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**Michigan Commission on Law Enforcement Standards**  
**September 13, 2023**  
**Ingham County Sheriff's Office**

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**COMMISSION MEMBERS PRESENT**

Sheriff Gregory Zybert, representing the Michigan Sheriff's Association  
Director Kimberly Koster, representing the Michigan Association of Chiefs of Police  
Chief Issa Shahin, representing the Michigan Association of Chiefs of Police  
Lt. Col. Michael Krumm, representing the Michigan State Police  
Mr. David Tanay, representing the Office of the Attorney General  
Sheriff Anthony Wickersham, representing the Michigan Sheriffs' Association  
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 Sauger, representing the Fraternal Order of Police  
Dr. Lisa Jackson, representing residents of the State  
Mr. Ken Grabowski, representing Police Officer Association of Michigan  
Ms. Chianté Lymon, representing residents of the State  
Mr. Arthur Weiss, representing the Criminal Defense Attorneys of Michigan  
Mr. Michael Wendling, representing the Prosecuting Attorneys Association of Michigan

**COMMISSION MEMBERS EXCUSED**

Commander David LeValley, representing the Detroit Police Department  
Deputy Matthew Hartig, representing the Deputy Sheriffs' Association of Michigan  
Mr. Matthew Saxton, representing the Michigan Sheriffs' Association  
Ms. Linda Broden, representing the Detroit Police Officers Association  
Pastor Jeffery Hawkins, representing residents of the State  
Pastor Tellis Chapman, representing residents of the State  
Lt. Michael Hawkins, representing the Michigan Association of Police  
Mr. Jim Stachowski, representing the Police Officers Labor Council

**STAFF PRESENT (In Person)**

Mr. Timothy Bourgeois, MCOLES Executive Director  
Mr. Joseph Kempa, MCOLES Deputy Executive Director  
Ms. Jacquelyn Beeson, MCOLES Staff  
Mr. Mark Sands, MCOLES Legal Counsel  
Ms. Kayla Hanselman, MCOLES Staff  
Mr. Danny Rosa, MCOLES Section Manager  
Ms. Cristy Dowker, MCOLES Staff

## **PRESENT (Virtually)**

Mr. Leon Boyer, MCOLES Section Manager  
Mr. Matt Krumbach, MCOLES Staff  
Ms. Rhonda Hooson, MCOLES Staff  
Ms. Kathryn Teigeler, MCOLES Staff  
Ms. Rachael Coy, MCOLES Staff  
Ms. Cristy Dowker, MCOLES Staff  
Mr. Pat Hutting, MCOLES Staff  
Ms. Kayla Hanselman, MCOLES Staff  
Ms. Gretchen Galloway, MCOLES Staff  
Mr. Brandon Williams, MCOLES Staff  
Mr. Matt Robinson, MCOLES Staff  
Ms. Jo Catania, MCOLES Staff

## **GUESTS ATTENDING**

Training Director Andy Lindeman, Lansing Community College  
Sheriff Scott Wriggelsworth, Ingham County Sheriff's Department  
Director David Kok, Grand Rapids Community College  
Dean Logan Jones, Ferris State University  
Director Steven Amey, Ferris State University  
Sheriff Michelle LaJoye-Young, Kent County Sheriff's Office

## **CALL TO ORDER**

The Commission meeting was called to order by Chair Greg Zyburt on September 13, 2023, at 10:32 AM. The meeting was held in person in accordance with the Open Meetings Act and shared virtually via the Teams platform for staff and members of the public. Commissioners were required to attend in person to have voting rights.

## **INTRODUCTIONS**

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

Commissioner Zyburt announced if any member of the public wants to make a comment, they will have two opportunities to do so. The first time will be after the Changes or Additions to the Agenda portion and the second opportunity will be at the end of the meeting. The purpose is for the Commission to listen to comments from the public, but the Commissioners will not engage in dialogue. Comments are limited to three minutes for each speaker for each comment period.

