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**Michigan Commission on Law Enforcement Standards**  
**Commission Meeting Minutes**  
**October 22, 2008**  
**DoubleTree Hotel, Detroit, Michigan**

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**MCOLES MEMBERS PRESENT:**

Mr. John Buczek, representing the Fraternal Order of Police  
Sheriff James Bosscher, representing the Michigan Sheriffs' Association  
Mr. Marty Bandemer, representing the Detroit Police Officers Association  
Mr. Bill Dennis, representing Attorney General Mike Cox  
Mr. Jim DeVries, representing the Police Officers Association of Michigan  
Chief Richard Mattice, representing the Michigan Association of Chiefs of Police  
Trooper Michael Moorman, representing the Michigan State Police Troopers Association  
Mr. David Morse, representing the Prosecuting Attorneys Association of Michigan  
Chief Doreen Olko, representing the Michigan Association of Chiefs of Police  
Director Deborah Robinson representing Chief James Barren, Detroit Police Department  
Lt. Colonel Timothy Yungfer, representing Colonel Peter C. Munoz, Michigan State Police  
Attorney General Mike Cox  
Mr. Raymond Beach, Executive Director  
Mr. John Szczubelek, Commission Counsel

**COMMISSION MEMBERS EXCUSED:**

Professor Ron Bretz, representing the Criminal Defense Attorneys of Michigan  
Director Kurt Jones, representing the Michigan Association of Chiefs of Police  
Sheriff Robert Pickell, representing the Michigan Sheriffs' Association  
Sheriff Gene Wriggelsworth, representing the Michigan Sheriffs' Association

**COMMISSION STAFF PRESENT:**

Ms. Cheryl Hartwell	Mr. David King
Ms. Hermina Kramp	Mr. Dale Rothenberger
Mr. Gary Ruffini	Ms. Nancy Grace
Mr. Wayne Carlson	Mr. Darnell Blackburn

**GUESTS (signing in):**

Mr. Tom Cameron, Attorney General's Office  
Director Richard Weiler, Police Officers Labor Council  
Director Fred Timpner, Michigan Association of Police  
Commander Debra J. Fair, Detroit Police Department  
Deputy Chief John Clark, Detroit Police Department  
Commander Frederick McClure, Detroit Police Department  
Commander Jan A. JoHanson, Detroit Police Department  
Inspector Nick Kyriacou, Detroit Police Department  
Commander Steve Dolumi, Detroit Police Department  
Commander Shereece Flerry-Freeman, Detroit Police Department  
Commander Frankie Lewis, Detroit Police Department  
Commander Brian Stair, Detroit Police Department  
Commander Linda Peltier, Detroit Police Department  
Commander Russell DeCrense, Detroit Police Department  
Commander Todd Bettison, Detroit Police Department  
Commander Kenneth Williams, Detroit Police Department  
Commander Benjamin Lee, Detroit Police Department  
Deputy Chief Leo Otis Powers, Detroit Police Department  
Second Deputy Chief James Tate, Detroit Police Department  
Inspector Leslie Montgomery, Detroit Police Department  
Commander Herb Moreland, Detroit Police Department  
Commander James White, Detroit Police Department  
Commander Morris Wells, Detroit Police Department  
Commander Linda Peltier-Vertin, Detroit Police Department  
Commander Duane McKissic, Detroit Police Department  
Commander J.W. Tolbert, Detroit Police Department  
Commander Lewis Bray, Detroit Police Department  
Director Lawana Ducker, Detroit Police Department  
Sergeant James Pletcher, Detroit Police Department  
Mr. Gordon Evilsizor  
President Thomas Costello, Michigan Roundtable  
Director Linda Parker, Michigan Department of Civil Rights  
Ms. Debra Ceo, Ann Arbor Police Department (retired)/MCOLES Contractor  
Lt. Mark St. Amour, Ann Arbor Police Department  
Ms. Chandra McMillion, ALPACT  
Sgt. Chris Amey, Macomb County Sheriff Department  
Detroit Police Academy Students:  
    Antaeus Evans  
    Maurice Pettigrew  
    Christopher Burks  
    Robert Rowe

