

**State of Michigan**  
**Michigan Commission on Law Enforcement Standards**  
**Commission Meeting Agenda**  
**MCOLES Office**

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February 15, 2023  
10:30 AM

- I.** CALL TO ORDER Chair Greg Zyburt
- II.** INTRODUCTIONS
- III.** ACCEPTANCE OF THE [November 22, 2022](#) Meeting Minutes
- IV.** ADDITIONS/CHANGES TO THE AGENDA
- V.** PUBLIC COMMENT
- VI.** CHAIR'S REPORT
- [LEO Population](#)
  - [Grant Adjustments](#)
  - [SUR Report](#)
- VII.** DIRECTOR'S REPORT
- New MCOLES Staff Members: Peter Ackerly & Tirstan Walters
  - Administrative Hearing Regarding Licensing
  - [Update on Public Safety Academy Assistance Grants](#)
  - New In-Service Training Fund
- VIII.** COMMITTEE REPORTS
- Executive Committee
- IX.** CONSENT AGENDA
- [Relinquishment](#)
  - [Revocation](#)

**X. NEW BUSINESS**

- Increase in Academy Training Hours

**XI. OLD BUSINESS**

**XII. MISCELLANEOUS**

**XIII. PUBLIC COMMENT**

**XIV. NEXT MEETING**

DATE: April 12, 2023  
LOCATION: TBD

**XV. ADJOURNMENT**

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**Michigan Commission on Law Enforcement Standards**  
**November 22, 2022**  
**Wyoming Police Department**

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**COMMISSION MEMBERS PRESENT**

Sheriff Gregory Zyburt, representing the Michigan Sheriffs' Association  
Chief Issa Shahin, representing the Michigan Association of Chiefs of Police  
Col. Michael Krumm, representing the Michigan State Police  
Mr. Jim Stachowski, representing the Police Officers Labor Council  
Mr. David Tanay, representing the Office of the Attorney General  
Sheriff Anthony Wickersham, representing the Michigan Sheriff's Association  
Director Kimberly Koster, representing the Michigan Association of Chiefs of Police  
Pastor Tellis Chapman, representing residents of the State  
Trooper Nate Johnson, representing the Michigan State Police Troopers Association  
Mr. Anthony Lewis, representing the Michigan Department of Civil Rights  
Chief Ronald Wiles, representing the Michigan Association of Chiefs of Police  
Mr. Michael Wendling, representing the Prosecuting Attorneys Association of Michigan

**COMMISSION MEMBERS ATTENDING VIRTUALLY (Non-voting)**

Mr. Michael Sauger, representing the Fraternal Order of Police  
Mr. Matthew Saxton, representing the Michigan Sheriffs' Association

**COMMISSION MEMBERS EXCUSED**

Commander Mark Bliss, representing the Detroit Police Department  
Dr. Lisa Jackson, representing residents of the State  
Pastor Jeffery Hawkins, representing residents of the State  
Mr. Arthur Weiss, representing the Criminal Defense Attorneys of Michigan  
Sheriff Matthew Saxton, representing the Michigan Sheriffs' Association  
Ms. Linda Broden, representing the Detroit Police Officers Association  
Mr. Thomas Adams, representing the residents of the State  
Mr. Ken Grabowski, representing Police Officer Association of Michigan  
Lt. Michael Hawkins, representing the Michigan Association of Police

**STAFF PRESENT (In Person)**

Mr. Timothy Bourgeois, MCOLES Executive Director  
Mr. Joseph Kempa, MCOLES Acting Deputy Executive Director  
Ms. Jacquelyn Beeson, MCOLES Staff  
Mr. Mark Sands, MCOLES Legal Counsel

**STAFF PRESENT (Virtually)**

Mr. Matt Krumbach, MCOLES Staff  
Mr. David Lee, MCOLES Staff  
Mr. Danny Rosa, MCOLES Staff  
Mr. Ben Zyber, MCOLES Staff

Ms. Rhonda Hooson, MCOLES Staff  
Ms. Kathryn Teigeler, MCOLES Staff  
Mr. Matt Robinson, MCOLES Staff  
Ms. Rachael Coy, MCOLES Staff  
Ms. Cristy Dowker, MCOLES Staff  
Mr. Brandon Williams, MCOLES Staff  
Mr. Pat Hutting, MCOLES Staff  
Ms. Gretchen Galloway, MCOLES Staff

**GUESTS ATTENDING (In Person)**

Director Andy Lindeman, Mid-Michigan Police Academy  
Chief Robert Shelide, Shelby Township Police Department  
Officer Dylan Najjar, Shelby Township Police Department  
Mr. Danni Najjar, Shelby Township Police Department  
Director Daniel McGinnis, Benton Harbor Police Department  
Dr. Mark Swan, Ferris State University  
Dr. Avesh Raghunandan, Ferris State University  
Steve Relyea, Lansing Community College  
Mr. Brad Byerle, Lake Michigan College  
Provost Ken Flowers, Lake Michigan College  
Chief William Lux, Pokagon Band of Potawatomi  
Terry McDonnell - Chief of Police, Little Traverse Bay Band of Odawa Indians  
Carter Bright – Director of Law Enforcement, Nottawaseppi Huron Band of Potawatomi  
David Crockett - Chief of Police, Grand Traverse Band of Ottawa and Chippewa Indians  
Dennis Wilkins – Director of Public Safety, Gun Lake Tribe  
Robert Medacco – Director of Public Safety, Little River Band of Ottawa Indians

**CALL TO ORDER**

The Commission meeting was called to order by Chair Greg Zybert on November 22, 2022 at 10:30 AM. The meeting was held in person in accordance with the Open Meetings Act and shared virtually via the Teams platform for staff and members of the public. Commissioners were required to attend in person.

Chair Zybert provided the following guidelines for those attending the meeting virtually:

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

## INTRODUCTIONS

Chair Zyburt introduced himself and then those attending in person did the same. He then asked Jacque to take attendance for staff members attending virtually. Finally, Commissioners and guests attending virtually had an opportunity to identify themselves for the minutes. Chair Zyburt advised they were not required to do so.

## ACCEPTANCE OF THE SEPTEMBER 14, 2022, COMMISSION MEETING MINUTES

A **MOTION** was made by Commissioner Lewis and supported by Commissioner Tanay to approve the September 14, 2022; Commission Meeting Minutes as written.

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

## ADDITIONS TO THE AGENDA

Chair Zyburt inquired if any Commissioner had any changes to the agenda. There were no changes requested by the Commissioners.

## PUBLIC COMMENT

Chair Zyburt stated this was the first opportunity to address the Commission. He inquired if there was anyone attending the meeting virtually or in-person that wanted to speak. He reminded them of their 3-minute time limit.

Danni Najjar introduced himself. He stated he started with Shelby Township as a fleet assistant. He then went into their cadet program. He had dreams of becoming a law enforcement officer and wanted to attend the academy last August. He said he learned he had a color vision deficit that disqualifies him from becoming a police officer. Danni went to Baltimore to seek assistance from Dr. Schwartz. Danni stated that Dr. Schwartz fitted him with contacts and when wearing them he can pass MCOLES vision standard. He is asking MCOLES to allow him to attend the academy.

Chief Robert Shelide, Shelby Township Police Department – Chief Shelide addressed the Commission. He spoke about the struggle of finding and hiring officers for his department. He feels with these contacts Danni can pass the vision standard and should be allowed to attend the academy.

Director Daniel McGinnis – He advised the Commission that he is the Director of Public Safety for the Benton Harbor Police Department. He stated that he is also having difficulty finding candidates to fill his vacancies. He supports Danni Najjar and feels he should be allowed to attend the academy.

## CHAIR'S REPORT

Chair Zyburt advised that the Law Enforcement Population Report for the month of October, the Grant Adjustment Report and the Special Use Report were all sent electronically to the Commissioners prior to this meeting. He added that there were slight decreases in the number

of officers and law enforcement positions for the month of October.

## DIRECTOR'S REPORT

Executive Director Bourgeois advised he had nothing specific to report. He said that the staff had been extremely busy working on different projects.

## COMMITTEE REPORTS

Executive Committee – Chair Zyburt stated that the Executive Committee held a meeting prior to the regular commission meeting this morning. They discussed the items on the agenda for this meeting.

Nominating Committee – Chair Zyburt called on Commissioner Wickersham. Chair Wickersham advised the Committee had a phone conversation to discuss potential candidates. He said the Committee recommends Commissioner Zyburt stay on for another year as Chair, as is the custom. He also said they recommend Commissioner Koster to fill the currently vacant Vice-Chair's seat (due to the Retirement of Director Ron Moore) going forward.

Commissioner Wickersham asked the Commission three times if there were any other nominations for chair. Hearing and seeing none, the nomination process was closed.

A **MOTION** was made by Commissioner Wickersham and supported by Commissioner Shahin to approve Commissioner Greg Zyburt's nomination as the chair for 2023.

A **ROLL-CALL VOTE** was taken with the following votes recorded. The **MOTION** carried.

COMMISSIONER	VOTE
Commissioner Koster	Yes
Commissioner Krumm	Yes
Commissioner Lewis	Yes
Commissioner Shahin	Yes
Commissioner Stachowski	Yes
Commissioner Tanay	Yes
Commissioner Wickersham	Yes
Commissioner Wiles	Yes
Commissioner Zyburt	Yes
Commissioner Wendling	Yes
Commissioner Chapman	Yes
Commissioner Johnson	Yes

Commissioner Wickersham advised the Nominating Committee asked Chief Kim Koster to be the Vice-Chair for next year. He then asks the Commission three times if there were any other nominations for Vice-Chair. Seeing and hearing none, the nominations were closed.