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## ACCEPTANCE OF THE APRIL 15, 2023, COMMISSION MEETING MINUTES

The Minutes from the April 15, 2023, meeting were made available electronically to the Commissioners. Chair Zyburt asked for a motion to approve the minutes then held a voice vote.

A **MOTION** was made by Commissioner Tanay and supported by Commissioner Wendling to approve the April 15, 2023, Commission Meeting Minutes

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

## ADDITIONS TO THE AGENDA

Chair Zyburt inquired if any Commissioner wanted to make a change or addition to the agenda. There were no changes requested.

A **MOTION** was made by Commissioner Wickersham and supported by Commissioner Chapman to approve the September 13, 2023; agenda as written.

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

## PUBLIC COMMENT - None

## CHAIR'S REPORT

Establish Nominating Committee – Chair Zyburt stated that a committee needed to be established for nomination of the chair and vice-chair positions for 2024. He added he has served as chair for two years and the vice-chair, Commissioner Koster has served one year. He also said that the Committee members will need to meet prior to the November meeting to decide on their recommendations. He appointed the following Commissioners to serve on the Committee.

1. Commissioner Nate Johnson
2. Commissioner David Tanay
3. Commissioner Ron Wiles

LEO Population – The Law Enforcement Officer Population Report for August was sent electronically to the Commissioners. There was a slight increase in the number of officers and the number of law enforcement positions.

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

SUR Report – Any Special Use Request made by an agency is reported to the Commission. This report includes requests for out-of-state training and equipment purchases. The total amount

requested since our last meeting was \$139,690.91. This report is also for information only.

## **DIRECTOR'S REPORT**

Award – Executive Director Bourgeois said he would like to recognize Commissioner Wendling. He described the Commissioner as being humble and very capable. Director Bourgeois went on to say he recently attended the banquet at the Prosecuting Attorneys Association of Michigan (PAAM) Conference. He added that at the banquet, Commissioner Wendling was presented with the William F. Delhey Award. This is the most prestigious award PAAM can give to one of its members and that Commissioner Wendling was very deserving of it and congratulated him on behalf of the Commission.

PA 1 of 2023 – Executive Director Bourgeois advised the Commission received a copy of the report sent to the Senate and House which addressed the continuing professional education for in-service law enforcement officers. He stated the Commission has statutory responsibility and authority assigned to them under several laws, most notably the MCOLES Act. One of the Commission's primary responsibilities under the MCOLES Act is to prepare and publish mandatory minimum selection, employment and training for entry level law enforcement officers and to "define categories and classifications of in-service training to be received by Michigan law enforcement officers".

On January 31, 2023, Public Act 1 of 2023 appropriated funds to support the requirement of law enforcement officers to complete required annual in-service training. By September 1, 2023, the Commission had to provide a report that was referenced above to the chairs of the Senate and House Appropriation Committees and the Senate and House Fiscal Agencies regarding the type and amount of required in-service training, the use of the funds appropriated for in-service training and any recommendations to improve licensed law enforcement standards in the state.

The Michigan Legislature approved funding for \$20 million for fiscal year 2023 to increase MCOLES staff by 7 full-time employees to support development and implementation of in-service training standards and requirements. Fiscal year funding to continue support is \$18,240,000 for fiscal year 2024.

Executive Director Bourgeois advised this is a work in progress. He stated he would update the Commission as the necessary staff is hired to implement this major undertaking as the project continues to move forward.

Kalamazoo Valley Community College (KVCC) Police Academy – Executive Director Bourgeois advised the Commission received a copy of a letter that MCOLES sent to L. Marshall Washington, President at Kalamazoo Valley Community College. The letter addressed the fact that there were some significant issues over the last several academies conducted by KVCC.

The Michigan Commission on Law Enforcement Standards Act, 1965 PA 203, Michigan Compiled Laws Sections 28.601 through 28.616 (the MCOLES Act) establishes the authority of the Commission to approve the operation of a basic law enforcement training academy, to approve the course of study provided at those academies, and to oversee the operation of those academies to ensure the delivery of the Commission's required course of study.