**GUESTS (signing in) Continued:**

Lynn Woods  
Raphael Klashington II  
James Stenie  
Roman Morrow  
Darrell Partlow  
Charles Lyndom  
Vinceson Perkins  
Eric Saddler  
John Kuehn  
Steve Townsend  
Shaun Dunning  
John Dunlap  
Nick Dedeluk  
Brandon Knobelsdorf  
Kristopher Starles  
Michael Bailey  
Kevin Rambus  
Marie Binnol  
Dawn Long  
Johanna Todd  
Jana Greno  
Jacqueline Wysong  
Amber Taylor  
Jeremy Forrester  
LaHanna Sims  
Jason Kuhar  
Antonio Allen  
Gary Carpenter  
Billie Peters  
Brandon Pierce  
Louis Wilson  
Shawn Ball  
Jeremy Drake  
Nico Hurd  
David Ball  
Jeremy Johnson  
Walter Murdock  
D. Wier  
M. Bender  
B. Wittersheim

**GUESTS (signing in) Continued:**

T. Hutchins  
S. Rata  
Ibrahi Movic  
Ryan Nelson

**CALL TO ORDER:**

The Detroit Police Department Academy class performed an opening ceremony.

The Commission meeting was called to order by Chairman John Buczek at 9:04 a.m., at the DoubleTree Hotel in Detroit, Michigan.

**INTRODUCTIONS:**

Chairman Buczek welcomed the cadets from the Detroit Police Department. Chair Buczek asked the Commissioners to introduce themselves. He then asked members of the audience to introduce themselves. Chair Buczek welcomed all to the meeting and thanked them for taking time to attend the meeting.

Chairman Buczek also recognized the Executive Director Richard Weiler of the Police Officers Labor Council (POLC) and Executive Director Fred Timpner of the Michigan Association of Police (MAP) to the meeting. Seats that represent each of their organizations are being added to the Commission by Governor Granholm's recent Executive Order (2008-19) effective December 28, 2008. Chairman Buczek also extended a special welcome from the Commission to Mrs. Alison Furtaw and Mr. Bill Furtaw.

**PUBLIC COMMENT:**

Mr. Gordon Evilsizor of White Pigeon, Michigan, thanked Chairman Buczek for allowing him to address the Commission during this meeting. Mr. Evilsizor stated that he has been denied law enforcement licensure based upon the good moral character standard. He stated that he did not understand exactly what information was used to make this determination. He stated that he has been dealing with this matter since 2002. Mr. Evilsizor stated that in his first background investigation there was information provided by one of his previous employers that was false. He stated that he has made that clear to the Commission and he doesn't think that anyone wants to investigate this information. Mr. Evilsizor stated that his

**PUBLIC COMMENT Continued:**

letter of denial also states that he has the right to apply for a second waiver but that the first investigation was not going to be re-opened. He stated that all the problems are in the first investigation.

Mr. Evilsizor stated that there was a tape played by Mr. Baker to an MCOLES investigator and he has yet to get a copy of that tape. He further stated that MCOLES said they have never had a copy of the tape, but the police chief claims to have given it to the MCOLES investigator. Mr. Evilsizor stated that the truth is not being told somewhere, but he is not sure where. He stated that since all information provided in an investigation is part of his permanent file at MCOLES, then that permanent file should only include information that can be documented.

Chairman Buczek asked Mr. Evilsizor to limit his comments to addressing the Commission on new issues. The Commission is not going to retry the previous case here at this meeting.

Mr. Evilsizor stated that he has met with a number of MCOLES staff. He also had a meeting with Mr. Beach and Mr. Szczubelek in July. He stated that he made his points clear during that meeting and is still awaiting a copy of the revised minutes from that meeting. Mr. Evilsizor stated that he was told in a letter from Mr. Beach that his case had already been dealt with in court. Yet after he went through his file again there were documents that were changed. He states that the separation paper from his chief was never signed but he has documentation from the court case showing that it was signed.

Chairman Buczek once again asked Mr. Evilsizor to summarize his comments and the Commission is not going to retry every piece of evidence. He further stated that the Commission has already sent him a letter indicating that due to the possibility of litigation, his contact with the Commission should be through the Commission Counsel Mr. Szczubelek. Chairman Buczek asked him to honor that request.

Mr. Evilsizor stated that he doesn't see why he should have to spend thousands of dollars to defend his reputation when it is clear that there was a mistake made by his police chief and someone at the Commission. He further stated that he is entitled to the facts of his case, which he has never been presented.

Chair Buczek stated that Mr. Evilsizor needs to deal directly with the Commission's Counsel. He then thanked Mr. Evilsizor for his comments.

**ATTORNEY'S REPORT:**

Mr. Szczubelek stated that as was anticipated, a law suit was filed in Saginaw County by Brandon McGraw who was recently deemed not to meet the Commission's Color Vision Standard. A Motion to Dismiss this matter was filed and a hearing date is set for November 17, 2008. Mr. Szczubelek will keep the Commission apprised of any developments in this case. Mr. Szczubelek stated that if a Commissioner would like to see a copy of the complaint that was filed or the motion that was filed, to let him know and he will email the information.