A **MOTION** was made by Commissioner Wickersham and supported by Commissioner Krumm to approve Commissioner Kim Koster's nomination as the vice-chair for next year.

A **ROLL-CALL VOTE** was taken with the following votes recorded. The **MOTION** carried.

<b>COMMISSIONER</b>	<b>VOTE</b>
Commissioner Koster	Yes
Commissioner Krumm	Yes
Commissioner Lewis	Yes
Commissioner Shahin	Yes
Commissioner Stachowski	Yes
Commissioner Tanay	Yes
Commissioner Wickersham	Yes
Commissioner Wiles	Yes
Commissioner Zyburt	Yes
Commissioner Wendling	Yes
Commissioner Chapman	Yes
Commissioner Johnson	Yes

## CONSENT AGENDA

**Relinquishments** – Executive Director Bourgeois advised the Commissioners there were a total of six relinquishments since the last meeting. He reminded the Commissioners that at any point a licensed officer can volunteer to relinquish their law enforcement license. That is what occurred in these six relinquishments, as is typically the case. The relinquishments are in association with criminal prosecution and are provided for the Commission's information. They have the same force and effect as a license revocation.

**Revocations** – Director Bourgeois stated there are two revocations for consideration and called on Assistant Attorney General Sands to explain the process and these cases. A revocation hearing in the matter of Andrew Wernette v MCOLES was convened since the last Commission Meeting. Certified records of this proceeding were provided to the commissioners electronically. Under the MCOLES Act, the Commission shall revoke a license of an officer subjected to an adjudication of guilt for a common law felony punishable by more than one year. The revocation proceeding shall be conducted as a contested case hearing under the Administrative Procedures Act. If the hearing substantiates the licensed officer was subjected to adjudication of guilt for a felony for a crime punishable by more than one year of imprisonment, the Commission shall revoke the license. In this case, the adjudication of guilt for the following offenses were substantiated at a hearing conducted on October 28<sup>th</sup> 2022:

- Controlled Substance-Maintaining a Drug House, a violation of Michigan Compiled Laws § 333.7405(d); - Misdemeanor punishable by imprisonment for not more than two years.
- Controlled Substance-Possession of Drug Analogues (two counts), a violation of Michigan Compiled Laws § 333.7403(2)(b)(ii); - Felony punishable by imprisonment for not more than two years.
- Larceny in a Building, a violation of Michigan Compiled Laws § 750.360; - Felony punishable by not more than four years imprisonment.
- Child Sexually Abusive Activity – Distributing/Promoting, a violation of Michigan Compiled Laws § 750.145c(3); - Felony punishable by imprisonment for not more than seven years.
- Child Sexually Abusive Activity-Aggravated Possession, a violation of Michigan Compiled Laws § 750.145c(4)-A1; - Felony punishable by imprisonment for not more than ten years.
- Computers – Using to Commit a Crime, a violation of Michigan Compiled Laws § 752.797(3)(f);
- Child Sexually Abusive Activity – Aggravated (two counts), a violation of Michigan Compiled Laws § 750.145c(2)(b). - - Felony punishable by imprisonment for not more than twenty-five years.

Assistant Attorney General Sands reminded the Commissioners that once the adjudication of guilt has been established, as in this case, the Commission is mandated by statute to revoke the law enforcement license.

A **MOTION** was made by Commission Zyburt and supported by Commissioner Johnson to accept the administrative law judge’s proposal for decision to revoke Andrew Wernette’s law enforcement license.

A **ROLL-CALL VOTE** was taken with the following votes recorded. The **MOTION** carried.

<b>COMMISSIONER</b>	<b>VOTE</b>
Commissioner Koster	Yes
Commissioner Krumm	Yes
Commissioner Lewis	Yes
Commissioner Shahin	Yes
Commissioner Stachowski	Yes
Commissioner Tanay	Yes
Commissioner Wickersham	Yes
Commissioner Wiles	Yes
Commissioner Zyburt	Yes
Commissioner Wendling	Yes
Commissioner Chapman	Yes
Commissioner Johnson	Yes



AAG Mark Sands again addressed the Commission. It was for the matter of Christopher Stanton v MCOLES. Certified records of this proceeding were also provided for the Commissioners review under the MCOLES Act. The Commission shall revoke a license if the officer is subjected to an adjudication of guilt for an offense punishable by more than one year imprisonment. The revocation proceeding shall be conducted as a contested case hearing under the Administrative Procedures Act. If the hearing substantiates the licensed officer was subjected to adjudication of guilt for a felony for a crime punishable by more than one year of imprisonment, the Commission shall revoke the license. In this case, the adjudication of guilt for the following offense was substantiated at a hearing conducted on February 12, 2020:

- Conspiracy to distribute controlled substances, a felony under 21 U.S.C. §§ 846, 841(a)(1) and (b)(1)(A) punishable by imprisonment for not less than 10 years or more than life.

AAG Sands reminded the Commissioners the adjudication of guilt was established in the case of Christopher Stanton and therefore the Commission is mandated to revoke the law enforcement officer license.

A **MOTION** was made by Commission Lewis and supported by Commissioner Chapman to accept the administrative law judge's proposal for decision to revoke the law enforcement license for Christopher Stanton.

A **ROLL-CALL VOTE** was taken with the following votes recorded. The **MOTION** carried.

<b>COMMISSIONER</b>	<b>VOTE</b>
Commissioner Koster	Yes
Commissioner Krumm	Yes
Commissioner Lewis	Yes
Commissioner Shahin	Yes
Commissioner Stachowski	Yes
Commissioner Tanay	Yes
Commissioner Wickersham	Yes
Commissioner Wiles	Yes
Commissioner Zyburt	Yes
Commissioner Wendling	Yes
Commissioner Chapman	Yes
Commissioner Johnson	Yes

## **NEW BUSINESS**

### **Force Continuum**

Chair Zyburt asked Commissioner Krumm to address this issue. Lt. Col. Krumm advised he has met with different colleagues across the nation, and he is noticing many of the states are moving away from force continuums as an aide to teach basic law enforcement recruits about the use of force to overcome unlawful resistance to review what we are doing in Michigan. Commissioner Krumm asked that a committee be appointed to review our current training

curriculum for the entire subject control module.

Chair Zybert agreed that this was needed. Commissioner Krumm stated that he would volunteer to sit on the committee. There was a discussion that an attorney and a working officer or an administrative chief would be good additions. Commissioner Tanay and Commissioner Wickersham were chosen by the chair to sit on the committee.

Commissioner Lewis addressed the Commission and advised he would like to be added to the committee because obviously from a civil rights perspective, African American men are more often disproportionately subjected to this force continuum. There were no objections and Commissioner Lewis was added to the committee.

Executive Director Bourgeois said the Commission's staff will begin work as soon as possible to provide information and work with the committee, however due to the number of projects underway the staff is committed to it may take a little time to be able to provide that support.

### **Commission Meeting Dates for 2023**

Chair Zybert advised the meeting dates for 2023 were sent to the Commissioners. The following were the dates chosen and the location will be decided at a future time.

- February 15, 2023
- April 12, 2023
- June 14, 2023
- September 13, 2023
- November 29, 2023

Chair Zybert asked if anyone had an objection to the dates. No one objected.

A **MOTION** was made by Commissioner Koster and supported by Commissioner Wendling to approve the meeting dates for 2023.

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

Chair Zybert reported that the dates will be posted on the MCOLES website and meeting invitations will be sent to everyone.

### **Lake Michigan College Police Academy**

Executive Director Bourgeois advised the Commission Lake Michigan College is approaching the Commission under Mich. Admin Rule R 28.14302 and asking for authorization to proceed in developing a written program proposal to establish a regional basic law enforcement academy to provide basic academy training to the growing number of employed recruits and to pre-service recruits who already meet educational requirements in the southwest portion of Michigan.

Executive Director Bourgeois provided some history to the request. He said the college had a police academy 2-3 decades ago and didn't know why they stopped. Lake Michigan College first approached the Director in 2018 and he explained the process to them. They were not ready at

that time to proceed. Following a change in leadership and a continued perceived need for a basic academy in their service area, they are now reapproaching the Commission with this request. He said there are some representatives from Lake Michigan College that would like to address the Commission.

Brad Byerle, Interim Dean, Career & Workplace Education at Lake Michigan College introduced himself and the other two individuals who also were in attendance, Dr. Kenneth Flowers, Interim Provost & VP of Academic Affairs, at Lake Michigan College, and Director Dan McGinnis from Benton Harbor DPS. He then provided some background. He first addressed the need for another academy. He made the following points:

- Their location is important. The nearest academies are 45 minutes to at least an hour away in good weather. The distance makes it difficult for the agencies in their area to send employed recruits. They surveyed 24 area law enforcement agencies and all supported LMC establishing an academy in addition to those currently in operation.
- Most of the academies already in existence are running at full capacity and more spaces are needed.
- The estimated hiring within the next five years in this area is 130+ officers. The current academies will not be able to train that many recruits.
- There is new grant program which pays for a part of the agency's costs to employ and train recruits to address the chronic shortage of law enforcement officers. This will require additional capacity at basic training academies.