The Commission initiated a fact-finding investigation following the conclusion of Session 102 at KVCC, due to KVCC's failure to complete the Course of Study within the scheduled duration of Session 102 after also having failed to do so in Session 100. The Commission's investigation(s) included interviews with KVCC staff, academy instructors, recruits, stakeholders, and members of the KVCC Training and Education Advisory Committee ("Advisory Committee"). Prior to completing this review, additional actions in Session 103 required a second review. Director Ledbetter acknowledged and took responsibility for many of the failures documented in the investigations. Additionally, the program administrator, Craig Jabara, acknowledged he exercised little to no oversight over the operation of the academy and signed the operating contract without understanding it.

The investigation found evidence of the following violations:

- Failure to teach the Course of Study at Session 102
- Failure to teach the Course of Study at Session 100
- Failure to consult with the Advisory Committee on a regular basis
- Failure to notify employers of the status of employed recruits
- Violated several of the Commissions' Training and Safety standards during Session 103

The Commission was informed that KVCC chose to dismiss Academy Director Ledbetter after the completion of the investigation and removed Program Administrator Jabara from his responsibilities for the academy. KVCC then appointed Karen Revard as the interim training director and Dean Mark Dunneback as the program administrator. The academy is up and running in a new session.

A discussion ensued regarding the dismissal of Director Ledbetter. Some of the issues brought forward were:

- Was the dismissal justified?
- Was the investigation done fairly?
- Have other academies been investigated?

Director Bourgeois reminded Commissioners that the decision to dismiss Director Ledbetter was made by KVCC. The Commission undertook the investigation after KVCC failed to investigate the allegations, despite KVCC being obligated to do so by the Standard Operating Agreement. The Commission has investigated other academies that have failed to fulfill their investigatory obligation. Although, in most cases, the investigation of any complaints is done by the academy itself and the investigation is reviewed by the Commission.

Wayne County Regional Police Academy – Executive Director Bourgeois advised Schoolcraft College also had issues identified that appeared to violate its operating contract with the Commission. The school initiated their own investigation as required by the contract and determined changes were necessary to ensure the safety of their recruits and staff while at the same time be certain they were following and in alignment with the MCOLES Act, its promulgated administrative rules, and the MCOLES policies and procedures. The former WCR Training Director, Anthony Mencotti as well as the Program Administrator, Gerry Champagne, were replaced. A former training director, Fred Stanton, agreed to come back and serve in that role on an interim basis and an administrator was assigned to function as the program director until permanent replacements can be selected. The academy is up and running in its fall session.

## COMMITTEE REPORTS

Executive Committee – Chair Zyburt advised that the committee met that morning prior to the full commission meeting. The topics on the agenda were discussed.

## CONSENT AGENDA

Relinquishment – Executive Director Bourgeois requested AAG Mark Sands to address this topic. He stated that a relinquishment was obtained from Jeffrey Kemp. He was originally charged in the 38<sup>th</sup> Judicial Court, Monroe County, MI. He was charged with False Pretenses between \$1,000 and \$20,000, a felony under MCL 750.174(4)(a), punishable by imprisonment for up to five years.

He was also charged with Common Law Offenses (seven counts), a felony under MCL 750.505, punishable by imprisonment for up to five years.

He relinquished his license on July 12, 2023, as was required as part of a plea agreement. Kemp plead no contest to one count of Willful Neglect of Duty, a misdemeanor under MCL750.478.

A discussion occurred and the following items were discussed:

- Relinquishment v Revocation
- If a relinquishment is offered as part of a plea deal in a criminal case, must the defendant accept it?
- Who decides if a relinquishment is offered to reduce the charges?
- Does the prosecutor actually have authorization to offer the relinquishment?
- Relinquishment v going to trial on criminal charges.
- Is the Commission mandated to accept the relinquishment?

## NEW BUSINESS

Grants – Executive Director Bourgeois advised the Michigan Justice System Fund revenue is generated from court assessments on civil infractions, misdemeanors, and felonies. Of the assessments, the first \$10 of each civil infraction and 11.84% of the remaining fund revenue is directed to the Michigan Justice Training Fund (MJTF).