Mr. Szczubelek reported that there is an officer, formerly employed by the Ingham County Sheriff's Office, who was recently convicted of a felony after his license had lapsed. This individual is no longer eligible for licensure. His name is Lee Aldrich. But for the fact that his license has lapsed, he would have been subjected to a revocation proceeding. Mr. Szczubelek advised the Commission that because the license has lapsed, the revocation proceeding is not necessary, but he will be recorded in the MCOLES Information and Tracking Network as ineligible for licensure.

**ADDITIONS TO THE AGENDA:**

Chairman Buczek stated that there are two additions to the agenda today. These items are carryover items from yesterday's working session. The items are:

Active Duty Firearms Standard – this item will be addressed under New Business

PA 203/302 Consolidation – this item will be addressed under Old Business

**CONSENT AGENDA:**

There was no consent agenda.

**ACCEPTANCE OF THE SEPTEMBER 17, 2008, MEETING MINUTES:**

A **MOTION** was made by Director Robinson and supported by Mr. Bandemer to accept the September 17, 2008, Commission meeting minutes as written.

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

**CHAIRMAN'S REPORT:**

Chairman Buczek stated that the Commission has a couple of recognition presentations to make today. He asked Attorney General Mike Cox to join him and Director Beach at the podium.

Resolution for Mr. Tom Furtaw – Chairman Buczek explained that Mr. Tom Furtaw was an assistant attorney general who was assigned to provide legal services to the Commission. He passed away unexpectedly this past August. Tom was an advocate for law enforcement and although he was not a police officer, he certainly knew how police officers felt. Tom's contributions to the Commission demonstrated his dedication to the law enforcement profession.

A resolution was read and presented to Mrs. Alison Furtaw in honor of her late husband's service to the Commission and the law enforcement community.

A **MOTION** was made by Mr. Moorman and supported by Mr. Morse to adopt the resolution for the late Mr. Tom Furtaw for his service to the Michigan Commission on Law Enforcement Standards and the criminal justice discipline.

A **VOTE** was taken. The **MOTION** passed unanimously.

Mr. Beach, on behalf of the Commission and staff, presented Mrs. Alison Furtaw with a donation to the children's educational fund.

Tom's father, Mr. Bill Furtaw, thanked the Commission on behalf of Alison and the rest of the family for everything that has been done. Mr. Furtaw stated that Tom thoroughly enjoyed working with the Commission. He further stated that he and Tom used to talk about his work with the Commission a lot. He was very proud of being a part of this organization and all the people associated with it. Thank you.

Attorney General Mike Cox expressed appreciation on behalf of his office. He further stated that he doesn't know of anyone that the Commission has honored previously who wasn't a police officer. Attorney General Cox stated that Tom's father was a police officer and he acknowledged the presence in the room of a number of officers that Tom and his father had worked with. He stated that Tom as a kid who grew up in the city of Detroit, would be very gratified and especially proud to see so many fine young cadets here to be part of this ceremony.

**CHAIRMAN'S REPORT Continued:**

Resolution for Chief Ella Bully-Cummings –The Commission recognized retired Detroit Chief Ella Bully-Cummings for her service to the Michigan Commission on Law Enforcement Standards. A resolution recognizing her 29 years of service to the law enforcement community was read and presented to retired Chief Bully-Cummings.

A **MOTION** was made by Chief Olko and supported by Director Robinson to adopt the resolution recognizing retired Chief Ella Bully-Cummings' service to the law enforcement community and the Michigan Commission On Law Enforcement Standards.

A **VOTE** was taken. The **MOTION** passed unanimously.

Mr. Beach also awarded retired Chief Bully-Cummings with a plaque commemorating her service and leadership to law enforcement. Mr. Beach stated that the Commission has retired her name plate and gave it to her along with her Commission picture.

Chief Bully-Cummings personally recognized Mr. Furtaw's service to the Commission. She stated that he was a great person.

Chief Bully-Cummings stated that she appreciates the work of the Commission to increase the professionalism of law enforcement in the state of Michigan. She further stated that it is important that law enforcement is a professional organization, not only here in Michigan, but all over the country. She thanked the members that she used to work with for all the support given to her during her tenure as Chief. Retired Chief Bully-Cummings stated that she thought being appointed Chief of Police was one of the happiest days of her life, but she found out that retirement is even better.

Executive Order 2008-19 – Chairman Buczek explained that a copy of the Governor's Executive Order 2008-19, that adds two seats to the Commission, was provided to all Commission members in their notebooks. The order becomes effective on December 28, 2008. The Executive Directors of the two labor groups that were added to the Commission were introduced at the start of the meeting.

