 inception of revocation responsibilities to 242. It should be noted that these cases are prioritized according to the nature of the alleged violation. The most serious cases are selected for immediate attention while more routine cases are handled according to their age. The total number of cases awaiting investigation has grown moderately, as more new complaints are being reported than those being cleared. By the close of this fiscal year, investigation and due process proceedings were completed in 35 cases, resulting in 13 revocations, seven lesser actions, and 15 cases in which investigation revealed facts placing these matters outside of statutory guidelines for formal sanctioning.

# DELIVERING SERVICES THROUGH PARTNERSHIPS

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, these form the Michigan law enforcement community, the participation of which is imperative to the identification and achievement of MCOLES goals.

**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.**

While working in partnerships is the way that MCOLES fulfills its purposes, MCOLES goals are developed with a focus on our clients. MCOLES clients are the citizens of Michigan and the law enforcement officers who serve them. Law enforcement alone cannot create safe communities, yet the public rightfully expects that its police officers would be willing and capable of protecting citizens by acting on conditions that foster crime and by responding effectively to crime that has already been committed. In balance, the law enforcement officer deserves 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.

The following graphic is representative of MCOLES services and the environment in which they are developed and provided.

## Michigan Commission on Law Enforcement Standards



## Regional Basic Training Academies

The Regional Basic Training Program provides the Commission’s mandatory basic police training curriculum through the approved training facilities, allowing qualified graduates to be certified as law enforcement officers upon successful completion of the minimum selection, training, and employment standards. This 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 an additional approved session. The sessions are 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, three locations train only their own employed recruits. These local basic academies are the Michigan State Police Academy, the Detroit Metropolitan Police 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 in alphabetical order are the approved Regional/Local Basic Training locations and their respective Training Directors.

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

<p align="center"><b>Detroit Metropolitan Police Academy</b></p> <p>Inspector Crystal Harris, Director 2310 Park avenue Detroit, MI 48201-3439</p>	<p align="center"><b>Lansing Community College Criminal Justice &amp; Law Center</b></p> <p>William Martin, Director 3420 Criminal Justice Center P.O. Box 40010 Lansing, MI 48901-7210</p>
<p align="center"><b>Kirtland Community College</b></p> <p>Jerry Boerema, Director 10775 N. St. Helen Roscommon, MI 48653</p>	<p align="center"><b>Oakland Police Academy</b></p> <p>Richard Tillman, Director Oakland Community College 2900 Featherstone Road Auburn Hills, MI 48326</p>
<p align="center"><b>Wayne County Regional Police Training Academy</b></p> <p>Robert Pearce, Director Schoolcraft College 1751 Radcliff Garden City, MI 48135</p>	<p align="center"><b>Washtenaw Community College</b></p> <p>Ralph Galvin, Director 4800 E. Huron River Drive P.O. Box D-1 Ann Arbor, MI 48106-0978</p>
<p align="center"><b>Wayne County Sheriff Department</b></p> <p>Lt. Blake Hershey, Director Wayne County Community College Western Campus 9555 Haggerty Road Belleville, MI 48111</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

**The Pre-service Basic Training Track programs offer mandatory basic police training in conjunction with a degree program.**

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><b>Ferris State University</b> Law Enforcement Programs Terry Nerbonne, Director 501 Bishop Hall 1349 Cramer Circle Big Rapids, MI 49307</p>	<p><b>Kellogg Community College</b> Linda Lovechuck, Director 450 North Avenue Battle Creek, MI 49016</p>
<p><b>Lake Superior State University</b> Criminal Justice Houston Tucker, Director Sault Ste. Marie, MI 49783</p>	<p><b>Grand Rapids Community College</b> George F. Zeeff, Director 143 Bostwick, NE Grand Rapids, MI 49503</p>
<p><b>Northwestern Michigan College</b> Alan Hart, Director 1701 E. Front Street Social Sciences Division Traverse City, MI 48684</p>	<p><b>Grand Valley State University</b> Terry Fisk, Director School of Criminal Justice One Campus Drive 224 Mack Allendale, MI 49401</p>

<p><b>West Shore Community College</b>  Tom Kelly, Director  P.O. Box 227  Scottville, MI 49454</p>	<p><b>Kalamazoo Valley Community College</b>  Jeffrey Shouldice, Director  6767 West "O" Avenue, Box 4070  Kalamazoo, MI 49003-4070</p>
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## 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.**