Mr. Byerle added they have support from the community, the law enforcement agencies, and the college. He is aware that there may be some negative impact on the other academies but feels there is some positive impact also. Negatively, they will be competing directly with other nearby academies. However, he added they really only are looking to work with Cass, Van Buren, and Berrien Counties. He also added they plan on running only one academy per year and to do it in the summer so they wouldn't conflict with when other academies run their sessions. Positively speaking, their academy would take some of the present and anticipated greater future on the closest existing academies, which are running at full capacity.

Mr. Byerle went on to discuss the needs regarding facilities, classrooms, supplies, firing range and equipment. He then addressed numerous questions from the Commissioners which included the following topics:

- Diversity and inclusion in the academies
- Saturating S/W Michigan with academies
- Commission responsibility to force academies to expand to meet the growing demand
- Possible effects on Kalamazoo Valley Community College (LMC's academic leadership reported engaging in direct discussions with KVCC's president on this topic and how they can work cooperatively to the mutual benefit of both. He said he received a very good reception.)

A **MOTION** was made by Commissioner Krumm and supported by Commissioner Johnson to allow Lake Michigan College to continue to develop and formulate their official written proposal to establish a regional basic law enforcement training academy for future review and possible Commission action.

A **ROLL-CALL VOTE** was taken with the following votes recorded. The **MOTION** carried.

<b>COMMISSIONER</b>	<b>VOTE</b>
Commissioner Koster	Yes
Commissioner Krumm	Yes
Commissioner Lewis	Yes
Commissioner Shahin	Yes
Commissioner Stachowski	Yes
Commissioner Tanay	Yes
Commissioner Wickersham	Yes
Commissioner Wiles	Yes
Commissioner Zyburt	Yes
Commissioner Wendling	Yes
Commissioner Chapman	Yes
Commissioner Johnson	Yes

### **Michigan Tribal Law Enforcement Initiative**

Executive Director Bourgeois addressed the Commission. He said that Michigan Tribal law enforcement officers are currently eligible for licensing as a Michigan law enforcement officer under Section 28.609b of the MCOLES Act, 1965 PA 203. Tribal agencies needed some path to be able to enforce state law and the mechanism that was created is they derive their authority to enforce state law from an existing law enforcement agency who swears in their officers. This has created some issues.

- A tribal law enforcement agency only can enforce state law contingent on someone else's authority which can be removed at any time for any reason.
- Other law enforcement agency heads, primarily sheriffs, are giving law enforcement authority to people they did not hire, vet, supervise or train.
- This situation creates a potential for significant liability for the agency from which they derive their authority.

The twelve Federally recognized Michigan Tribes have formed the Michigan Tribal Law Enforcement Association (MITLEA) representing the law enforcement agencies of each Tribe. The Association is supporting a Tribal Law Enforcement Initiative that would in effect grant Tribal law enforcement agencies the power to confer Michigan law enforcement authority on their officers rather than relying on a separate Michigan Law Enforcement Agency to do this for them. This will require a legislative change and possibly a change in the MCOLES Act.

Director Bourgeois introduced Chief Bill Lux from the Pokagon Tribal Police. Chief Lux asked the other individuals with him to introduce themselves. The following individuals were present:

Terry McDonnell - Chief of Police, Little Traverse Bay Band of Odawa Indians  
Carter Bright – Director of Law Enforcement, Nottawaseppi Huron Band of Potawatomi  
David Crockett - Chief of Police, Grand Traverse Band of Ottawa and Chippewa Indians  
Dennis Wilkins – Director of Public Safety, Gun Lake Tribe  
Robert Medacco – Director of Public Safety, Little River Band of Ottawa Indians

Chief Lux reiterated that they were here today to ask for the Commission's support of the Tribal Law Enforcement Initiative that would change state law to give federally recognized tribes the authority to empower their own officers to enforcement state law. He added that all tribal officers'

state law enforcement licenses are currently activated through MCOLES and consequently they meet or exceed all MCOLES' standards, they are just required to get their authority through another agency, which can be problematic as noted previously. In addition to enforcing state law, tribal officers also enforce both federal and tribal law and must meet standards set forth by the federal Department of Justice and the Bureau of Indian Affairs.

A **MOTION** was made by Commissioner Wickersham and supported by Commissioner Tanay to support the Tribal Law Enforcement Initiative to ask the legislature to enable federally recognized tribes with law enforcement agencies to empower their officers to enforce state laws and have the executive director work with all concerned to request and effect this change.

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

## **OLD BUSINESS**

### **Color Vision Standard Update**

Executive Director Bourgeois advised the Career Development Section conducted a review of the color vision standard and the use of spectacle and contact lenses that claim to correct color vision deficits. The review was conducted in the form of open-source information, individual contact with sister peace officer and standards (POST) agencies across the nation each Commission counterpart, literature from peer reviewed journals and periodicals, federal regulations, and consultation with the Commission's subject matter experts.

The Commission uses two tests to check for color vision deficiencies. They are:

1. Ishihara Test – This test checks for total color blindness and red-green color blindness.
2. Farnsworth D-15 Test – This test is used to determine if the person has one of the three types of color vision deficiency.

Chief Robert Shelide from the Shelby Township Police Department and Mr. Danni Najjar also from the Shelby Township Police Department addressed the Commission. They stated that Mr. Najjar went to Baltimore and was fitted for a pair of contact lenses designed to help a person pass a specific test for color vision impairment.

There was a discussion regarding the lenses with Doctors Mark Swan and Avesh Raghunandan, professors of optometry at the Michigan School of Optometry at Ferris State University, who provided their expert opinions on these lenses. They stated these lenses are color shifting, but not color correcting. To summarize their opinions, Doctor Swan stated that ChromaGen lenses may enhance the subjective color experience and assist in certain color-related tasks for certain colors (such as identifying arteries versus veins in vascular surgery) but are not indicated as an aid for color vision deficiencies in occupations with color vision-related restrictions. This is important because the current job task analysis consists of 305 tasks that are common for a police officer to conduct in performance of their duties. Out of the 305 tasks there are 84 associated with color vision as part of their duties. Also, research substantiates that the use of color altering spectacles and contact lenses do not restore color vision. They simply assist a person with one color range, while simultaneously diminishing the

ability to recognize and correctly name colors in other ranges. These lenses are tinted also reduce visual acuity in low light situations which is especially problematic and dangerous for law enforcement and citizens, given that most lethal force encounters occur in low-light conditions.

The Career Development section determined there is a difference between using lenses to pass a specific color vision test and having suitable color vision to perform as an officer. The inability to sufficiently distinguish color has the potential for serious public safety concerns including the apprehension of offenders and the protection of citizens' constitutional rights because of the inability to accurately name color.

The testing protocol for the Commission's color vision standard as expressed in Mich. Admin. Rule R 28.14204 (iii)&(iv) was reviewed and discussed. The combination of the two tests allows those with mild, but not moderate or severe color vision impairment to pass the protocol. This protocol was specifically created to allow those with mild color vision impairment to pass, as color naming errors do not begin in a significant way until impairment reaches the moderate level. The chromatic lenses or contacts can be individually tuned to allow an individual with moderate or severe color vision impairment to specifically pass the Farnsworth D-15 test, which is why the administrative rule prohibits their use because as noted previously they do not correct color vision deficiencies in the way as corrective lenses can restore visual acuity, a frequently misunderstood fact.

In conclusion, it was decided that the MCOLES vision standard is appropriate and would remain unchanged. While considerable research and review on this standard occurred in 2018 and again in 2022 for this discussion, and Doctors Swan and Raghunandan said other than updating the literature review, the standards validation report the Commission performed in 2009 remains valid, Executive Director Bourgeois recommended that staff officially update the color vision standard validation report.

**MISCELLANEOUS** – None

**PUBLIC COMMENT** – None

**NEXT MEETING**

Date: February 15, 2023  
Location to be determined.

**ADJOURNMENT:**

A **MOTION** was made by Commissioner Koster to adjourn the meeting.

Approved: \_\_\_\_\_ Date \_\_\_\_\_

Witness: \_\_\_\_\_ Date \_\_\_\_\_

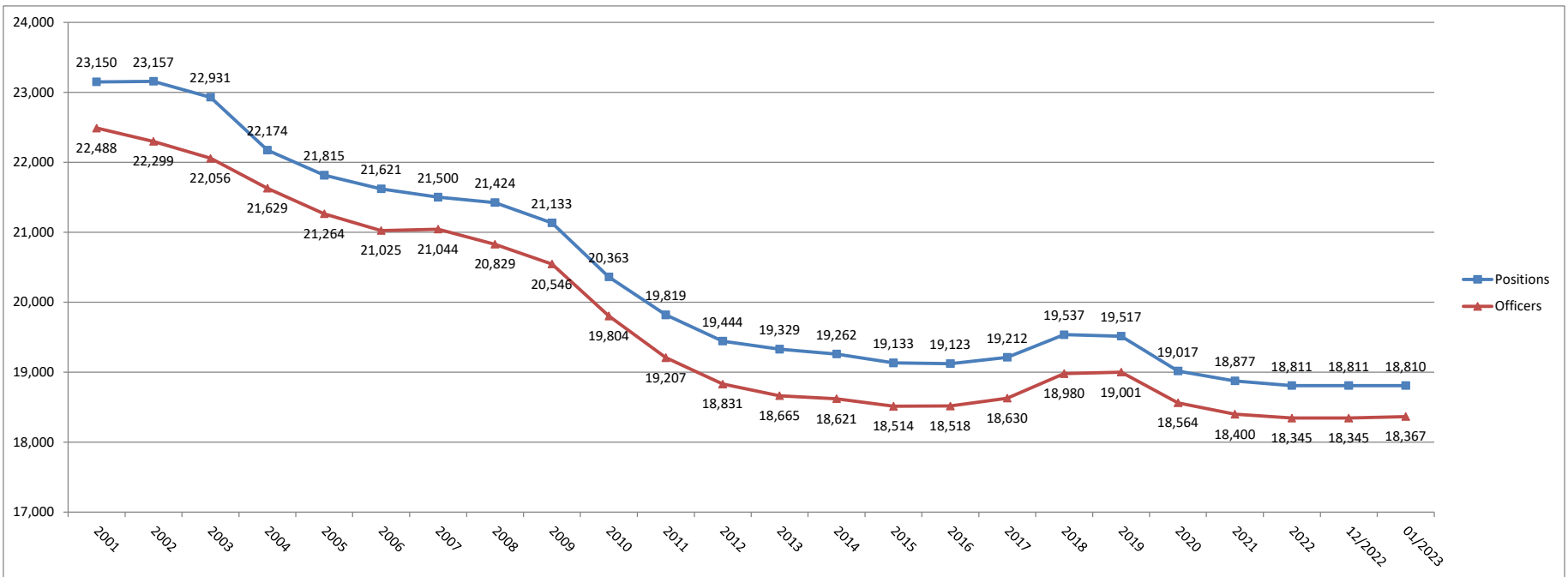
**Michigan Commission on Law Enforcement Standards  
Law Enforcement Population Trends - January 2023**