Graduations – Chairman Buczek stated that a list of upcoming Fall graduations is also in the portfolios. He encouraged each of the Commissioners to volunteer to attend at least one graduation as their schedules permit. Chairman Buczek stated that this is a great experience for Commissioners and the cadets who are graduating appreciate the Commission's presence.

**CHAIRMAN'S REPORT Continued:**

Meetings - Chairman Buczek stated that he and Director Beach have participated in a number of meetings speaking about the Commission's regular employment standards. Chairman Buczek and Mr. Beach also attended a Northern Michigan Chiefs meeting in the Upper Peninsula.

Appointment of Nominations Committee – Chairman Buczek appointed a Nominations Committee. Members of the committee are Director Kurt Jones, Chair; Sheriff Robert Pickell; and Trooper Mike Moorman.

**EXECUTIVE DIRECTOR'S REPORT:**

MCOLES Fiscal 2010 Budget – Mr. Beach stated that he had met with the Michigan State Police Budget Office to develop the MCOLES fiscal 2010 budget. On September 30<sup>th</sup> there was a follow-up meeting to discuss a couple of issues. One item of discussion was the MCOLES move to the Hollister Building. There were some issues associated with the move such as the five year lease and the ability to accommodate the collection of rental fees. MCOLES will have a state-of-the art conferencing facility and computer lab. Another issue was the protocol for purchase of occupancy incidentals to complete the furnishing of the building. The meeting went very well.

2008 MCOLES Budget – Mr. Beach stated that he is pleased to report that staff is in the final phase of closing out the MCOLES budget for fiscal year 2008. He hopes to be able to report very soon that MCOLES was able to zero out all accounts for the year.

MCOLES Strategic Plan – Mr. Beach stated that copies of the formal strategic plan that was approved by the Commission in September were provided to the Commission. This document will be used as a core document in outreach efforts to educate various groups around the state about the responsibilities of the Commission. Mr. Beach stated that he is very proud of this mutual effort.

MCOLES 2007 Annual Report – Commissioners were also provided copies of the MCOLES 2007 Annual report that is required by statute relative to the activities and accomplishments of the Commission. Chairman Buczek signed letters to the Governor forwarding both of these documents to her office to keep her abreast of the Commission's activities.

**EXECUTIVE DIRECTOR'S REPORT Continued:**

LEOSA Update – Mr. Beach stated that the status of House Bill 4611 was reported to the Legislative Committee yesterday. The Bill has been through the House and is out of committee in the Senate. It is currently pending approval by the full Senate. Mr. Beach stated that there were a number of questions that recently arose as the Bill approached the Senate floor. Mr. Beach and Chairman Buczek met with Senator Alan Cropsy's office on October 7<sup>th</sup> to answer some questions relative to the impact that this legislation was going to have. Mr. Beach was pleased to report that they were assured by Senator Cropsy's office that the bill will be taken to the floor once the Senate reconvenes after the election.

Mr. Beach stated that staff has been busy behind the scenes anticipating the effective date of the new legislation, which will be March of 2009. We are in the process of not only developing a delivery system but also developing the process that will be used to implement the legislation. Mr. Beach stated that one of his concerns is trying to keep the cost of this process down by working with the training directors who will deliver these services. Since there is no funding tied to this bill, the program has to pay for itself and he has been assured by the various training directors that they are being very considerate of the cost as they work to put together a fee structure for this program.

Commission Appointments – Mr. Beach and Chairman Buczek had a meeting with the Deputy Director of Appointments for the Governor's Office, Mr. Erik Wilford on October 7<sup>th</sup>. The meeting was held in anticipation of four pending reappointments: Mr. Jim DeVries, Director Kurt Jones, Sheriff Robert Pickell, and Mr. Marty Bandemer. Mr. Wilford assured us that everything is on track for the reappointments and discussed how we could assist the Governor's office in gathering the information needed to make the appointments. Mr. Beach stated that he had received an email yesterday Tuesday, October 21, 2008 from Mr. Wilford that the reappointments will be made very soon.

MCOLES Information Workshops – Mr. Beach stated that during various outreach activities he has been asked to look at again offering informational workshops to address doing business with the MCOLES. In the past, MCOLES was very active in offering required workshops before implementing the paperless reporting system in 2004. MCOLES staff would provide Law Enforcement Distribution Workshops, workshops for the Competitive Grant program, as well as general information relative to doing business with MCOLES. Mr. Beach stated that one of the things that has been on his agenda is to try to put those workshops back in place. There has been enough turn-over in agencies around the state that these workshops would be very helpful to the field.