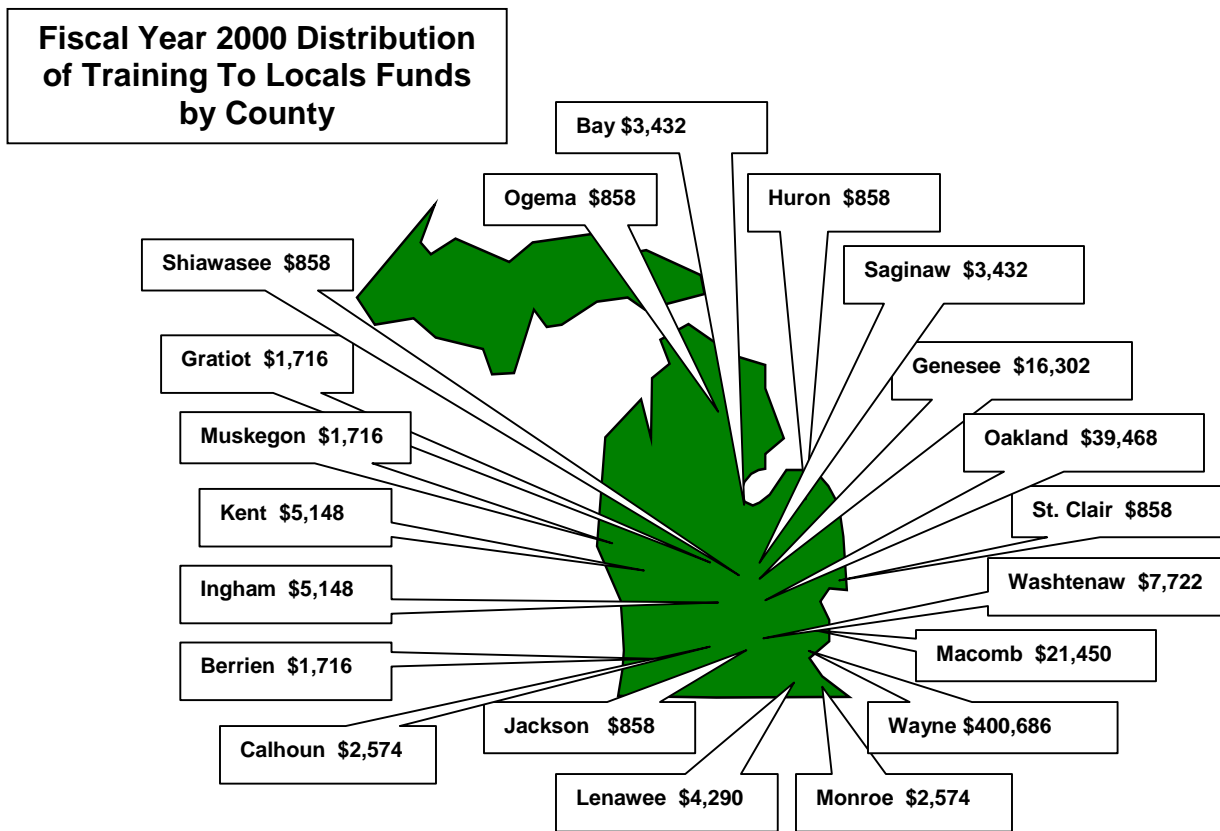
**Training to Locals is an MCOLES program which provides reimbursement to local law enforcement agencies for part of the tuition expenses of sending employed candidates to basic law enforcement training.**

The 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.

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 31<sup>st</sup> 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 31<sup>st</sup> 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 funding allocated to the Training to Locals account by the legislature 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 31<sup>st</sup> of the funding year.

The per candidate reimbursement for fiscal year 2000 was \$858. A total of \$521,664 was distributed to train 608 law enforcement officers.



## Pre-Employment Testing

The Michigan Commission on Law Enforcement Standards is charged with the responsibility to set 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 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.



## 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

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

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 pre-scribed 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 consist 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. 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.

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

## The Michigan Justice Training Commission

The MCOLES Division of the Michigan State Police is responsible for the administration of the Michigan Justice Training Commission (MJTC) which operates under P.A. 302 of 1982, as amended. MJTC provides financial support of in-service training for criminal justice agencies. Over the past two years, MJTC and MCOLES have been engaged in a close

partnership, designed to better coordinate MCOLES standards with the distribution of MJTC funding.