The MJTF is administered by MCOLES under PA 302 of 1982, as follows:

MCL 18.422(4) The commission shall use the Michigan Justice Training Fund for the following purposes:

- (a) Making law enforcement distributions as provided by this act.
- (b) Paying the reasonable expenses of providing staff services to the commission for administering and enforcing the statutory requirements of this act and administering and enforcing the statutory requirements of the Michigan Commission on Law Enforcement Standards Act.
- (c) Awarding grants as provided by this act.

By statute, 60% of the MJTF must be disbursed on a per-capita basis to law enforcement agencies on the number of FTE licensed officers they employ. This is known as the Law Enforcement Distribution (LED). The payments from the Justice System Fund into the MJTF come from the Department of Treasury each spring and fall and LED funds are likewise disbursed to the agencies on that basis. By statute, the remaining 40% of the MJTF may be used for the administrative expenses of administering the fund and for competitive grants. The Commission’s longstanding policy is to prioritize grants that benefit the eligible criminal justice community in the most impactful way.

Executive Director Bourgeois introduced Cristy Dowker, the Commission’s Grant Specialist who administers the MJTF. Ms. Dowker provided the following information.

For fiscal year (FY) 2023/calendar year (CY) 2024, there were eight grant applications for the competitive grants. All of these applications came from grantees with which the Commission has a proven, established relationship from the award of previous grants. The Commission’s staff reviewed the grant applications and is recommending full funding for all of them. In total, the requests were for \$1,184,225.65. The below chart provides the grant applicant, title, requested funds, and staff recommendations for funding.

<b>Applicant</b>	<b>Project Title</b>	<b>Requested Grant Funding</b>	<b>Recommended Grant Funding</b>
Michigan Judicial Institute	Court Support Staff Training - Civil Treatment Training for Employees	\$25,860.00	\$25,860.00
Grand Valley State University/West Michigan Criminal Justice Training Consortium	Police Precision Driving	\$75,466.20	\$75,466.20
Grand Valley State University/West Michigan Criminal Justice Training Consortium	Force Analyst Certification Course	\$99,000.00	\$99,000.00
Michigan State Police Forensic Science Division	Forensic Science Training	\$662,482.75	\$662,482.75
Michigan State Police Intelligence Operations Division	Building Forensic and Investigative Capacity in Technology	\$119,060.00	\$119,060.00
Michigan State Police-ODD	2024 Leadership Development Academy	\$39,198.75	\$39,198.75
Monroe County Sheriff's Office	FY 2024 Monroe County Annual Training Plan	\$24,286.45	\$24,286.45
Northern Michigan University	LE Training -Competitive Grant 2024	\$138,866.50	\$138,866.50
	<b>TOTAL</b>	<b>\$1,184,220.65</b>	<b>\$1,184,220.65</b>

The total funds requested are less than the available funds, so no reductions were required.

Executive Director Bourgeois asked AAG Mark Sands to speak to the Commissioners regarding MCL 15.341. He added that this was not legal advice but a recommendation and AAG Sand’s opinion of the statute. AAG Sands confirmed potential conflicts are governed under the standards for conduct for public officers under MCL 153.41. He recommended any Commissioner who is a member of an organization that is connected to a grantee, including a member of a board, should avoid violating the statute by abstaining from voting for a grant for that entity and declare you abstention for each particular grant to which that applies.

Chair Zyburt advised this was going to be a voice vote and the Minutes will reflect the grants the individual Commissioners abstained from voting on.