**Law Enforcement Agencies**

Year	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	12/2022	01/2023	1 Month	Overall	
Agencies	613	613	615	610	609	608	609	608	611	609	606	599	597	597	592	588	585	584	581	578	583	579	579	578	578	-1	-35

**Law Enforcement Positions and Officers<sup>1</sup>**

Year	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	12/2022	01/2023	1 Month	Overall
Positions	23,150	23,157	22,931	22,174	21,815	21,621	21,500	21,424	21,133	20,363	19,819	19,444	19,329	19,262	19,133	19,123	19,212	19,537	19,517	19,017	18,877	18,811	18,811	18,810	-1	-4,340
Officers	22,488	22,299	22,056	21,629	21,264	21,025	21,044	20,829	20,546	19,804	19,207	18,831	18,665	18,621	18,514	18,518	18,630	18,980	19,001	18,564	18,400	18,345	18,345	18,367	22	-4,121



<sup>1</sup> Positions, whether full or part time, include officers who may have multiple law enforcement employment relationships, i.e. one officer employed at two agencies counts as two positions. Historical data (2001-2021) is a snapshot of law enforcement positions taken on 12/31 of each calendar year. The 2022 data is current as of 01/31/2023.

# Grant Adjustment Requests Received Between 11-16-2022 and 02-06-2023

Agency

INGHAM COUNTY SHERIFFS OFFICE

Grant Title

Capital Region Integrated Critical Skills

Adjustment Title

Move funding between lines

Adjustment No. 4 Received 11/17/2022 Program Adjustment  Budget Adjustment

Summary

There are unexpended grant funds in both Equipment and Supplies and Operating budget columns totaling \$3,162.75

During the first three quarters of training, the Ingham County Sheriff's Office has provided a majority of instructors at every session, which depleted the personnel budget column quicker than anticipated.

This grant adjustment will reallocate any and all unused Equipment and Supplies and Operating funds to the Personnel budget.

Approved  Approved Date 11/17/2022

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Agency

INGHAM COUNTY SHERIFFS OFFICE

Grant Title

Capital Region Integrated Critical Skills

Adjustment Title

Reallocate unexpended funds

Adjustment No. 5 Received 1/3/2023 Program Adjustment  Budget Adjustment

Summary

Reallocate unexpended funds - \$2,615.27 from Supplies and Operating and \$553.48 from Equipment - for a total of \$3,168.75 to the Personnel Budget.

Approved  Approved Date 1/3/2023

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Agency

MICHIGAN JUDICIAL INSTITUTE

Grant Title

Court Support Staff Training: Legal Information v. Legal Advice

Adjustment Title

One-Year Extension

Adjustment No. 1 Received 12/20/2022 Program Adjustment  Budget Adjustment

Summary

Requesting a one-year extension to complete the grant project.

Approved  Approved Date 1/3/2023

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Agency

MICHIGAN STATE POLICE

Grant Title

Forensic Science Training

Adjustment Title

Increase Trainees

Adjustment No. 1      Received 2/2/2023      Program Adjustment       Budget Adjustment

Summary

Increase the number of students attending the Difficult Latent Print Comparisons training from 4 to 5.  
Increase the number of students attending the Advanced ACE-V Applications for Fingerprint Examiners from 4 to 5.

The total amount needed to send one additional attendee to the Difficult Latent Print Comparisons training is \$3,013.00. I am proposing moving \$3,013.00 from Comprehensive Latent Print Comparison Travel category (which will bring the balance down to \$2,293.00) to Difficult Latent Print Comparisons Travel category (which will bring the balance up to \$8,319.00). This transfer will cover the added cost and allow us to spend down the Forensic Science Training Grant.

The total amount needed to send one additional attendee to the Advanced ACE-V Applications for Fingerprint Examiners training is \$1,901.50. I am proposing moving \$1,901.50 from Comprehensive Latent Print Comparison Travel category (which will bring the balance down to \$391.50) to Advanced ACE-V Applications for Fingerprint Examiners Travel category (which will bring the balance up to \$7,107.50). This transfer will cover the added cost and allow us to spend down the Forensic Science Training Grant.

Approved       Approved Date 2/2/2023

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## **Michigan Justice Training Fund Law Enforcement Distribution**

### **SPECIAL USE REQUEST STATUS REPORT November 22, 2022 through February 15, 2023**

From November 22, 2022 through February 15, 2023 twelve (12) [Special Use Requests](#) totaling \$77,600.33 in potential law enforcement distribution expenditures were submitted to the Commission for approval. Requests were approved for a total projected expenditure of \$77,600.33.

**Michigan Commission On Law Enforcement Standards**  
**MCOLES Information and Tracking Network**  
**Special Use Requests**

**Report Parameters:**

Request Begin Date: 11/22/2022  
Request End Date: 02/15/2023  
Agency Name: All Agencies  
Request Type: All SUR Request Types

Out-of-State Training

Special Use Request No.: 6559  
Requesting Agency: DETROIT POLICE DEPARTMENT  
Training Provider: Natl. Assn. of Women Law Enforcement Executives  
Course Title: 2023 Annual NAWLEE Training Conference  
Course Location: Houston TX  
Course Dates: 04/11/2023 - 04/14/2023  
Requested Amount: \$3,399.78  
Recommended Amount \$3,399.78  
Request Date: 12/08/2022  
Commission Action:  
Commission Action Date: 02/15/2023  
Description:

2023 Conference and training for women LE executives that will include strategies. managment styles, employee interaction and discipline etc.

ATTENDEE:  
Dep. Chief Kari Sloan, Detective Bureau

Special Use Request No.: 6564  
Requesting Agency: DETROIT POLICE DEPARTMENT  
Training Provider: LEVA International  
Course Title: Adobe Premier Pro for Forensic Media  
Course Location: Dunedin FL  
Course Dates: 03/06/2023 - 03/10/2023  
Requested Amount: \$2,880.20  
Recommended Amount \$2,880.20  
Request Date: 01/05/2023  
Commission Action:  
Commission Action Date: 02/15/2023  
Description:

Latest techniques in the retrieval of date from electronic devices.

ATTENDEE:  
Sgt. Lance Sullivan, Violent Crimes

**Michigan Commission On Law Enforcement Standards**  
**MCOLES Information and Tracking Network**  
**Special Use Requests**

Out-of-State Training

Special Use Request No.: 6565  
Requesting Agency: DETROIT POLICE DEPARTMENT  
Training Provider: LEVA International  
Course Title: LEVA 2: Digital Multimedia Evidence Processing  
Course Location: Columbus WI  
Course Dates: 03/27/2023 - 03/31/2023  
Requested Amount: \$2,625.80  
Recommended Amount \$2,625.80  
Request Date: 02/01/2023  
Commission Action:  
Commission Action Date: 02/15/2023  
Description:

Latest techniques and instruction on the retrieval of digital evidence.

ATTENDEE:

PO Gary Guarino, Audio Video Evidence Response

Special Use Request No.: 6566  
Requesting Agency: DETROIT POLICE DEPARTMENT  
Training Provider: Plantation Police Dept.  
Course Title: Supervision of Forensics Units  
Course Location: Plantation FL  
Course Dates: 04/03/2023 - 04/06/2023  
Requested Amount: \$2,658.98  
Recommended Amount \$2,658.98  
Request Date: 02/07/2023  
Commission Action:  
Commission Action Date: 02/15/2023  
Description:

Training for future and present supervisors of forensic evidence unit supervisors. Personnel, discipline, records integrity, evidence management, etc.

ATTENDEE:

Sgt. Sara Jones, Crime Scene Services

**Michigan Commission On Law Enforcement Standards**  
**MCOLES Information and Tracking Network**  
**Special Use Requests**

Out-of-State Training

Special Use Request No.: 6567  
Requesting Agency: DETROIT POLICE DEPARTMENT  
Training Provider: Critical Incident Review/Studio 824 LLC  
Course Title: Enhanced Force Investigations (Certification)  
Course Location: Chandler AZ  
Course Dates: 04/04/2023 - 04/06/2023  
Requested Amount: \$8,998.00  
Recommended Amount \$8,998.00  
Request Date: 02/07/2023  
Commission Action:  
Commission Action Date: 02/15/2023

Description:

Curriculum will train supervisors, investigators and line officers in the investigations/ analysis of use of force incidents.