MJTC 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.

Public Act 302 of 1982, as amended (the Act), created the Michigan Justice Training fund and established the Michigan Justice Training Commission to administer the training fund. The Commission is composed of eight members: Captain Gene Hoekwater, representing the Michigan State Police; Chief Michael Madden, representing the Michigan Association of Chiefs of Police; Sheriff Gene Wrigglesworth, representing the Michigan Sheriffs Association; Michael Herendeen, representing the Michigan State Police Troopers' Association; F. Martin Tieber, representing the Criminal Defense Attorneys of Michigan; David Morse, representing the Prosecuting Attorneys' Association of Michigan; Sgt. Charles Powell, Detroit Police Department, representing a police agency employing 20% of the police officers in this state; and Ken Grabowski, Police Officers Association of Michigan, representing non-managerial or non-administrative officers.

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 for the direct costs of in-service criminal justice training of police officers. 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.

**MJTC provides financial support of in-service training for criminal justice agencies.**

During the fiscal year, \$4,554,792.87 was disbursed to law enforcement agencies on a per capita basis. The fall distribution provided 420 agencies with \$2,329,484.36. The per capita amount was \$119.32. The spring distribution provided 415 agencies with \$2,205,308.51. The per capita amount was \$112.51.

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 is to consider the quality and cost effectiveness of the training programs proposed by applicants for funds and the criminal justice needs of the state. This year, 84 grant applications were reviewed. Of these, 65 applications were awarded a total of \$3,212,391. The following is a breakdown of funding by category.

<b>MJTC FUNDING BY CATEGORY</b>		
<b>CATEGORY</b>	<b>NUMBER OF AWARDS</b>	<b>AMOUNT AWARDED</b>
<b>Adjudication</b>	<b>2</b>	<b>\$198,035</b>
<b>Corrections</b>	<b>13</b>	<b>\$371,850</b>
<b>Defense</b>	<b>3</b>	<b>\$272,376</b>
<b>Law Enforcement</b>	<b>46</b>	<b>\$2,074,714</b>
<b>Prosecution</b>	<b>1</b>	<b>\$295,416</b>
<b>TOTALS</b>	<b>65</b>	<b>\$3,212,391</b>

Pursuant to the 1989 amendment of the Act, MJTC 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 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](http://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 MJTC Commission activity and the availability of approved in-service training programs, MJTC news is periodically published in the MCOLES newsletter.

**For additional facts concerning the Michigan Justice Training Fund and its related program costs, please refer to “For the Record,” on page 49 of this report.**

### **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.

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 1996.

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 law enforcement personnel, statewide.

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

Fiscal year 2000 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 curricula and domestic violence policy as well as participation in the delivery of statewide domestic violence training. Under STOP grant funding, this fiscal year, the Department has begun 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 another statewide domestic violence conference. This year's conference theme was "Responding to the Need." On the training front, the Prevention Services Section 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 serves as a central repository for law enforcement training resources 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 resources 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. Recently, the Resource Center has automated its facilities and implemented a web site to enhance its customer service to all users. 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.<sup>5</sup>

## 911 Dispatcher Training

Public Act 78 of 1999 provides for funding the training of 911 emergency dispatchers. The bills impose a \$.55 surcharge charge 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.

**The Act provides that MCOLES certify courses in two categories: Basic 911 Operations Training and In-Service Training for 911 Personnel.**

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 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

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<sup>5</sup> For a summary of the year to year activity of the Law Enforcement Resource Center, please refer to “For the Records,” on page 42.

enforcement training. This approval process utilizes the both expertise of ETSC sub-committee members and the experience of MCOLES in tracking standards based training.

At the conclusion of FY 2000, the first of these funds to reach the field were distributed to eligible entities.

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

In May of 1996, the Department of State Police and MCOLES were 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 will be listed in the financial aid directory of available resources for all four and two-year schools in Michigan, and will also appear 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 fourteen applications for waiver of tuition at eleven Michigan colleges and universities.**

The program was funded for the current fiscal year in the amount of \$50,000. This year, MCOLES processed and approved seven applications for waiver of tuition at Michigan colleges and universities.

### **[www.mcoles.org](http://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](http://www.coles-online.org) the MCOLES web site is now called [www.mcoles.org](http://www.mcoles.org). In June of 2000, the web sites of the Law Enforcement Resource Center and the Michigan Justice Training Commission were consolidated within the MCOLES site, providing a single avenue for access to this broad array of information.