**EXECUTIVE DIRECTOR'S REPORT Continued:**

Training Directors' Conference – The Fall Training Director's Conference was held in Clinton Township and was hosted by the Macomb Criminal Justice Training Institute at their new training center. Mr. Beach stated that he was very pleased to see the new facility that Macomb has and he believes that it is one of the state of the art facilities around the country. Mr. Beach stated that he hopes to hold a Commission meeting at that facility in the future. The conference was a productive two-day session with the Training Directors. Chairman Buczek and Director Robinson assisted Mr. Beach in a panel discussion updating the Training Directors about the activities of the Commission. The panel also solicited additional input for Director Kurt Jones and the Regional Training Academy Review Committee that is currently looking at our delivery system. The information will be utilized as the Commission deliberates on the recommendations the committee will bring to them in the near future on how we deliver the MCOLES academy services.

Mr. Beach was also able to speak with the President of Macomb Community College about the importance of the Basic Police Academy program. Macomb is definitely interested in serving the public safety community. The facility is a multi use facility encompassing all public safety, housing both fire and corrections along with law enforcement. The President addressed the Training Directors and voiced his support for public safety. Mr. Beach was asked to make a presentation to the presidents of Community Colleges around the State, to educate them on the responsibilities and activities of the Commission and to celebrate the success stories that Macomb has had with the new facility.

2009 Draft Schedule of Commission Meetings – Mr. Beach asked the Commissioners to come to the next meeting prepared to set the schedule for calendar year 2009. The schedule provides for a meeting every other month and also follows the summer schedule that has been utilized over the last few years. The schedule also allows the latitude to schedule any special meetings that may be needed. Commissioners are to provide any scheduling conflicts that they may have. Mr. Beach reviewed the calendar that begins in February with the open house at the new Commission offices. The second meeting will be in the Upper Peninsula at Northern Michigan University Department of Public Safety. The June meeting will be in Traverse City to provide the Commission the opportunity to recognize long serving Training Director Al Hart, Northwestern Michigan College. The September meeting will be in Muskegon and jointly hosted by Grand Valley State University and the Muskegon Police Department. The October working session which is traditionally for grant application review, will be hosted by Commissioner Olko and the Auburn Hills Police Department and will be a two-day session. The schedule will wind up the year in Lansing for the Competitive Grant awards on December 9, 2009, at the Commission offices.

**EXECUTIVE DIRECTOR'S REPORT Continued:**

Outreach Efforts – Mr. Beach explained that there were several requests for presentations on the Commission's regular employment standard relative to the intent of the Commission. A formal presentation was made at the Michigan Municipal League meeting. A formal presentation was also made at the Michigan Sheriffs Association Conference in Grand Rapids along with the Commission's exhibit.

US Investigative Services MCOLES Recognition – Mr. Beach stated that he was contacted by the United States Investigative Service (USIS) in a preliminary inquiry. Commissioner DeVries was approached by a former Burton Police Department officer, Mark Cunningham, who now works for the United States Investigative Service. The USIS is a privatized organization that conducts 80% of background investigations for federal employees. They are the ones now charged with doing more comprehensive background investigation for the various service agencies of the federal government. They have identified Michigan as an exemplary program relative to our reporting requirements and the ease of our reporting relative to our web enabled system. Mr. Beach has been asked for a follow-up meeting with Mark Cunningham and Greg Dupree who represent that organization to look at providing some possible funding and the assistance of MCOLES in developing models for other states. This is an excellent recognition of our efforts over the past few years to migrate to a paperless environment along with the acceptance from the law enforcement community of that effort.

Fall Graduation Schedule – Mr. Beach stated that he always appreciates the assistance that he gets from the Commissioners at various graduations. A copy of the fall schedule was provided to the Commissioners and Mr. Beach asked the membership to advise him if their schedules permit them to assist with a specific graduation.

Commissioner Recognition – Mr. Beach stated that he is pleased to announce that Commissioner Doreen Olko was recognized by the Michigan State University (MSU) School of Criminal Justice and was inducted into the MSU School of Criminal Justice Hall of Fame on October 3rd. Mr. Beach congratulated Commissioner Olko on this accomplishment.

Special Use Requests – Mr. Beach provided a listing of the recent actions on Special Use Requests by law enforcement agencies related to the spending of their Law Enforcement Distribution funds. If anyone has any questions, he would be happy to answer them.

Grant Adjustment Requests – Mr. Beach provide information relative to recent Grant Contract Adjustments. If there are questions, Mr. Beach stated that he would be happy to answer them.