ATTENDEES:

CMDR. Ian Severy  
Lt. John Widmer  
Sgt. Derrick Keasley  
Cpl. Jpoe Ceravolo, All SRT

Special Use Request No.: 6568  
Requesting Agency: DETROIT POLICE DEPARTMENT  
Training Provider: Harvard John F Kennedy School of Government  
Course Title: Senior Executives in State/Local Govt.  
Course Location: Cambridge MA  
Course Dates: 06/05/2023 - 06/23/2023  
Requested Amount: \$19,337.20  
Recommended Amount \$19,337.20  
Request Date: 02/07/2023  
Commission Action:  
Commission Action Date: 02/15/2023

Description:

Intensive three and half week training for executives and leaders in state and local government at the Harvard Kennedy School, John F. Kennedy School of Government that will enhance skills in leadership, partnerships, community outreach and management.

ATTENDEE:

Cmdr. Mike McGinnis, Major Crimes

**Michigan Commission On Law Enforcement Standards**  
**MCOLES Information and Tracking Network**  
**Special Use Requests**

Out-of-State Training

Special Use Request No.: 6569  
Requesting Agency: DETROIT POLICE DEPARTMENT  
Training Provider: BJA NTTAC  
Course Title: Community Based Violence Intervention & Prevention  
Course Location: St. Louis MO  
Course Dates: 02/14/2023 - 02/16/2023  
Requested Amount: \$1,312.62  
Recommended Amount \$1,312.62  
Request Date: 02/08/2023  
Commission Action:  
Commission Action Date: 02/15/2023

Description:

Traing provides best practices for implementing violence prevention techniques and intervention activities. BJA is the Bureau of Justice Assistance.

ATTENDEE:

Cmdr. Kimberly (Logan) Blackwell, 10th Pct.

Special Use Request No.: 6558  
Requesting Agency: OAKLAND COUNTY SHERIFFS OFFICE  
Training Provider: Axon Enterprises  
Course Title: Axon Master Instructor School  
Course Location: Las Vegas NV  
Course Dates: 01/23/2023 - 01/27/2023  
Requested Amount: \$4,069.00  
Recommended Amount \$4,069.00  
Request Date: 11/30/2022  
Commission Action:  
Commission Action Date: 02/15/2023

Description:

Instructor school for investigatioins of officer involved shootings. Training will instill confidence and knowledge necessary to conduct investigations of OIS and to train new investigators/

ATTENDEE:

Dep. Donald GGreenwald, Auto Theft

**Michigan Commission On Law Enforcement Standards**  
**MCOLES Information and Tracking Network**  
**Special Use Requests**

Out-of-State Training

Special Use Request No.: 6561  
Requesting Agency: OAKLAND COUNTY SHERIFFS OFFICE  
Training Provider: ALERRT  
Course Title: First Responder Breaching  
Course Location: Maxwell TX  
Course Dates: 01/16/2023 - 01/17/2023  
Requested Amount: \$2,411.00  
Recommended Amount \$2,411.00  
Request Date: 12/20/2022  
Commission Action:  
Commission Action Date: 02/15/2022

Description:

Hands-on course to aid first responders in approaching and breaching using traditional and non-traditional methods. Includes manual, ballistic and window breaching.

ATTENDEES:

Sgt. Adam Whiting  
Dep. Scott Panin, Training Unit

Special Use Request No.: 6563  
Requesting Agency: OAKLAND COUNTY SHERIFFS OFFICE  
Training Provider: Force Science Institute  
Course Title: Force Science Certification  
Course Location: Dallas TX  
Course Dates: 02/20/2023 - 02/24/2023  
Requested Amount: \$2,818.50  
Recommended Amount \$2,818.50  
Request Date: 01/05/2023  
Commission Action:  
Commission Action Date: 02/15/2023

Description:

Training in interviewing, policy establishment, determining truth extracting memory from witnesses and participants that all have to do with force.

ATTENDEE:

Dep. Sam James, SRO

Out-of-State Training

Special Use Request No.: 6560  
Requesting Agency: WAYNE COUNTY SHERIFFS OFFICE  
Training Provider: PATC  
Course Title: Leadership Institute for 1st Line&New Supervisors  
Course Location: Texas City TX  
Course Dates: 03/06/2023 - 03/10/2023  
Requested Amount: \$2,094.25  
Recommended Amount \$2,094.25  
Request Date: 12/05/2022  
Commission Action:  
Commission Action Date: 02/15/2023  
Description:

First line supervision course covering supervision, discipline, mentoring, evaluation etc.

ATTENDEE:

Sgt. Tonya Gray, Jail Div 1

Total Out-of-State Training Requested Amount: \$52,605.33  
Total Out-of-State Training Recommended Amount: \$52,605.33

Total Training Requested Amount: \$52,605.33  
Total Training Recommended Amount: \$52,605.33

Equipment Purchase

Special Use Request No.: 6562  
Requesting Agency: DETROIT POLICE DEPARTMENT  
Equipment Description: MILO Range Advanced Interactive Training Simulator  
Requested Amount: \$24,995.00  
Year-to-Date Purchases: \$0.00  
Recommended Amount: \$24,995.00  
Request Date: 01/04/2023  
Commission Action:  
Commission Action Date: 02/15/2023  
Explanation:

To include laptop, projector, screen all cords video cable, speakers, etc.



**Michigan Commission On Law Enforcement Standards**  
**MCOLES Information and Tracking Network**  
**Special Use Requests**

Equipment Purchase

Total Equipment Purchase Requested Amount:	\$24,995.00
Total Equipment Purchase Recommended Amount:	\$24,995.00
Total Equipment Requested Amount:	\$24,995.00
Total Equipment Recommended Amount:	\$24,995.00
Total Special Use Requested Amount:	\$77,600.33
Total Special Use Recommended Amount:	\$77,600.33

# Public Safety Academy Assistance Grants

## Total Expenditures Between 11-16-2022 and 02-07-2023

### Agency Stipends

\$532,000.00

Agency	Recruits	Stipend
ADRIAN POLICE DEPARTMENT	3	\$12,000.00
ALPENA POLICE DEPARTMENT	1	\$4,000.00
ANN ARBOR POLICE DEPARTMENT	3	\$12,000.00
ANTRIM COUNTY SHERIFFS OFFICE	1	\$4,000.00
BARAGA COUNTY SHERIFFS OFFICE	2	\$8,000.00
BAY COUNTY SHERIFFS OFFICE	1	\$4,000.00
BENTON TOWNSHIP POLICE DEPARTMENT	1	\$4,000.00
BERKLEY DPS	3	\$12,000.00
BEVERLY HILLS DPS	1	\$4,000.00
BIG RAPIDS DPS	2	\$8,000.00
BIRMINGHAM POLICE DEPARTMENT	1	\$4,000.00
BOYNE CITY POLICE DEPARTMENT	1	\$4,000.00
BROWNSTOWN TOWNSHIP POLICE DEPARTMENT	1	\$4,000.00
CHARLEVOIX COUNTY SHERIFFS OFFICE	1	\$4,000.00
CHESTERFIELD TOWNSHIP POLICE DEPARTMENT	2	\$8,000.00
CLARE COUNTY SHERIFFS OFFICE	3	\$12,000.00
COLDWATER POLICE DEPARTMENT	1	\$4,000.00
DETROIT TRANSIT POLICE DEPARTMENT	2	\$8,000.00
DOWAGIAC POLICE DEPARTMENT	1	\$4,000.00
FARMINGTON DPS	2	\$8,000.00
FARMINGTON HILLS POLICE DEPARTMENT	2	\$8,000.00
FLINT POLICE DEPARTMENT	4	\$16,000.00
GARDEN CITY POLICE DEPARTMENT	1	\$4,000.00
GENESEE COUNTY SHERIFFS OFFICE	8	\$32,000.00
GLADWIN COUNTY SHERIFFS OFFICE	2	\$8,000.00
GROSSE POINTE DPS	1	\$4,000.00
HAMTRAMCK POLICE DEPARTMENT	1	\$4,000.00
HOUGHTON COUNTY SHERIFFS OFFICE	1	\$4,000.00
KALAMAZOO COUNTY SHERIFFS OFFICE	3	\$12,000.00
KALAMAZOO DPS	6	\$24,000.00
KALKASKA COUNTY SHERIFFS OFFICE	1	\$4,000.00
LAPEER COUNTY SHERIFFS OFFICE	1	\$4,000.00
LUDINGTON POLICE DEPARTMENT	1	\$4,000.00
MACOMB COMMUNITY COLLEGE POLICE DEPARTMENT	1	\$4,000.00