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.

The MCOLES web site has become a major piece in the Commission’s strategy to inform the law enforcement and criminal justice communities. MCOLES staff members continue to maintain the site, providing new information whenever it is available. Plans for the future include use of a “web-enabled” internet platform to conduct MCOLES business, “paperless.”



# Under Development

MCOLES enters each new fiscal year engaged in a number of major projects, carried over from previous years. In fact, a number of MCOLES research and development efforts span several years before implementation. The amount of time taken to develop major MCOLES programs reflects the meticulous research and development that is poured into each project. We take this approach, because each major project undertaken by MCOLES has the potential of impacting a large segment, if not all, of Michigan's law enforcement 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:*** MCOLES promulgates administrative rules to prescribe the procedures and practices of MCOLES in implementing the intent of its empowering legislation, Public Act 203 of 1965, as amended. Over the years since 1965, MCOLES has put forth administrative rules governing the basic operations of the organization. These rules have the authority of law. They are promulgated only in those areas of responsibility authorized under Act 203.

Since MCOLES Administrative Rules were last update, Act 203 has been amended, adding personnel tracking and revocation of law enforcement certification as new areas of responsibility, as well as renaming the organization. This amendment authorizes and requires the promulgation of administrative rules to implement these new areas of responsibility. Moreover, the organizational name change and procedural changes over the years make it necessary to update the existing rules.

The Commission uses a broad-based process for updating and development of MCOLES Administrative Rules. A large steering committee with representation from across the Michigan criminal justice community has been appointed to provide input regarding these rules. As of this writing, this committee has conducted an organizational meeting, and it has begun discussions regarding issues associated with various rules. The committee membership is presented below.

<b>Administrative Rules Steering Committee</b>	
<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
Mr. Jeff Happles	Augusta Police Department
Mr. Hal Berriman	Belleville Police Department
Mr. 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



## Administrative Rules Steering Committee

<u>Committee Member</u>	<u>Organization Name</u>
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	Detroit Police Department
Sheriff Don Charlevoix	Dickinson County Sheriff Department
Director Peter Gallagher	East Grand Rapids Department of Public Safety
Mr. Jeffrey Sautet	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
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

## Administrative Rules Steering Committee

<u>Committee Member</u>	<u>Organization Name</u>
Inspector Richard Darling	Mich. State Police
Mr. Gordon Gotts	Mich. State Police Tprs. Assoc.
President Mike Herendeen	Michgian 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	Personnel & Labor Relations
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 Eady	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 of 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
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 is underway to update training in the use of force and defensive tactics. The program is being built around the concept that supports the Michigan Law Enforcement Officer Subject Control Continuum. That concept embraces officer safety and holds that it is best served in a physical conflict by controlling, as opposed to defeating, the 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 will 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. At the conclusion of this fiscal year, the proposed curricula are scheduled to undergo field-testing during 2001.

***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 an 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, eventually, in the selection of sixteen subject matter experts to assist in this initiative. Beginning in March, 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. After organizing the selected competencies into a rough outline, MCOLES staff 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.

As of this writing, project testing, fine-tuning, and the development of the instructor manual are scheduled for the coming year.

***The MCOLES Web Enabled Information System:*** MCOLES spent much of this fiscal year engaged in strategic planning. At the conclusion of the year, a consensus of opinion 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. The great strides that have been made in technology not only make a statewide system possible but also 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 that now require the 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 more 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 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 seen in 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.

One of those challenges is the migration of instructors to facilitators. Adult learning strategies do not work well with instructors who insist on 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 to identify and address 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.*

<b>Meetings of the Commission FY 2000<sup>6</sup></b>	
October 5, 1999	Traverse City
December 9, 1999	Lansing
February 24, 2000	Kalamazoo
April 13, 2000	Novi
June 8, 2000	Grayling
August 24, 2000	Marquette

<b>Training Director Conferences</b>	
October 5-7, 1999	Traverse City
April 25-26, 2000	Lansing
July 8, 2000	Lansing(Strategic Planning)

## **2000 Town Hall Meeting Schedule**

During the summer of 2000 MCOLES conducted a series of "Town Hall Meetings" designed to share information on a full range of subjects, ultimately addressing MCOLES strategic planning. A significant portion of these meetings was devoted to comments from the audience.

