
Michigan Commission on Law Enforcement Standards
April 13, 2022
Schoolcraft College
Livonia, Michigan

COMMISSION MEMBERS PRESENT

Sheriff Gregory Zyburt, representing the Michigan Sheriffs' Association
Director Ronald Moore, representing the Michigan Association of Chiefs of Police
Chief Ronald Wiles, representing the Michigan Association of Chiefs of Police
Dr. Juli Liebler, representing the Michigan State Police
Mr. Jim Stachowski, representing the Police Officers Labor Council
Mr. Arthur Weiss, representing the Criminal Defense Attorneys of Michigan
Trooper Nate Johnson, representing the Michigan State Police Troopers Association
Mr. Michael Sauger, representing the Fraternal Order of Police
Mr. Anthony Lewis, representing the Michigan Department of Civil Rights
Dr. Lisa Jackson, representing residents of the State
Mr. David Tanay, representing the Office of the Attorney General
Sheriff Anthony Wickersham, representing the Michigan Sheriff's Association
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. Michael Wendling, representing the Prosecuting Attorneys Association of Michigan
Mr. Ken Grabowski, representing Police Officer Association of Michigan
Lt. Michael Hawkins, representing the Michigan Association of Police
Pastor Jeffery Hawkins, representing residents of the State

COMMISSION MEMBERS ATTENDING VIRTUALLY (Non-voting)

Deputy Matthew Hartig, representing Deputy Sheriff's Association of Michigan
Lt. Col. Michael Krumm, representing the Michigan State Police

COMMISSION MEMBERS EXCUSED

Commander Mark Bliss, representing the Detroit Police Department
Director Kimberly Koster, representing the Michigan Association of Chiefs of Police
Pastor Tellis Chapman, representing residents of the State

STAFF PRESENT (In Person)

Mr. Timothy Bourgeois, MCOLES Executive Director
Ms. Lauryl Scott, Commission Counsel
Ms. Jacquelyn Beeson, MCOLES Staff
Ms. Kayla Hanselman, MCOLES Staff

STAFF PRESENT (Virtually)

Ms. Hermina Kramp, MCOLES Deputy Executive Director
Mr. Matt Krumbach, MCOLES Staff
Mr. Leon Boyer, MCOLES Staff
Mr. Danny Rosa, MCOLES Staff
Mr. Pat Hutting, MCOLES Staff
Mr. Ben Zyber, MCOLES Staff
Mr. David Lee, MCOLES Staff
Mr. Matt Robinson, MCOLES Staff
Mr. Joe Kempa, MCOLES Staff
Mr. Josh Monte, MCOLES Staff
Ms. Cristy Dowker, MCOLES Staff

GUESTS ATTENDING (In Person)

Christina Valadez, member of the public
Rob Miller, Kellogg Community College
Andy Lindeman, Mid-Michigan Police Academy, Lansing Community College

GUESTS ATTENDING (Virtually)

Mr. Mark Sands, Office of the Attorney General – Alcohol & Gambling Enforcement Division
Mr. Donald McGehee, Office of the Attorney General – Alcohol & Gambling Enforcement Div.
Chief Jim Blocker, Battle Creek Police Department
Mr. Andrew Minegar, MIRS News

CALL TO ORDER

The Commission meeting was called to order by Chair Greg Zyburt on April 13, 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 Zyburt 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. Next, 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 February 16, 2022, COMMISSION MEETING MINUTES

A **MOTION** was made by Commissioner Moore and supported by Commissioner Grabowski to approve the February 16, 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 address the Commission. He reminded them of their 3-minute time limit.

Christina Valadez introduced herself and stated she wanted to address the Commission. She said she was at this meeting because she wanted to create change in all systems which included police, government, schools, courts, lawyers, child protective services and other services such as counseling. She said she wanted to make change because these systems had failed her. She explained that on May 28, 2019, her 11-year-old son was hit and killed by a police officer who was driving over 70 mph in a residential 30 mph zone. Ms. Valadez advised the officer was not charged in the death of her son. She feels there is a need for change that will make people accountable for their actions, including police officers. She wants justice for her son and for that to happen she feels changes need to be made. She came to this meeting to ask for guidance on how to start her movement and create change.

CHAIR'S REPORT

New Commissioners – Chair Zyburt asked each of the new Commissioners to introduce themselves and give a little background.

1. Ronald Wiles – He said he is the Chief of Police for Grand Blanc Township Police Department in Genesee County. He also serves as the President of the Michigan Association of Chiefs of Police. He added he has been with Grand Blanc Township for 26 years and the Chief for the past 6. He is honored to be on the Commission and appreciates the opportunity to serve.