Commissioners	Vote	Abstained from Voting On
Commissioner Grabowski	Yes	
Commissioner Jackson	Yes	
Commissioner Shahin	Yes	
Commissioner Sauger	Yes	
Commissioner Krumm	Yes	MSP Forensic Science, Intelligence Operations, and ODD
Commissioner Koster	Yes	GVSU Precision Driving and GVSU Forensic Science Training
Commissioner Zyburt	Yes	Northern Michigan University – LE Training
Commissioner Wendling	Yes	
Commissioner Weiss	Yes*	
Commissioner Tanay	Yes	
Commissioner Wickersham	Yes	
Commissioner Johnson	Yes	MSP Forensic Science, Intelligence Operations, and ODD
Commissioner Lymon	Yes	
Commissioner Lewis	Yes	
Commissioner Wiles	Yes	

*\*Commissioner Weiss voted yes on all grants except the MSP Forensic Science grant. He voted no on funding this grant.*

A **MOTION** was made by Commissioner Wendling and supported by Commissioner Tanay to approve all grants for the recommended funding amount.

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

**Commissioner Resolution 2023-01** – Chair Zyburt read into the record Commission Resolution 2023-01 Honoring Flint Firefighter Ricky Hill, Jr. and Extend Public Safety Officer Benefits.

A **MOTION** was made by Commissioner Wickersham and supported by Commissioner Grabowski to approve Commission Resolution 2023-01 and extend benefits.

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



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**Commissioner Resolution 2023-02** – Chair Zyburt read into the record Commission Resolution 2023-02 Honoring Detroit Police Department Officer Lloyd Todd and Extend Public Safety Officer Benefits.

A **MOTION** was made by Commissioner Grabowski and supported by Commissioner Lymon to approve Commission Resolution 2023-02 and extend benefits.

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

**Commissioner Resolution 2023-03** – Chair Zyburt read into the record Commission Resolution 2023-03 Honoring Detroit Public Schools Community District Police Department Officer Freddie Wilson and Extend Public Safety Officer Benefits.

A **MOTION** was made by Commissioner Krumm and supported by Commissioner Wiles to approve Commission Resolution 2023-03 and extend benefits.

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

**Commissioner Resolution 2023-04** – Vice-Chair Koster read into record Commission Resolution 2023-04 Honoring Paw Paw Fire Department Lieutenant Ethan Quillen and Extend Public Safety Officer Benefits and extend benefits.

A **MOTION** was made by Commissioner Wickersham and supported by Commissioner Grabowski to approve Commission Resolution 2023-04.

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

**Commissioner Resolution 2023-05** – Vice-Chair Koster read into record Commission Resolution 2023-05 Honoring Shelby Township Police Department Sgt. Daniel Kammerzell and Extend Public Safety Officer Benefits.

A **MOTION** was made by Commissioner Wickersham and supported by Commissioner Grabowski to approve Commission Resolution 2023-05 and extend benefits.

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

**Grand Rapids Community College /Ferris State University** – Executive Director Bourgeois stated there are two pre-service track academies requesting regional academies. As a brief review he explained there are currently 3 methods for running police academies in Michigan under the MCOLES Act. The first is for law enforcement agency run academies exclusively for their own screened employed recruits. The Detroit Police Department, Michigan State Police and the Department of Natural Resources are the 3 agencies who currently do this.

The remainder of the recruit schools are operated by institutions of higher learning. The first model is that of a regional academy, which trains both pre-service and employed recruits of various law enforcement agencies. A preservice recruit must have at least an associate degree, (or complete it with the credits gains in the academy) and they pay the costs of their own tuition,

supplies, etc. If they successfully complete the academy and pass the licensing exam, they are then eligible to be screened, hired, and empowered by a law enforcement agency, that then requests activation of their law enforcement license. An agency who sends an employed recruit to a regional academy must pay them at least minimum wage for all hours worked and all costs of attending the academy. In exchange, upon successful completion of the academy and the licensing exam, only the employing agency may request activation of their law enforcement license.

The last method is the pre-service college academy (aka "track" program), in which the student is enrolled in the college or university's course of study program to obtain an associate or bachelor's degree. At the culmination of the course of study, they attend the academy. If they successfully complete the academy and the licensing exam, they become eligible to be screened, hired and empowered by an agency who then requests activation of their law enforcement license.