Those who were encouraged to attend included law enforcement officers and leaders, training providers, field training officers, members of professional organizations representing the concerns of law enforcement, and risk management organizations. One meeting,

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<sup>6</sup> Two additional meetings of the Commission were conducted at Lansing within the calendar year 2000.

conducted August 24, 2000, at Marquette, was broadcast via closed circuit television to a audiences in Houghton, Sault Ste. Marie, and Traverse City.

Oakland Community College	August 11, 2000
Delta Community College	August 22, 2000
Grayling Holiday Inn	August 23, 2000
Northern Michigan University	August 24, 2000
Brownstown Township Police Department	August 29, 2000
Kalamazoo Township Police Department	August 30, 2000
Grand Rapids	September 11, 2000
Lansing	September 14, 2000

### **MCOLES FY 2000 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.....	\$ 1,328,000	15.5
Community Policing Coordination.....	\$ 160,300	3.0
Training only to local units.....	\$ 659,400	
Officer Survivor Tuition Program.....	\$ 50,000	
Michigan Justice Training Commission.....	\$ 9,010,000	4.0
<b>TOTALS.....</b>	<b>\$ 11,207,700</b>	<b>22.5</b>

<u>Revenue Source</u>	<u>Amount</u>
<b>Federal Revenues:</b>	
DOJ-OJP.....	\$ 360,000
<b>Special Revenue Funds:</b>	
Secondary Road Patrol & Training Fund.....	\$ 659,400
Michigan Justice Training Fund.....	\$ 9,010,000
State General Fund/General Purpose.....	\$ 1,178,300

<b>MCOLES Certifications by Year</b>				
<b>Type of Certificate</b>	<b>Fiscal Year 1997 October 1, 1996 to September 30, 1997</b>	<b>Fiscal Year 1998 October 1, 1997 to September 30, 1998</b>	<b>Fiscal Year 1999 October 1, 1998 to September 30, 1999</b>	<b>Fiscal Year 2000 October 1, 1999 to September 30, 2000</b>
Pre-Service - Law Enforcement Certification <sup>7</sup>	617	572	557	858
Employed - Law Enforcement Certification <sup>8</sup>	471	951	687	779
Radar Instructor	142	16	17	21
Radar Operator (Card Issued)	1360	1114	1576	4125
Specialized	468	43	225	247
Supervisory	270	173	216	243
Management	11	43	1	38
Instructor	419	242	547	1586
Advanced Instructor	187	31	15	57

<b>Revocation Investigations</b>	<b>FY 1999</b>	<b>FY 2000</b>	<b>Totals</b>
Cases Reported	66	176	<b>242</b>
Cases Completed	31	35	<b>66</b>
Revocations	11	13	<b>24</b>
Outside Statutory Guidelines / No MCOLES Action	13	15	<b>28</b>

<sup>7</sup> 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.

<sup>8</sup> 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.



<b>Training To Locals Funding by Year</b>	
<b>Fiscal Year</b>	<b>TTL Reimbursement</b>
<b>Fiscal Year 1996</b> October 1, 1995 to September 30, 1996	\$1400
<b>Fiscal Year 1997</b> October 1, 1996 to September 30, 1997	\$1050
<b>Fiscal Year 1998</b> October 1, 1997 to September 30, 1998	\$1250
<b>Fiscal Year 1999</b> October 1, 1998 to September 30, 1999	\$975
<b>Fiscal Year 2000</b> October 1, 1999 to September 30, 2000	\$858

<b>Pre-Employment Testing</b>			
<b>Fiscal Year</b>	<b>Reading &amp; Writing Examination</b>	<b>Physical Fitness Examination</b>	<b>TOTAL</b>
<b>1993-1994</b>	4,261	5,446	9,707
<b>1994-1995</b>	3,385	5,983	9,868
<b>1995-1996</b>	4,358	5,690	10,048
<b>1996-1997</b>	5,662	6,224	11,886
<b>1997-1998</b>	3,635	5,852	9,487
<b>1998-1999</b>	4,245	4,972	9,217
<b>1999-2000</b>	4198	4931	9,129

<b>Law Enforcement Resource Center Activity<sup>9</sup></b>					
<b>Activity</b>	<b>1996</b>	<b>1997</b>	<b>1998</b>	<b>1999</b>	<b>2000</b>
<b>Audio-Video Training Programs Requested</b>	2,310	2,420	2,476	1,845	1,482
<b>Audio-Video Training Program Recipients</b>	51,701	58,805	63,117	44,417	37,051
<b>Audio-Video Training Program Purchases</b>	67	54	62	67	69
<b>Training Book &amp; Periodical Purchases</b>	96	61	57	54	45
<b>Law Enforcement Training Patrons</b>	887	982	1,076	1,146	1,219