2. Lt. Mike Hawkins – He stated he is a Lieutenant with the Trenton Police Department. He represents the Michigan Association of Police. He has been with the Trenton Police Department for 22 years. He has also been on his local School Board for 13 years. He is looking forward to serving on the Commission.

3. Jim Stachowski – Commissioner Stachowski stated he is the Deputy Director of the Police Officers Labor Council. He added he was with Macomb County for 25 years and retired as a lieutenant. He said he was honored to be asked to sit on the Commission.

LEO Population Report – Chair Zyburt reported the Law Enforcement Officer Population Report for the month of March was made available to the commissioners. The number of officers and the number of positions continued to decrease.

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

Special Use Requests – The Commissioners received this report via the electronic distribution.

DIRECTOR'S REPORT

Commission Counsel – Executive Director Bourgeois advised he wanted to re-introduce Lauryl Scott, our current commission counsel from the Office of the Attorney General because she had an announcement to make. Ms. Scott reminded everyone we were joined today by Division Chief Donald McGehee and AAG Mark Sands. She said one of the reasons they were here today was because this was going to be her last meeting. She has accepted a position as an Administrative Law Judge with the Michigan Office of Administrative Hearings which is part of the Michigan Department of Licensing and Regulatory Affairs. She thanked the Commissioners for being so accepting of her at these meetings. She said it has been an honor to represent the Commission these past three years.

Michigan Justice Training Fund (MJTF) – Executive Director Bourgeois stated the second topic he wanted to address was the MJTF. He reminded the Commissioners by statute, 60% of the funds must be returned to the agencies as a law enforcement distribution based on how many full-time equivalent officers they employ, known as the Law Enforcement Distribution (LED). The Commission receives these funds twice a year and likewise distributes them twice a year to the eligible agencies. The remaining 40% can be used for administrative costs or to establish competitive grants. Unfortunately, due to a lack of other funding, the Commission has had to use increasingly of the 40% portion for its basic operations, and eventually there was no remaining funds for competitive grants. Now that legislature has designated a new funding stream for the Commission's operational costs from the Marijuana Regulatory Fund, we have been able to re-establish the competitive grant program. The grant cycle runs on a calendar year and not on the state's fiscal year. Currently the solicitation is open for grant proposals for 2023. MCOLES staff held a Grant Workshop on March 24. There were 25 attendees. The meeting covered the application process. Once the grants are submitted and reviewed, they will

come back to the Commission for your consideration. There will be approximately \$2.9 million available for the 2023 grant year.

COMMITTEE REPORTS

Executive Committee – Chair Zyburt advised the Executive Committee met earlier that morning and discussed the items that were on the agenda for today's meeting.

CONSENT AGENDA

Relinquishments – Executive Director Bourgeois stated under the MCOLES Act there are certain specified conditions under which the MCOLES Act requires that a law enforcement license shall be revoked. To briefly review, it includes an adjudication of guilt for felonies (all crimes punishable by one day more than one year imprisonment) and 8 enumerated misdemeanors. In addition, fraud or misrepresentation in obtaining licensure by the applicant or a third party also mandates revocation. The MCOLES Act sets forth a revocation procedure, where due process is afforded to the licensee through an action the Commission files in the Michigan Office of Administrative Hearings system. This results in a proposal for decision issued by an administrative law judge, which is non-binding and comes before the Commission for its final decision. In some cases, the licensee would prefer not to go avail themselves of this process. If the Commission is aware of a licensee being charged with revocable offenses, the Commission's legal counsel contacts the prosecuting authority and discusses whether in the process of disposing of the case through a plea agreement, there is any interest in the voluntary relinquishment of the license. It is entirely voluntary on the licensee's part. We have two such cases for today's meeting. A relinquishment has the same legal effect as a license revocation.

- 1) Charge of embezzlement by a public official, pled guilty to a 10-year felony and relinquished his license.
- 2) Charged with 7 counts of embezzlement by a public official and relinquished his license.

This is for information only. Director Bourgeois said he wanted to keep the Commission informed of these actions. Like law enforcement officer license revocations, voluntary relinquishments are posted on the Commission's website.

NEW BUSINESS

Commission Resolution 2022-05 – Chair Greg Zyburt read into the record Commission Resolution 2022-05 honoring Ottawa Lake Fire Department Firefighter Ronald Cassada and Extending Public Safety Officer Benefits.