Law Enforcement Officer Position Population – Mr. Beach provided a copy of the current status of the law enforcement officer population post September 11, 2001.

## **COMMITTEE REPORTS:**

Executive Committee - Chairman Buczek stated that the Executive Committee met yesterday. The committee was advised of the Governor's Executive Order 2008-19, that adds two new members to the Commission and were provided with an Active Duty Firearms Standard presentation. Staff is working on matters relative to potential issues of non-compliance with the standard. There will be a presentation later in the meeting and Chairman Buczek encouraged the membership to get any ideas or suggestions to staff. Chairman Buczek stated that the committee also was provided an update on the Grand Valley State University request for a survey. Mr. Szczubelek provided his report on the efforts to consolidate Public Act 203/302. The committee also had a discussion on the regular employment standard and related articles in newspapers that have taken exception to the standard.

Legislative Committee – Sheriff Bosscher stated that the Legislative Committee also met yesterday. During the meeting, the committee had a lengthy discussion relative to the 42 page report by Mr. Szczubelek on the efforts to consolidate Public Acts 203 and 302. Some of this work has been sent back to the Ethics Committee for review to ensure their recommendations are included in the consolidation language. The committee received an update on the pending LEOSA legislation. Sheriff Bosscher explained that Representative Geoff Hanson has proposed draft language to modify Public Act 203 relative to the regular employment standard. He further stated that the committee is continuing to monitor a long list of other pieces of legislation that have the potential to impact MCOLES activities and responsibilities.

## **NEW BUSINESS:**

Detroit Police Department Academy Overview – Lt. Dave LeValley provided an overview of the Detroit Police Department's police academy. He provided a brief PowerPoint presentation explaining the various aspects of the department's training efforts. Lt. LeValley stated that after the MCOLES academy portion of training, the department then completes additional training that is department specific.

Lt. LeValley explained that his office is also responsible for requests relating to Public Act 302 funds, pre-employment testing, and entry of information into the MCOLES Information and Tracking Network. At the conclusion of his presentation Lt. LeValley provided contact information for a number of officials at the Detroit Police Department, should the Commission have any additional questions.

Chairman Buczek thanked Lt. LaValley and the cadets for attending the meeting. He wished the cadets great success in their careers as law enforcement officers.

**NEW BUSINESS Continued:**

ALPACT Cultural Competency Presentation – Ms. Kramp provided an introduction to the ALPACT presentation. She explained that the group had previously addressed the Commission regarding cultural diversity matters at the April meeting in Kentwood.

Dr. Linda Parker, Director of the Department of Civil Rights began the presentation. She thanked the Commission for the opportunity to present their position to the Commission. She explained that ALPACT has established a subcommittee of members who have discussed ways in which they could offer the Commission subject matter expertise in the area of training and curriculum. The Commission was provided with a three page handout. Recommendations made by the subcommittee to the Commission are to focus on promoting good police-community relations. They recommend replacing the current cultural awareness model with a cultural competency model as the basis for the selection and training of law enforcement officers. She explained that cultural competence is defined as a set of congruent behaviors, attitudes, and policies that come together in a system, agency, or among professionals and enables that system, agency, or those professionals to work effectively in cross-cultural situations. She further stated that operationally defined, cultural competence is the integration and transformation of knowledge about individuals and groups of people into specific standards, policies, practices, and attitudes used in appropriate cultural settings to increase the quality of law enforcement service; thereby producing positive societal outcomes. Cultural competency emphasizes the idea of effectively operating in different cultural contexts.

Dr. Parker stated that what is being proposed gives MCOLES the ability to be recognized on the national level with respect to being proactive rather than reactive in the area of cultural diversity.

In concluding her presentation, Dr. Parker stated that there is a direct correlation between cultural competence and good community relations. In fact, it is not possible to have one without the other. It has been well documented that good police community relations results in reductions in crime, citizen complaints, law suits, time spent on investigations, time spent on risk management programs, etc., as well as increases in operational efficiency, community trust, crime prevention and citizen participation. Likewise, poor police-community relations not only diminishes or undermines the achievement of these positive and desirable effects but a lack of cultural competence is often a root cause of many of the problems facing law enforcement agencies.

Chair Buczek thanked Director Parker for her presentation today. He further stated that the Commission would like staff to continue to work with the ALPACT organization.

## **NEW BUSINESS Continued:**

Basic Training Academy 2009 Operating Plans – Mr. Ruffini stated that the Commission staff has received 20 Operating Proposals and will be issuing 20 contracts to the various academies in the MCOLES training delivery system. He also stated that the Department of Natural Resources will not be operating a basic police training academy this year. Mr. Ruffini stated that the signed contracts are due back to the Commission in December.