<b>FY1999 Pre-Employment Test Sites</b>	
<b>REGIONAL TEST CENTER</b>	<b>CONTACT/PHONE</b>
<b>LAKE SUPERIOR STATE UNIVERSITY</b> <b>Law Enforcement &amp; Criminal Justice</b> Sault Ste. Marie, MI 49783	Charles Ludwig Director (906) 635-2384
<b>NORTHERN MICHIGAN UNIVERSITY</b> <b>Public Safety Institute</b> 1401 Presque Isle Avenue Marquette, MI 49855	Mike Quayle Test Registrar (906) 346-4504
<b>DETROIT METROPOLITAN POLICE ACADEMY</b> 2310 Park Avenue Detroit, MI 48201	Juanita Wynn-Poole, Sgt. Test Registrar  (313) 596-2700
<b>OAKLAND COMMUNITY COLLEGE</b> <b>Criminal Justice Training Center</b> Auburn Hills Campus 2900 Featherstone Road Auburn Hills, MI 48326-2845	Norm O'Brien, Lt. Test Registrar  (248) 340-6716

<sup>9</sup> 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.

<b>FY1999 Pre-Employment Test Sites</b>	
<b>REGIONAL TEST CENTER</b>	<b>CONTACT/PHONE</b>
<b>MACOMB COMMUNITY COLLEGE</b> <b>Macomb Regional Police Academy</b> 32101 Caroline Fraser, MI 48026	Mark A. Hackel, Insp. Test Registrar  (810) 296-3987
<b>WASHTENAW COMMUNITY COLLEGE</b> <b>Public Service Training</b> 4800 East Huron River Drive Ann Arbor, MI 48106	Ralph Galvin, Director  (734) 677-5024
<b>WAYNE COUNTY REGIONAL POLICE ACADEMY</b> 1751 Radcliff Garden City, MI 48135	Robert Pearce, Director (734) 462-4783
<b>DELTA COLLEGE</b> <b>Criminal Justice Training Center</b> Room G-127 University Center, MI 48710	Jill Gallihugh Test Registrar (517) 686-9108
<b>FLINT LAW ENFORCEMENT TRAINING CENTER</b> 3420 St. John Street Flint, MI 48505	Charles Monroe or Marsha Darnell Test Registrar  (810) 766-7222
<b>GRAND RAPIDS COMMUNITY COLLEGE</b> <b>Criminal Justice Program</b> 143 Bostwick N.E. Grand Rapids, MI 49503	George Zeeff, Director  (616) 771-4113
<b>KALAMAZOO VALLEY COMMUNITY COLLEGE</b> <b>Kalamazoo Regional Recruit Academy</b> 6767 West "O" Avenue PO Box 4070 Kalamazoo, MI 49003-4070	Don Cote, Director  (616) 372-5336
<b>KIRTLAND COMMUNITY COLLEGE</b> 10775 N. St. Helen Roscommon, MI 48653	Richard Cook Test Registrar (517) 275-5619

<b>FY1999 Pre-Employment Test Sites</b>	
<b>REGIONAL TEST CENTER</b>	<b>CONTACT/PHONE</b>
<b>LANSING COMMUNITY COLLEGE</b> <b>Mid-Michigan Police Academy</b> 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 29 of this report. The following fact tables reflect further detail with regard to the Justice Training Fund.

<b>Justice Training Fund Revenue History</b>		
<b>Fiscal Year</b>	<b>Revenue</b>	<b>FTE Officers</b>
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

<b>Justice Training Fund Program Costs</b>	
Law Enforcement Distribution	\$4,752,896.58
Competitive Grants	\$3,212,391.00
Administrative Costs (Fiscal Year 99-00)	\$399,593.06
Registry/Website (Fiscal Year 99-00)	\$53,282.57
<b>Total Program Costs</b>	<b>\$8,364,880.64</b>