A **MOTION** was made by Commissioner Moore and supported by Commissioner Sauger to approve Commission Resolution 2022-05 honoring Ottawa Lake Fire Department Firefighter Ronald Cassada and Extending Public Safety Officer Benefits.

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

Commission Resolution 2022-06 – Chair Greg Zyburt read into the record Commission Resolution 2022-06 honoring fallen Livingston County Sheriff's Office Deputy Jeffrey Phillips and Extending Public Safety Officer Benefits.

A **MOTION** was made by Commissioner Saxton and supported by Commissioner Adams to approve Commission Resolution 2022-06 honoring fallen Livingston County Sheriff's Office Deputy Jeffrey Phillips and Extending Public Safety Officer Benefits.

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

Commission Resolution 2022-07 – Chair Greg Zyburt read into the record Commission Resolution 2022-07 honoring fallen Detroit Fire Department Firefighter Shayne Raxter and Extending Public Safety Officer Benefits.

A **MOTION** was made by Commissioner Broden and supported by Commissioner Moore to approve Commission Resolution 2022-07 honoring fallen Detroit Fire Department Firefighter Shayne Raxter and Extending Public Safety Officer Benefits.

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

Commission Resolution 2022-08 – Vice-Chair Ronald Moore read into the record Commission Resolution 2022-08 honoring fallen Michigan State Police Sergeant Todd Leveille and Extending Public Safety Officer Benefits.

A **MOTION** was made by Commissioner Wendling and supported by Commissioner Saxton to approve Commission Resolution 2022-08 honoring fallen Michigan State Police Sergeant Todd Leveille and Extending Public Safety Officer Benefits.

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

Commission Resolution 2022-09 – Vice-Chair Ronald Moore read into the record Commission Resolution 2022-09 honoring fallen Flint Police Department Captain Collin Birnie and Extending Public Safety Officer Benefits.

A **MOTION** was made by Commissioner Stachowski and supported by Commissioner Wiles to approve Commission Resolution 2022-09 honoring fallen Flint Police Department Captain Collin Birnie and Extending Public Safety Officer Benefits.

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

Commission Resolution 2022-10 – Vice-Chair Ronald Moore read into the record Commission Resolution 2022-10 honoring fallen Michigan Department of Corrections Sergeant Armando Gonzalez and Extending Public Safety Officer Benefits.

A **MOTION** was made by Commissioner Wickersham and supported by Commissioner Grabowski to approve Commission Resolution 2022-10 honoring fallen Michigan Department of Corrections Sergeant Armando Gonzalez and Extending Public Safety Officer Benefits.

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

Civilian Oversight of Law Enforcement – Chair Zyburt called on Commissioner Jackson to lead the discussion.

Commissioner Jackson stated she thought the Commission was a perfect audience to talk about civilian law enforcement oversight committees and boards, what they are and are not. Some of her key points were as follows:

- Civilian oversight is different in every community.
- It gives the public a better understanding of the police.
- It provides the public with information on topics such as policy and procedures and budget considerations.
- There are several types of Civilian Oversight Committees that range from those within a city municipality or police agency and are funded all the way to volunteer agencies.
- All individuals who sit on these groups should receive training from a national organization and from local agencies.
- Transparency between civilians and police is vital and oversight committees facilitate this transparency.
- Good committees are an asset to the community.
- The number of Oversight Committees are increasing and can start from:
 - An event
 - A local ordinance
 - A state statute
- To be an effective Oversight Committee, the following are important:
 - independence
 - access to records,
 - an established relationship with Internal Affairs/Professional Standards,
 - adequate funding,
 - community outreach and involvement and;
 - allows the public to view law enforcement as honest, reliable, and trustworthy

Discussion followed on the concept of oversight groups.

Kellogg Community College Regional Academy Request – Chair Zyburt called on Mr. Rob Miller. Mr. Miller introduced himself as the Director of Kellogg Community College's Department of Public Safety education and oversees the EMS and criminal justice programs.

Mr. Miller explained Kellogg Community College currently operates a pre-service track program. It is designed for recruits who cannot attend a regional academy because they have employment, family or other obligations that do not comport with the daily regional academy schedule. In a track program, the recruits attend college classes and in the final two semesters attend classes that provide the MCOLES curriculum. At the conclusion, they have obtained their two- or four-year degree and are eligible to take the licensing exam. Mr. Miller said the track program fills a unique and specific need, providing a path to law enforcement licensure for individuals who otherwise

cannot pause their employment or other obligations to obtain it. He said the college is committed to maintaining the track program, however, enrollment has been declining with the advent in popularity of agencies employing recruits and sending them to regional academies. He said there is a significant demand for a regional academy in his service area, as expressed by law enforcement agency heads on his advisory board and sees this as an excellent opportunity to produce more licensed officers to address the current critical shortage. Mr. Miller explained they had 20 applicants for the existing track program but then eight of them got hired and sent to other regional academies as employed recruits. They are requesting the Commission's approval, required under Mich Admin Rule R 28.14302, to proceed with planning to establish a regional academy program and based on the stated demand would expect to have at least 20 recruits.