2009 STOP Grant Activities – Mr. Carlson stated that each year since the early 1990's, MCOLES has received funding to provide Domestic Violence Training programs statewide. This year MCOLES has provided approximately 20 training sessions.

Mr. Carlson stated that for fiscal year 2009, MCOLES has once again been awarded funds in the amount of \$175,000 for this training initiative. As a foundation for the 2009 grant, a minimum of fifteen (15) one-day domestic violence training sessions will be held across the state and made available to active duty law enforcement officers from all agencies. MCOLES anticipates attendance of up to 35 participants per session. The training will be interactive and based on adult learning theory and problem-based learning methodologies. The training will include the nature and prevalence of domestic violence, the law enforcement response to domestic violence, and a legal update on current domestic violence law and court precedent. The topics will be team-taught by a trio of instructors, including a service provider, a law enforcement officer, and an attorney. MCOLES will continue with its 14-hour program in the recruit academies as well.

Mr. Carlson stated that staff will continue to update the basic training curriculum, the *Domestic Violence Officer Manual* and *Model Policy*, and will, in partnership with the Prosecuting Attorneys Association of Michigan (PAAM) provide cross-disciplinary training for law enforcement and prosecutors. For fiscal 2009, MCOLES, in partnership with other stakeholder groups, will provide technical assistance to identified communities in establishing a coordinated community response to domestic violence in their individual jurisdictions.

Basic Training Curriculum Project – Mr. Carlson explained that staff is currently working on refinements to the basic training curriculum. The recent Job Task Analysis provides direction to staff relative to the areas that need to be refined in the curriculum to accurately reflect the current duties of a Michigan law enforcement officer. He explained that subject matter experts provide input to staff relative to best practices to assist in curriculum development.

## **NEW BUSINESS Continued:**

The following curriculum refinements and additions are under construction: LEIN training for law enforcement, speed measurement enforcement, report writing, standardized field sobriety testing, evidence collection (computer crimes), close quarter combat (firearms techniques), and rapid response to active violence (awareness). This information was shared with the Training Directors at the Fall Conference. Mr. Carlson stated that the Training Directors had concern over the RADAR/LIDAR training being included in the curriculum due to the 24 hours of operation that is required.

Mr. Carlson stated that during 2009, staff will be working with the Training Directors to ensure a smooth transition of the curriculum modifications into the Mandatory Basic Police Training Curriculum.

Firearms Standard Assessment – Mr. Carlson stated that on February 8, 2008 the Commission adopted the MCOLES Active Duty Firearms Standard. He stated that staff continues to move forward with informational meetings to assist agencies with the new standard.

Mr. Carlson stated that as the mandate moves forward, two issues are in need of consideration and discussion. First, discussion should focus on the methodology for compliance evaluation of officers after being given a reasonable amount of time to remediate and attain the desired outcome. Secondly, given that the educational component of the standard emphasizes decision-making and problem solving, rather than memorization or recall, MCOLES should offer guidance to agencies so they can properly assess competency in this area. Successfully placing bullets on the target is clearly a way to measure mechanical proficiency. However, measuring cognitive ability in critical thinking and decision-making can be more of a challenge.

Mr. Carlson stated that staff will continue to provide guidance and assistance to law enforcement agencies on how to measure competency. A number of the Commissioners felt that MCOLES should allow individual law enforcement agencies, through their own policies and procedures, to address any potential non-compliance issues. The liability ultimately falls on the law enforcement agency if an officer who has not met the standard gets involved in an incident. Agencies will not want to have an officer working in their jurisdictions that has not met the standard.

Chairman Buczek asked that Commissioners review the information provided and to provide their input to staff on how to handle this matter. He also thanked the staff for the time and effort put into this standard. Taking the time to educate the field and consider any issues as they arise, shows a great deal of dedication to the standard

**OLD BUSINESS:**

Mental Health Training Initiative – Mr. Carlson stated that last year the Commission received money from the legislature to develop training for first responders responding to those with mental illness. Senators Brater and Cropsey co-sponsored and obtained the funding for this training initiative. To date, 18 training sessions has been conducted, plus two train-the-trainer sessions. Each of the sessions have been attended by a cross-disciplinary group of in-service professionals and practitioners, representing law enforcement, mental health services, jail diversion, corrections, and probation/parole. Attendance has averaged 30 participants per session. During the training, emphasis is placed on identifying and interpreting behaviors, safety, and establishing a coordinated community response to those in need. The sessions were taught in an interactive manner, based on adult learning theory and problem-based learning methodologies.