<b>Justice Training Fund Administrative Costs Fiscal Year 2000</b>		
<b>Category</b>	<b>Line Item Expenses</b>	<b>Totals</b>
<b>Salaries and Fringes</b>		\$246,665.77
<b>Operating Expenses</b>		\$99,644.72
Contractual Services	\$38,103.28	
Office Supplies	\$4,018.01	
Office Automation/Maintenance	\$28,485.98	
Copying/Printing	\$6,898.77	
Staff Training/Memberships	\$169.97	
Fleet Leasing	\$3,136.38	
Postage	\$4,904.98	
Meeting Space/Catering	\$5,408.62	
Civil Service Surcharge	\$3,253.25	
Travel - Commission and Staff	\$3,165.45	
Treasury Fund Management Fee	\$2,100.00	
<b>Registry/Website</b>		\$53,282.57
Salaries & Fringes	\$40,594.10	
Printing	\$9,244.24	
Postage	\$3,073.99	
Staff Training	\$189.25	
Supplies	\$180.99	
<b>Total FY00 Administrative Costs</b>		<b>\$399,593.06</b>

<b>Justice Training Fund Top Five Training Categories</b>	
Management/Supervision	\$554,070.44
Firearms/Weapons	\$373,531.96
Interpersonal Communication	\$324,224.66
General Investigation	\$410,590.13
Traffic	\$240,911.14
All Other Categories	\$2,403,076.70
<b>Total 2000 Training Program Expenditures</b>	<b>\$4,306,405.33</b>

<b>Justice Training Fund – All Categories of Training</b>					
<b>Training Category</b>	<b>Total Attendees</b>	<b>Total Hours of Training</b>	<b>Michigan Based Providers</b>	<b>Out-of-state Providers</b>	<b>Cost</b>
Community Relations	675	5,063	165	8	\$86,918.26
Computer Video	38	88	5	1	\$2,465.76
Conferences	1,141	8,752	297	85	\$316,496.39
Corrections	36	90	9	0	\$1,206.92
Crime Prevention	668	7,331	157	12	\$165,203.28
Cultural Diversity	851	1,086	80	4	\$27,896.61
Domestic Violence	457	1,908	120	10	\$54,645.95
Field Training Officer	1,100	8,476	194	3	\$159,477.10
Firearms/Weapons	7,449	17,385	637	53	\$373,531.96
First Aid	1,855	2,404	128	3	\$56,649.21
General Investigation	2,177	14,887	617	82	\$411,085.13
Interpersonal Communication	2,950	11,907	491	98	\$324,224.66
Laboratory	950	10,925	307	19	\$184,046.20
Legal	2,620	7,910	512	14	\$147,676.97
Management/Supervision	1,983	37,044	612	64	\$554,070.44

<b>Justice Training Fund – All Categories of Training</b>					
<b>Training Category</b>	<b>Total Attendees</b>	<b>Total Hours of Training</b>	<b>Michigan Based Providers</b>	<b>Out-of-state Providers</b>	<b>Cost</b>
Motor Carrier	118	1,179	48	3	\$26,010.82
Patrol Activities	3,265	18,658	685	31	\$292,490.45
Self Defense	1,306	5,249	187	29	\$152,072.40
Special Assignments	60	321	16	0	\$24,295.12
Special Crimes	1,423	5,961	312	23	\$148,243.07
Special Situations	739	2,179	112	6	\$45,025.53
Special Tactics	1,100	5,379	202	27	\$163,354.33
Stress/Trauma	889	1,911	138	15	\$63,575.79
Support Operation	2,389	8,585	273	19	\$284,832.54
Traffic	1,493	18,714	673	5	\$240,911.14
<b>Totals</b>	<b>37,732</b>	<b>203,392</b>	<b>6,977</b>	<b>614</b>	<b>\$4,306,406.03</b>