Director Andy Lindeman addressed the Commission. He advised he was the training director of the Lansing Community College (Mid-Michigan) Police Academy. He stated that the academies were established geographically by the Commission for a reason. He said the basic difference between Kellogg CC program and Mid-Michigan Academy is that Mid-Michigan Police Academy goes for one semester as a regional academy and Kellogg goes for two semesters to complete the curriculum as a track program. He said he has had as few as ten recruits in a class and as many as forty-two. If Kellogg Community College is granted a regional program, they will geographically be pulling students from Mid-Michigan Academy and Kalamazoo Valley Community College. Mr. Lindeman advised that he has never had to turn students away and therefore, therefore he did not believe previously another regional academy in this area was needed. However, he said we are in unprecedented times and agencies are being forced to hire and send employed recruits to the academies because of the shortage of qualified pre-service recruits. He added Kellogg CC has a good program and train top notch recruits and there is an immediate need for trained officers. Therefore, he feels the area can support another regional academy, but felt it should be re-evaluated annually to see if the need is still there in the future.

Chief Jim Blocker from Battle Creek Police Department also spoke regarding the regional academy proposal. The entire southwest central Michigan relies on three academies. He said currently they cannot afford to wait for two years for a recruit to complete a track program. He added that within the next 18 months, they alone may need 20 to 25 officers. The more options they have for academies, the better it will be. He is supporting the request for another regional academy because he believes the need exists.

Executive Director Bourgeois summed up the discussion. He stated the proposal before the Commission is not final permission to open the new regional academy but to obtain the Commission's permission to continue the planning process found as stated in Mich Admin Rule 28.14302. Kellogg CC will have to subsequently complete and submit a comprehensive proposal to the Commission's staff, who would vet the proposal, and then bring a final recommendation back to the Commission.

The recommendation today is we grant approval for Kellogg Community College to proceed with the process of planning to establish a regional academy.

A **MOTION** was made by Commissioner Adams and supported by Commissioner Saxton to approve Kellogg Community College proceeding with the process to establish a regional academy and return to the Commission with the proposal.

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

OLD BUSINESS

Review of previous discussion regarding the process for MCOLES to reactivate inactive law enforcement officer licenses – Executive Director Bourgeois said Commissioner Grabowski requested this item be placed on the agenda again for today’s meeting. Since it was approved, it has been discovered that the organization Commissioner Grabowski represents, the Police Officers’ Association of Michigan has filed an as-yet unserved lawsuit against MCOLES and a local municipality and among the issues is the Commission’s process for reactivating inactive law enforcement licenses. Based on legal advice from the Commission’s counsel, Director Bourgeois said it would not be appropriate to engage in a discussion with Commissioner Grabowski at this time. Commissioner Grabowski concurred and said he only wanted to make the Commission aware of the suit.

MISCELLANEOUS

Commissioner Saxton spoke and told Mrs. Valdez he was sorry for her loss. He added he was willing to sit down at any time and talk with her if she wished.

Chair Zyburt advised the Commission that Marquette County Sheriff’s Office handled a sex extortion case that was seen nationally. It involved a 17-year-old boy who eventually committed suicide. He wanted to remind everyone to stay vigilant when dealing with this type of crime.

PUBLIC COMMENT

Ms. Valdez addressed the Commission again. She re-iterated that she is here to advocate for change in police. She wants to see the barrier between police and civilians come down and for them the learn to work together. She added she came from an abusive, criminal, and addictive background and was taught all the wrong things. She says she wasn’t given the tools she needs to find justice for her son and is therefore here asking for the Commission to help her make the changes in the system that are needed.

NEXT MEETING

Date: June 15, 2022
Michigan State Police Headquarters

September Commission Meeting – Chair Zyburt reminded the Commissioners the September meeting will be held in Marquette. More information regarding this meeting will be forthcoming.

ADJOURNMENT:

A **MOTION** was made by Commissioner Grabowski and supported by Commissioner Moore to adjourn the meeting.

Approved: _____ Date _____

Witness: _____ Date _____