Mr. Carlson stated that for fiscal year 2009 the original training objectives remain intact, but some of the content has been refined to better fit an 8-hour training day and to meet the special needs of the participants. Some training sites have even expanded the training to fit a 16-hour session, which is also working well. In addition, practitioners are currently working on a 20-minute training DVD depicting a structured interview with a consumer. This DVD will be shared with all instructors when it is completed.

Chairman Buczek thanked staff for all their work on this training initiative. He further stated that he has been hearing a lot of positive comments in the field with regard to this training effort as he travels around the state.

Traffic Safety Draft Training Standards – Mr. Carlson stated that in fiscal year 2008, as part of a nationwide speed enforcement initiative, MCOLES received funding from the Michigan Office of Highway Safety Planning (OHSP) to validate formal speed measurement standards for all radar/lidar operators and instructors in the state of Michigan. MCOLES has been working with an interdisciplinary panel of content-experts to complete this work. The content-expert panel consisted of participants who represented the Michigan Association of District Court Magistrates, Michigan District Courts, the Prosecuting Attorneys Association of Michigan, the Michigan Judicial Institute, the MCOLES basic training academies, and speed measurement instructors. Two brainstorming sessions were conducted.

Mr. Carlson stated that draft standards (objectives) for radar/lidar operators and instructors have been written. They are written in terms of behavioral outcomes and represent what is required of radar/lidar operators and instructors. The draft standards also include an

evaluation of basic knowledge and an assessment of behavioral competency under controlled field conditions. A facilitator guide is also included.

### **OLD BUSINESS Continued:**

To establish evidence of validity, staff considered input from the content-expert panel, research from state and national sources, results from the most recent job task analysis for patrol officers in Michigan, state court precedent, and statewide best practices. Staff is confident that the draft standards are job related and are linked to a clearly defined behavioral domain. Mr. Carlson then briefly explained the recommendations for this training. He asked that the Commission take time to review the information provided and get any recommendations that they may have to him in the near future as the standard will be presented to the Commission for approval of field testing at the December meeting.

Commission Office Relocation – Chairman Buczek stated that the MCOLES offices will be moving in the next couple of weeks to downtown Lansing. Ms. Kramp added that the new address for the MCOLES offices can be found in their informational packets. She stated that the MCOLES phone numbers will remain the same. The move should be completed by November 3<sup>rd</sup>. Chairman Buczek encouraged all Commissioners to visit the new offices.

PA 203/302 Consolidation – Mr. John Szczubelek stated that the Commission has the unique opportunity to refashion the MCOLES enabling legislation that governs the Commission's activities and responsibilities. He explained that the Commission should take the time to review the information provided, paying close attention to sections 2, 9 and 9b, as these sections contain major changes from the current legislation. The remaining sections contain only minor changes. Mr. Szczubelek asked that the Commissioners review the document and provide him with their input regarding this effort as soon as possible.

Chairman Buczek stated that the Ethics Committee will also be reviewing the applicable sections to ensure that the draft language accurately reflects the work of the committee. He stressed that this effort is extremely important.

LEOSA/HB4611 Update – Chairman Buczek stated that the status of this legislation was reported on earlier in the meeting. The bill is currently in the Senate and it is anticipated that it will be passed sometime in November or December.

2009 Competitive Grant Process – Chairman Buczek stated that the Commission reviewed the grant applications yesterday and has provided staff with guidance in a number of areas.

Staff will determine the funds available for award and suggest reductions as necessary based upon Commission direction. If you have additional concerns or are contacted after the status letters are sent to the grantees, get the issues to staff immediately so they can work to resolve them before the December meeting.

**MISCELLANEOUS:**

Mr. Beach stated that the 2008 Fall Law Enforcement Distribution was completed on Monday. There were 494 law enforcement agencies who participated in the distribution. The per capita distribution amount is \$112.08 and \$2,103,405.36 was distributed to 442 law enforcement agencies. There were 52 law enforcement agencies receiving the minimum distribution of \$250. The total amount of funding distributed during the Fall distribution was \$2,116,405.36

**PUBLIC COMMENT:**

There was no public comment.

**NEXT MEETING:**

Date: Wednesday, December 10, 2008

Location: Lansing, Michigan – Henry Conference Center  
Hosted by the Michigan Commission on Law Enforcement Standards

**ADJOURNMENT:**

A **MOTION** was made by Mr. Bandemer and supported Chief Mattice to adjourn the meeting.

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

The meeting was adjourned at 11:17 am.

APPROVED BY \_\_\_\_\_ ON \_\_\_\_\_

WITNESSED BY \_\_\_\_\_ ON \_\_\_\_\_