Due to the difficulty in locating qualified candidates, there are currently very few individuals who pay their own way as preservice recruits. Most agencies now hire individuals as employed recruits and they send them to the regional academies. Because of this change, there's been a significant demand by agencies for seats in academies and for a period of time, the demand has exceeded the available seats.

Agencies cannot wait for a recruit to complete a two-year or four-year preservice college program. Even though that is the current situation, the Commission still feels the pre-service track program is valuable. It allows people to continue to go to work, go to school, support themselves and their families. In the future, we will be back to having to have more pre-service and more college pre-service recruits as employment trends shift as they do over time.

Kellogg Community College made the first request to have a regional academy to supplement, not replace their pre-service college recruit program. As Commissioners may recall, it is a two-step process for an eligible entity to request the establishment of an academy under the MCOLES Act and its promulgated administrative rules. An entity must first seek and gain approval from the Commission to begin this process. If granted, once their proposal is complete and vetted by the Commission's staff it is brought for the Commission for consideration.

At this meeting two entities who currently run college preservice programs and wish to address the Commission asking for permission to start the process of also establishing regional academies. Mr. Danny Rosa was introduced as the manager of the Standards Compliance Section. He started by pointing out that the Commission's staff work with the academies. He added that MCOLES has a positive and productive history based on their operation of successful college preservice programs with both Ferris State University and Grand Rapids Community College and those two entities came to staff and stated they wanted to also establish regional academies as Kellogg did, due to the demand in their primary service areas and overall shortage across the state of licensed officers.

David Kok was introduced to the Commission as the Training Director from Grand Rapids Community College (GRCC). He stated he has only been there two years, but GRCC has had an academy since 1979. He added that GRCC is now running its 95<sup>th</sup> session. Currently students come to GRCC to take general education classes and then culminate their associate degree by completing the MCOLES police academy. This method of obtaining your MCOLES license in two years is not conducive to the current shortage of police officers. Therefore,

their request is to offer an accelerated 17-week course in the winter to be able to meet the needs of West Michigan law enforcement. He stated they will also continue to run their pre-service track program.

Following Mr. Kok's presentation, Director Steven Amey from Ferris State University was introduced. He stated they also have a track program that was established in the early 1970s. However, due to the increased demand in Michigan for more police officers Ferris State University is proposing an additional training session(s), in the form of a regional academy, to help provide more law enforcement officers. With more than 2000 officers down in Michigan, the need is dire to continue police presence and coverage for the citizens of Michigan. Ferris State University is requesting permission from MCOLES to go forward and run a regional academy. A backbone of an operational plan with dates and times has been created and can be provided if this is approved and contains even more structure and detail.

Executive Director Bourgeois said that based on the information provided, the staff recommends that the Commission approve both entities' request to move forward with developing a plan to request establishment of regional academies to supplement their college preservice programs.

A **MOTION** was made by Commissioner Wendling and supported by Commissioner Wiles to allow Grand Rapids Community College and Ferris State University 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. The **MOTION** carried with the votes listed below recorded.

<b>Commissioner</b>	<b>Vote</b>
Commissioner Grabowski	Yes
Commissioner Jackson	Yes
Commissioner Shahin	Yes
Commissioner Sauger	Yes
Commissioner Krumm	Yes
Commissioner Koster	Yes
Commissioner Zyburt	Yes
Commissioner Wendling	Yes
Commissioner Weiss	Yes
Commissioner Tanay	Yes
Commissioner Wickersham	Yes
Commissioner Johnson	Yes
Commissioner Lymon	Yes
Commissioner Lewis	Yes
Commissioner Wiles	Yes

**OLD BUSINESS - None**

**PUBLIC COMMENT – None**

**ROUNDTABLE** – Commissioners were offered the opportunity to speak on any topic they wished. A Commissioner voiced a concern there is a lack of diversity in the academies, law enforcement agencies, the Commission’s staff, and the community and suggestions included cultural improvement and oversight of the curriculum and instructors to achieve a more diverse law enforcement work force.

**NEXT MEETING**

Date: February 14, 2024 (If approved)  
Location to be determined.

**ADJOURNMENT:**

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

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

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