MACOMB COUNTY SHERIFFS OFFICE	10	\$40,000.00
MASON COUNTY SHERIFFS OFFICE	1	\$4,000.00
MONROE COUNTY SHERIFFS OFFICE	3	\$12,000.00
MONTMORENCY COUNTY SHERIFFS OFFICE	1	\$4,000.00
MOUNT MORRIS POLICE DEPARTMENT	1	\$4,000.00
MOUNT MORRIS TOWNSHIP POLICE DEPARTMENT	2	\$8,000.00
NORTON SHORES POLICE DEPARTMENT	1	\$4,000.00
NOVI POLICE DEPARTMENT	1	\$4,000.00
OAK PARK DPS	2	\$8,000.00
OAKLAND COUNTY SHERIFFS OFFICE	6	\$24,000.00
OSCEOLA COUNTY SHERIFFS OFFICE	1	\$4,000.00
PITTSFIELD TOWNSHIP DPS	2	\$8,000.00
PORT HURON POLICE DEPARTMENT	1	\$4,000.00
ROCHESTER POLICE DEPARTMENT	1	\$4,000.00
ROMULUS POLICE DEPARTMENT	2	\$8,000.00
ROSEVILLE POLICE DEPARTMENT	1	\$4,000.00
SAGINAW COUNTY SHERIFFS OFFICE	1	\$4,000.00
SANILAC COUNTY SHERIFFS OFFICE	1	\$4,000.00
SHELBY TOWNSHIP POLICE DEPARTMENT	2	\$8,000.00
SOUTHFIELD POLICE DEPARTMENT	1	\$4,000.00
ST. CLAIR COUNTY SHERIFFS OFFICE	3	\$12,000.00
ST. LOUIS POLICE DEPARTMENT	1	\$4,000.00
STANTON POLICE DEPARTMENT	1	\$4,000.00
THOMAS TOWNSHIP POLICE DEPARTMENT	1	\$4,000.00
TUSCOLA COUNTY SHERIFFS OFFICE	1	\$4,000.00
UNIVERSITY OF MICHIGAN DPS	1	\$4,000.00
WARREN POLICE DEPARTMENT	1	\$4,000.00
WASHTENAW COUNTY SHERIFFS OFFICE	1	\$4,000.00
WAYNE COUNTY SHERIFFS OFFICE	8	\$32,000.00
WEST BLOOMFIELD TOWNSHIP POLICE DEPARTMENT	2	\$8,000.00
WESTLAND POLICE DEPARTMENT	3	\$12,000.00
WEXFORD COUNTY SHERIFFS OFFICE	3	\$12,000.00

Academy Payments

\$94,800.00

Academy	Recruits	Academy Cost
DELTA COLLEGE POLICE ACADEMY	11	
KALAMAZOO REGIONAL RECRUIT ACADEMY	11	
KIRTLAND COMMUNITY COLLEGE	11	
MACOMB COMMUNITY COLLEGE	18	

MOTT COMMUNITY COLLEGE	16	\$94,800.00
OAKLAND POLICE ACADEMY	24	
WAYNE COUNTY REGIONAL POLICE TRAINING ACADEMY	36	
WEST SHORE COMMUNITY COLLEGE	6	

Recruit Other Payments

\$107,201.11

Last Name	First Name	Recruit Other	Agency
Anthony	Neko	\$519.12	KALAMAZOO DPS
Antonelli	Michael	\$443.89	MACOMB COUNTY SHERIFFS OFFICE
Ashley	Jennifer	\$351.82	OAKLAND COUNTY SHERIFFS OFFICE
Babiak	Jeremy	\$351.82	OAKLAND COUNTY SHERIFFS OFFICE
Beauchamp	Brett	\$7,930.00	HOUGHTON COUNTY SHERIFFS OFFICE
Bromley-Root	Brandon	\$519.12	KALAMAZOO DPS
Comps	Nicholas	\$7,133.54	CHEBOYGAN COUNTY SHERIFFS OFFICE
Copenhaver	Austin	\$4,675.00	TRAVERSE CITY POLICE DEPARTMENT
Cormier	Jeffery	\$328.95	BROWNSTOWN TOWNSHIP POLICE DEPARTMENT
Daniels	Harley	\$887.78	ST. CLAIR COUNTY SHERIFFS OFFICE
Denmark	Mitchell	\$363.72	OAKLAND COUNTY SHERIFFS OFFICE
Ernst	Benjamin	\$5,345.00	BOYNE CITY POLICE DEPARTMENT
Faith	Ryan	\$470.50	LIVONIA POLICE DEPARTMENT
Ford	Matthew	\$443.89	CHESTERFIELD TOWNSHIP POLICE DEPARTMENT
Foster	Owen	\$395.42	BERKLEY DPS
Fulton	Kaylee	\$519.12	KALAMAZOO DPS
Green	Neal	\$6,324.85	CHARLEVOIX COUNTY SHERIFFS OFFICE
Gustafson	James	\$8,801.83	BARAGA COUNTY SHERIFFS OFFICE
Hanson	Bryan	\$443.89	ST. CLAIR COUNTY SHERIFFS OFFICE
Hendrix	Mitchell	\$443.89	GROSSE POINTE DPS
Hisel	Kaden	\$1,155.00	COLDWATER POLICE DEPARTMENT
Hohman	Benjamin	\$645.84	PITTSFIELD TOWNSHIP DPS
Jondreau	William	\$8,801.83	BARAGA COUNTY SHERIFFS OFFICE
Klein	Brian	\$550.00	MONTMORENCY COUNTY SHERIFFS OFFICE
Kolatski	Darrin	\$7,133.54	CHEBOYGAN COUNTY SHERIFFS OFFICE
Kwiatkowski	Aaron	\$4,675.00	ALPENA POLICE DEPARTMENT
Larsen	Emily	\$375.42	BERKLEY DPS
MacKay	Dalton	\$443.89	MACOMB COUNTY SHERIFFS OFFICE
Major	Dylan	\$470.50	LIVONIA POLICE DEPARTMENT
Mark	Brian	\$443.89	MACOMB COUNTY SHERIFFS OFFICE
Maxfield	Tyler	\$498.14	PORT HURON POLICE DEPARTMENT
McLain	Frank	\$391.35	BLOOMFIELD HILLS DPS
Morales	Manuel	\$443.89	MACOMB COUNTY SHERIFFS OFFICE
Morehead	Derek	\$519.12	KALAMAZOO DPS
Morissette	Joseph	\$443.89	ST. CLAIR COUNTY SHERIFFS OFFICE

Murphy	Sean	\$443.89	HAMTRAMCK POLICE DEPARTMENT
Neubecker	Cameron	\$7,990.00	BERRIEN COUNTY SHERIFFS OFFICE
Nuckles	Mitchell	\$470.50	LIVONIA POLICE DEPARTMENT
Oman	Keegan	\$7,990.00	BERRIEN COUNTY SHERIFFS OFFICE
Peterson	Hannah	\$561.30	WEST BLOOMFIELD TOWNSHIP POLICE DEPARTMENT
Pfeiffer	Brendan	\$443.89	MACOMB COUNTY SHERIFFS OFFICE
Piasecki	Brian	\$3,008.00	BERRIEN COUNTY SHERIFFS OFFICE
Qualls	Patrick	\$443.89	MACOMB COUNTY SHERIFFS OFFICE
Raab	Maximillian	\$443.89	MACOMB COUNTY SHERIFFS OFFICE
Raschke	Rachel	\$1,130.30	BIG RAPIDS DPS
Rendon	Jhojan	\$519.12	KALAMAZOO DPS
Richardson	James	\$351.82	OAKLAND COUNTY SHERIFFS OFFICE
Root	Emily	\$351.82	OAKLAND COUNTY SHERIFFS OFFICE
Rutkowski	Colton	\$670.83	PITTSFIELD TOWNSHIP DPS
Salam	Robie	\$561.30	WEST BLOOMFIELD TOWNSHIP POLICE DEPARTMENT
Sarris	Liam	\$395.42	BERKLEY DPS
Smith	Ryan	\$378.62	OAKLAND COUNTY SHERIFFS OFFICE
Taylor	Colton	\$443.89	MACOMB COUNTY SHERIFFS OFFICE
Trinity	Ewan	\$443.89	MACOMB COMMUNITY COLLEGE POLICE DEPARTME
Washe	Matthew	\$2,503.28	SANILAC COUNTY SHERIFFS OFFICE
Weekley	Zonterio	\$519.12	KALAMAZOO DPS
Wood	Joshua	\$443.89	MACOMB COUNTY SHERIFFS OFFICE
Zeiger	Ethan	\$3,008.00	BERRIEN COUNTY SHERIFFS OFFICE

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Licensing Exam Payments

\$0.00

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Other Expenditures

\$0.00

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**Total this Period**

**\$734,001.11**



**MCOLES**  
Michigan Commission on Law Enforcement Standards

## Relinquishments Obtained

Name: Christa Amerson

### Original Charges:

Third Judicial Circuit Court, Wayne County, Michigan, Case No. 22-01239-04.  
False Pretenses between \$1,000 and \$20,000 (two counts), a felony under MCL 750.174(4)(a), punishable by imprisonment for up to five years.

Receiving and concealing stolen property between \$1,000 and \$20,000 (two counts), a felony under MCL 750.535(3)(a), punishable by imprisonment for up to five years.

Relinquishment date: October 26, 2022 (received by the Commission on 11/30/22).

Relinquishment was required as part of a plea agreement.

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Name: Daniel Waldrep

### Original Charges:

Third Judicial Circuit Court, Wayne County, Michigan, Case No. 20-004522-01-FH  
Assault with intent to do great bodily harm less than murder (two counts), a felony under MCL 750.321 punishable by imprisonment not more than 10 years.

Domestic violence, a misdemeanor under MCL 750.81(2), a misdemeanor punishable by not more than 93 days imprisonment.

Relinquishment date: January 13, 2023.

Relinquishment was required as part of a plea agreement.

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Name: Ryan Lee Carver

### Original Charges:

Third Judicial Circuit Court, Wayne County, Michigan, Case No. 22-02304,  
Malicious destruction of police property, a felony under MCL 750.377 punishable by imprisonment for up to four years under MCL 750.503.