<b>Justice Training Fund</b>								
<b>Training Provided In-State vs. Training Provided Out of State</b>								
<b>Training Category</b>	<b>In-State Training Attendees</b>	<b>Out of State Training Attendees</b>	<b>In-State Training Hours</b>	<b>Out of State Training Hours</b>	<b>In-State Training Cost</b>	<b>Out-of-State Training Cost</b>	<b>Average Cost Per Hour for In-State Training</b>	<b>Average Cost Per Hour for Out-of-State Training</b>
Community Relations	673	2	5,033	30	\$94,112.10	\$2,806.15	\$1.03	\$46.77
Computer Video	38	0	88	0	\$2,465.76		\$4.83	
Conferences	1,024	0	6,111	2,641	\$164,134.76	\$152,361.63	\$11.26	\$37.70
Corrections	36	0	90	0	\$1,206.92		\$6.56	
Crime Prevention	651	17	6,979	352	\$150,603.75	\$14,599.53	\$3.61	\$25.70
Cultural Diversity	851	0	1,086	0	\$27,896.61		\$3.07	
Domestic Violence	434	23	1,636	272	\$25,876.52	\$28,769.43	\$4.15	\$44.40
Field Training Officer	1,096	4	8,372	104	\$157,031.59	\$2,445.51	\$3.89	\$16.98
Firearms/Weapons	7,433	16	16,945	440	\$353,606.68	\$19,925.28	\$0.41	\$37.17
First Aid	1,853	2	2,372	32	\$53,999.21	\$2,650.00	\$3.40	\$41.41
General Investigation	2,086	91	13,450	1,437	\$301,348.41	\$109,736.72	\$8.70	\$39.35
Interpersonal Communication	2,921	29	11,025	882	\$286,761.88	\$37,462.78	\$0.78	\$33.15
Laboratory	921	29	10,305	620	\$151,307.39	\$32,738.81	\$6.64	\$26.66
Legal	2,602	18	7,710	200	\$126,577.83	\$21,099.14	\$2.37	\$43.96
Management/Supervision	1,939	44	35,232	1,812	\$505,264.89	\$48,805.55	\$4.64	\$22.31
Motor Carrier	113	5	939	240	\$21,747.40	\$4,263.42	\$14.06	\$10.66
Patrol Activities	3,245	20	17,962	696	\$263,990.62	\$28,499.83	\$2.88	\$30.45
Self Defense	1,288	18	4,985	264	\$128,494.40	\$23,578.00	\$2.80	\$34.67
Special Assignments	60	0	321	0	\$24,295.12		\$18.02	
Special Crimes	1,405	18	5,553	408	\$120,436.67	\$27,806.40	\$6.04	\$46.97
Special Situations	725	14	2,035	144	\$26,991.53	\$18,034.00	\$2.35	\$60.93
Special Tactics	1,068	32	5,123	256	\$146,913.65	\$16,440.68	\$6.14	\$22.10
Stress/Trauma	886	3	1,863	48	\$59,281.29	\$4,294.50	\$6.32	\$53.68
Support Operation	2,364	25	7,681	904	\$251,503.65	\$33,328.89	\$4.63	\$24.22
Traffic	1,489	4	18,618	96	\$237,336.53	\$3,574.61	\$5.15	\$26.28
<b>Totals</b>	<b>37,201</b>	<b>531</b>	<b>191,514</b>	<b>11,878</b>	<b>\$3,673,185.16</b>	<b>\$633,220.87</b>	<b>\$5.35</b>	<b>\$34.55</b>



**2000 Competitive Grant Awards**

<b>Criminal Justice Category Recipient Agencies</b>	<b>Number of Awards</b>	<b>Funds Awarded</b>	<b>Percent of Category</b>	<b>Percent of Total</b>
<b>Law Enforcement</b>				
Municipal Police Depts	3	\$229,072	11%	
County Sheriff Depts	12	\$396,732	19%	
Michigan State Police	4	\$213,127	10%	
Colleges/Universities	27	\$1,235,783	60%	
<b>Law Enforcement Subtotal</b>	<b>46</b>	<b>\$2,074,714</b>		<b>65%</b>
<b>Corrections</b>				
County Sheriff Depts	5	\$81,070	22%	
Dept of Corrections	4	\$117,530	32%	
Colleges/Universities	4	\$173,250	47%	
<b>Corrections Subtotal</b>	<b>13</b>	<b>\$371,850</b>		<b>12%</b>
<b>Prosecution</b>				
Prosecuting Attys Coord Council	1	\$295,416	100%	
<b>Prosecution Subtotal</b>	<b>1</b>	<b>\$295,416</b>		<b>9%</b>
<b>Courts</b>				
Circuit/District Courts	1	\$61,459	31%	
Michigan Judicial Institute	1	\$136,576	69%	
<b>Courts Subtotal</b>	<b>2</b>	<b>\$198,035</b>		<b>6%</b>
<b>Defense</b>				
State Appellate Defender	2	\$242,804	89%	
Appellate Assigned Counsel	1	\$29,572	11%	
<b>Defense Subtotal</b>	<b>3</b>	<b>\$272,376</b>		<b>8%</b>

## Appendix A

### **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

### 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.