Resisting and obstructing a police officer (two counts), a felony under MCL 750.81d(1), punishable by imprisonment for up to 2 years.

Relinquishment date: July 13, 2022 (received by the Commission on 12/9/22).

Relinquishment was required as part of a plea agreement.



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**SUBJECT: LICENSE REVOCATION**

**PURPOSE: COMMISSION ACTION**

<b>DATE</b>	<b>SECTION</b>	<b>EXECUTIVE DIRECTOR</b>	<b>AUTHOR</b>
February 15, 2023	Executive	Timothy S. Bourgeois	Mark G. Sands

### **Background**

Commission members have received a computer link to the [Proposal for Decision](#) and the [Final Decision and Order](#) in the matter of **Garrett Crowe**. This matter was heard in proceedings conducted on November 9, 2022 at a telephonic hearing at the Michigan Office of Administrative Hearings and Rules before Administrative Law Judge Thomas A. Halick.

### **Recommendation**

Commission members are requested to consider the proofs, findings of fact, and conclusions of law as set forth in the Proposal for Decision. Because Garrett Crowe’s adjudication of guilt was substantiated at the hearing through certified records, revocation is mandated by the Michigan Commission on Law Enforcement Standards Act, MCL 28.609(12)(c). Therefore, it is recommended that the Commission adopt the Proposal for Decision issued and entered by the Administrative Law Judge and revoke the license of **Garrett Crowe**.



**STATE OF MICHIGAN  
MICHIGAN OFFICE OF ADMINISTRATIVE HEARINGS AND RULES**

**IN THE MATTER OF:**

**Garrett Crowe,  
Petitioner**

**v**

**Michigan Commission on Law Enforcement  
Standards,  
Respondent**

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**Docket No.: 22-036627**

**Case No.: MCO-2021-233**

**Agency: MSP/MCOLES**

**Case Type: Sanction**

**Filing Type: License Revocation**

**Issued and entered  
this 9<sup>th</sup> day of November 2022  
by: Thomas A. Halick  
Administrative Law Judge**

**PROPOSAL FOR DECISION**

This matter concerns suspension and revocation proceedings brought by the Michigan Commission on Law Enforcement Standards, Respondent, against Garrett Crowe, Petitioner, a licensed law enforcement officer in the state of Michigan, pursuant to the Commission on Law Enforcement Standards Act (Act), MCL 28.601, *et seq.*, and the Administrative Procedures Act (APA), MCL 24.201 *et seq.*

**Procedural History**

Respondent served Petitioner with an Order of Summary Suspension and Notice of Intent to Revoke Law Enforcement Officer License (Order and Notice of Intent) on September 7, 2022. According to the Order and Notice of Intent, Respondent initiated license revocation proceedings against Petitioner under the Act based on an adjudication of guilt for a violation or attempted violation of a penal law of this state or another jurisdiction that is punishable by imprisonment for more than 1 year, as described in MCL 28.601 *et seq.* The Order and Notice of Intent notified Petitioner that he had the opportunity to show compliance with all lawful requirements to retain his license and that he may request a compliance conference by sending a written request to the Commission within 14 calendar days of the date of service of the Order and Notice of Intent. There is no indication that Petitioner submitted a written request for a compliance conference. The Order and Notice of Intent also notified Petitioner that he, "will receive a notice of hearing for the proceedings."

On September 26, 2022, Respondent forwarded the matter to the Michigan Office of Administrative Hearings and Rules (MOAHR) to schedule the hearing.

On September 26, 2022, MOAHR issued a Notice of Telephone Hearing to the interested parties which assigned the case to Administrative Law Judge (ALJ) Thomas A. Halick and scheduled a telephone hearing for October 26, 2022, at 1:30 p.m. The Notice of Telephone Hearing was issued pursuant to the Commission's allegations in the Order and Notice of Intent that Petitioner violated the Act. The Notice of Telephone Hearing was mailed to the parties' last known addresses and indicated, among other things, that "[a] party's failure to timely appear or participate in a hearing may result in a default order against the party and/or dismissal of the case."

On October 11, 2022, MOAHR received the envelope containing the Notice of Telephone Hearing that had been mailed to Petitioner's last known address; the envelope was marked by the U.S. Postal Service, stating "Return to Sender – Attempted – Not Known – Unable to Forward."

The hearing commenced by telephone as scheduled at 1:30 p.m. on October 26, 2022. Assistant Attorney General Mark G. Sands appeared on behalf of Respondent. Petitioner failed to appear. Respondent's counsel confirmed on the record that the Order and Notice of Intent was served upon Petitioner at his last known address on file with MCOLES. The ALJ confirmed that the Notice of Telephone Hearing was properly served upon Petitioner at his last known address. The record was left open for a minimum of 15 minutes. As of 1:45 p.m., it was determined that Petitioner had failed to appear for the hearing, and no one appeared on his behalf.

After determining that Petitioner was properly served with notice of the hearing, the undersigned permitted Respondent to proceed in Petitioner's absence under MCL 24.272(1).

At the hearing, Respondent's counsel moved for default against Petitioner, which was granted pursuant the APA, MCL 24.278, and Rule 134, Mich Admin Code, R 792.10134.

Sec. 72(1) of the APA states:

- (1) If a party fails to appear in a contested case after proper service of notice, the agency, if no adjournment is granted, may proceed with the hearing and make its decision in the absence of the party. MCL 24.272(1).

Section 78(2) of the APA states:

- (2) Except as otherwise provided by law, disposition may be made of a contested case by stipulation, agreed settlement, consent order, waiver, default or other method agreed upon by the parties. MCL 24.278(2).

Mich Admin Code, R 792.10134 states:

- (1) If a party fails to attend or participate in a scheduled proceeding after a properly served notice, the administrative law judge may conduct the proceedings without participation of the absent party. The administrative law judge may issue a default order or other dispositive order which shall state the grounds for the order.
- (2) Within 7 days after service of a default order, the party against whom it was entered may file a written motion requesting the order be vacated. If the party demonstrates good cause for failing to attend a hearing or failing to comply with an order, the administrative law judge may reschedule, rehear, or otherwise reconsider the matter as required to serve the interests of justice and the orderly and prompt conduct of proceedings.

### **Summary of the Evidence**

#### **Petitioner's Witnesses**

Petitioner did not testify at the hearing and did not call any witnesses.

#### **Petitioner's Exhibits**

Petitioner did not offer any exhibits.

#### **Respondent's Witnesses**

Respondent did not call any witnesses at the hearing.

#### **Respondent's Exhibits**

Respondent offered the following exhibits that were admitted into evidence:

Respondent Exhibit A      Case Details – 57<sup>th</sup> Circuit Court – Emmet County – Case ID  
2021-0000005231-FH – (Garrett Crowe).

Respondent Exhibit B      Order of Summary Suspension and Notice of Intent to Revoke Law Enforcement Officer License, dated September 7, 2022.

The record was closed at the conclusion of the October 26, 2022, hearing.

**Issue**

Whether Petitioner’s license as a law enforcement officer may be properly revoked on the grounds set forth in the Order of Summary Suspension and Notice of Intent to Revoke Law Enforcement Officer License, dated September 7, 2022, pursuant to MCL 24.292; MCL 28.609(12); and Mich Admin Code, R 28.14604.

In its Order and Notice of Intent, Respondent asserts that Petitioner was “subjected to an adjudication of guilt for an attempted violation of MCL 750.411i, a felony punishable by imprisonment for not more than 5 years, as described in section 9(12)(c) 1965 PA 203, as amended.”

**Applicable Law**

The APA, MCL 24.292, provides, in relevant part:

- (1) Before beginning proceedings for the suspension, revocation, annulment, withdrawal, recall, cancellation or amendment of a license, an agency shall give notice, personally or by mail, to the licensee of facts or conduct that warrants the intended action. The licensee shall be given an opportunity to show compliance with all lawful requirements for retention of the license ...

\* \* \*

- (2) If the agency finds that the public health, safety or welfare requires emergency action and incorporates this finding in its order, summary suspension of a license may be ordered effective on the date specified in the order or on service of a certified copy of the order on the licensee, whichever is later, and effective during the proceedings. The proceedings shall be promptly commenced and determined.

MCL 28.609 states, in relevant part:

- (12) The commission shall revoke a [law enforcement officer’s] license granted under this section for any of the following circumstances

and shall promulgate rules governing revocations under this subsection:

\* \* \*

- (c) The individual has been subjected to an adjudication of guilt for a violation or attempted violation of a penal law of this state or another jurisdiction that is punishable by imprisonment for more than 1 year.

As used in the Act, "adjudication of guilt" is defined as any of the following:

- (i) Entry of a judgment or verdict of guilty, or guilty but mentally ill, following a trial.
- (ii) Entry of a plea of guilty or nolo contendere.
- (iii) Entry of any of the adjudications specified in subparagraph (i) or (ii), in conjunction with an order entered under section 1 of chapter XI of the code of criminal procedure, 1927 PA 175, MCL 771.1, or any other order delaying sentence.
- (iv) Entry of any of the adjudications specified in subparagraph (i) or (ii), in conjunction with an assignment to the status of youthful trainee under the Holmes youthful trainee act, as provided in section 11 of chapter II of the code of criminal procedure, 1927 PA 175, MCL 762.11.
- (v) Entry of any of the adjudications specified in subparagraph (i) or (ii), in conjunction with probation under section 7411 of the public health code, 1978 PA 368, MCL 333.7411.
- (vi) Entry of any of the adjudications specified in subparagraph (i) or (ii), in conjunction with probation under section 4a of chapter IX of the code of criminal procedure, 1927 PA 175, MCL 769.4a.  
MCL 28.602(a).

Mich Admin Code R 28.14604 states:

Rule 604. (1) If an investigation discloses that a licensed person was convicted of an offense defined in MCL 28.602(f), an order of summary suspension and notice of intent to revoke shall immediately issue. A hearing shall be conducted under the provisions chapters 4 and 5 of the

administrative procedures act of 1969, MCL 24.271 to 24.291, and as provided in part 7 of these rules. A certified copy of the order of conviction shall be evidence of a felony conviction.

(2) If the hearing held under sub rule (1) of this rule substantiates that the licensed person was convicted of an offense defined in MCL 602(f), the commission shall revoke the license of a law enforcement officer.

(3) Upon notification of a final decision of license revocation, the person shall return the license immediately to the commission.

(4) A person who has had a license revoked under this rule shall not be eligible to reapply for a license as long as the felony conviction stands. For the purpose of these rules, set aside or expunged records are considered the same as a conviction.

### **Findings of Fact**

Based upon the record, including the pleadings and the exhibits entered into the record, the undersigned ALJ makes the following findings of fact:

1. Petitioner Garrett Crowe, MCOLES license number 39598, is licensed as a law enforcement officer in the state of Michigan. [Resp. Exh. B - Order and Notice of Intent].
2. On or about September 7, 2022, Respondent issued to Petitioner an Order of Summary Suspension and Notice of Intent to Revoke Law Enforcement License. [Resp. Exh. B].
3. On or about August 17, 2021, Petitioner was convicted of an attempted violation of MCL 750.411i (Aggravated Stalking) in the 57<sup>th</sup> Circuit Court, Emmet County, Docket No. 2021-5231-FH. This crime is a felony, punishable by imprisonment for not more than 5 years. [Resp. Exh. A].
4. Petitioner's adjudication of the above offense, as defined in MCL 28.609(12)(c), supports revocation of Petitioner's license.

### **CONCLUSIONS OF LAW**

The principles that govern judicial proceedings also apply to administrative hearings. *Callaghan's Michigan Pleading and Practice* §60.248, at 230 (2d ed. 1994). The burden of proof is upon Respondent to prove, by a preponderance of the evidence, that grounds exist for the imposition of sanctions upon Petitioner. A preponderance of evidence is evidence which is of a greater weight or more convincing than evidence

offered in opposition to it. It is simply that evidence which outweighs the evidence offered to oppose it. *Martucci v Ballenger*, 322 Mich 270; 33 NW2d 789 (1948).

Based on the default ruling granted for Respondent and against Petitioner under section 78(2) of the APA; section 16222(4) of the Code; and Mich Admin Code, R 792.10134(1), the factual and legal allegations set forth in the Order and Notice of Intent are taken as true and proven. Under the APA, there is no requirement for a full evidentiary hearing when all alleged facts are taken as true. *Smith v Lansing School District*, 428 Mich 248; 406 NW2d 825 (1987).

Based upon the above Findings of Fact and the exhibits admitted into evidence, Respondent has established by a preponderance of the evidence that Petitioner Garrett Crowe was subjected to an adjudication of guilt for a violation or attempted violation of a penal law of this state that is punishable by imprisonment for more than 1 year and that, in accordance with MCL 28.609(12) and Mich Admin Code R 28.14604, Petitioner's law enforcement officer's license is subject to revocation.

### **ORDER OF SUMMARY SUSPENSION**

Because Respondent has shown by a preponderance of evidence that Petitioner stands adjudicated for an offense listed in section 9 of the Act, the Order of Summary Suspension was appropriate to protect public health, safety, and welfare under MCL 24.292(2).

### **PROPOSED DECISION**

Based on the above Findings of Fact and Conclusions of Law, the undersigned Administrative Law Judge proposes that the Michigan Commission on Law Enforcement Standards:

1. Adopt the above Findings of Fact and Conclusions of Law;
2. Find that Petitioner violated section 9(12)(c) of the Act, MCL 28.609(12)(c); and
3. Revoke Petitioner's law enforcement officer's license in accordance with the Act.

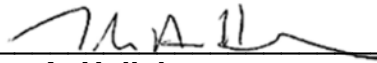
### **EXCEPTIONS**

Pursuant to MCL 24.281 and Mich Admin Code, R 792.10132, the parties may file Exceptions to this Proposal for Decision within twenty-one (21) days after it is issued and entered. An opposing party may file a response within fourteen (14) days after initial

**22-036627**

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Exceptions are filed. All Exceptions and Responses to Exceptions must state the case docket number and be filed with the Michigan Office of Administrative Hearings and Rules, P.O. Box 30695, 611 West Ottawa Street (Ottawa Building-2nd Floor), Lansing, Michigan 48909 (E-mail preferred: MOAHR-GA@michigan.gov) and served on all parties to the proceeding as listed on the attached Proof of Service. Note: Overnight Carrier Address (UPS, FedEx, DHL Deliveries): MOAHR-GA, c/o Department of Licensing and Regulatory Affairs, Mail Services, 2407 N. Grand River Avenue, Lansing, Michigan 48906.



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**Thomas A. Halick**  
**Administrative Law Judge**



**PROOF OF SERVICE**

I certify that I served a copy of the foregoing document upon all parties and/or attorneys to their last-known address in the manner specified below, this 9<sup>th</sup> day of October, 2022.



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C. Gibson

**Michigan Office of Administrative  
Hearings and Rules**

**Via Electronic Mail:**

Joseph Kempa  
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927 Centennial Way  
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Mark Sands  
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**Via First Class:**

Garrett Crowe  
4400 Billan Court  
Boyne City, MI 49712

**STATE OF MICHIGAN  
MICHIGAN COMMISSION ON LAW ENFORCEMENT STANDARDS**

<b>In the matter of</b>	<b>Docket No.: 22-036627</b>
<b>Garrett Crowe, Petitioner</b>	<b>Case No.: MCO-2021-233</b>
<b>v</b>	<b>Agency: MSP/MCOLES</b>
<b>Michigan Commission on Law Enforcement Standards, Respondent</b>	<b>Case Type: Sanction</b>
	<b>Filing Type: License Revocation</b>

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**FINAL DECISION AND ORDER**

Upon reviewing the record of the administrative proceedings in this matter, the Commission finds as follows:

**FINDINGS OF FACT**

1. Petitioner, MCOLES license number 35398, is or has been licensed as a law enforcement officer in Michigan.
2. Petitioner was convicted of an attempted violation of MCL 750.411i (Aggravated Stalking) in the 57th Circuit Court for Emmet County on August 17, 2021. Aggravated Stalking is a felony punishable by imprisonment for not more than 5 years.
3. The Michigan Commission on Law Enforcement Standards Act requires revocation for an adjudication of guilt for a violation or attempted violation of a penal law of this state that is punishable by imprisonment for more than 1 year. MCL 28.609(12)(c).

**CONCLUSIONS OF LAW**

The Commission is required to revoke Petitioner's Law Enforcement Officer License under subsection 12(c) of the Michigan Commission on Law Enforcement Standards Act, MCL 28.609(12)(c).

**IT IS ORDERED THAT** Petitioner's Law Enforcement Officer License is revoked, effective on the date below.

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Date

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Gregory Zyburt, Chair



**SUBJECT:** Behavioral Health Training for Police Academies

**PURPOSE:** Commission Information

DATE	SECTION	EXECUTIVE DIRECTOR	AUTHOR
February 8, 2023	Career Development	Timothy Bourgeois	Joseph Kempa

**Background:**

The Career Development Section has successfully completed a major development project designed to improve the behavioral health response training for basic academy recruits titled Behavioral Health Emergency Partnership Training (BHEP). The MCOLES Basic Training Curriculum and Training Objectives requires no less than 594 hours be taught in the basic law enforcement officer academies. The resulting improvements to the curriculum require an increase in training hours from no less than 594 to no less than 615.

Pilot sessions of the new curriculum and courseware included 372 first responders, including 190 police recruits have received training. It has been delivered 17 times (8 basic academy sessions, 7 in-service training classes, 2 train-the-trainer for instructors). Grand Valley State University, Washtenaw Community College, Macomb Community College, and Kirtland College police academies have all hosted for police recruits. 97% of the training recipients evaluated that the training as effective or highly effective. At present, 30 first responders are trainers.

**Issues:**

There is no instructional development burden on the academies. Curriculum, courseware, scenarios, and evaluations have been developed and piloted for effectiveness. Train-the-trainer and co-teaching sessions are available to academies to establish instructor cadres.

**Recommendations:**

The Career Development Section proposes the Commission approve increasing the State of Michigan mandated academy training hours; from no less than 594 to no less than 615 hours to accommodate the enhancement to the basic academy curriculum replacing II.C.4. The Response to Persons with Mental Disorders curriculum with BHEP curriculum and courseware. In addition, the Career Development Section recommends an increase in scenario-based training hours from no less than 13 to no less than 17 hours.

At present, the Commission has \$3.4 million available for in-service and academy training allocated for behavioral health. Career Development intends to fully fund academies for training costs associated with the implementation of the new behavioral health curriculum and courseware through fiscal year 2026.

**Recommendations (continued):**

The Career Development Section estimates one 20-hour course at \$15,000. Over a three-year period and involving 34 academy sessions per calendar year, costs for police recruit training are approximately \$1.53 million.