

COMMISSION OVERVIEW

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Michigan Commission on Law Enforcement Standards

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History

- Independent agency
- Housed within the Michigan Department of State Police
- 23-member Commission
- 32-person staff

Commission Duties

RESEARCH

ADMINISTER

DEVELOP

OVERSEE

ENFORCE

ASSESS

DISBURSE

LICENSE

Current Statistics as of 3/2026

- 18,768 licensed law enforcement officers
- 19,064 law enforcement positions
- 576 law enforcement agencies
- 1 to 2,492 officers
- 42% have 10<
- 56% have 15<

QUESTIONS?

LICENSING

Licensing vs Employment

- Separate, yet distinct concepts that **interrelate**
- 3-legged stool
- Licensing; ***purview of the state through the Commission***
- Employment; ***purview of the agency***



License Status

- Active
- Inactive
- Lapsed
- Summarily Suspended
- Revoked

Standards Compliance Review

- What is a Standards Compliance Review (SCR)?
- What are the possible outcomes?
 - Meets standards
 - Does not meet standards
 - Possibility of additional screening

Additional Screening

- Provides another option versus yes/no decision
- Allows applicant to demonstrate they meet the standards
- Involves participation of both the individual and the agency seeking license activation
- Enhances law enforcement officer retention

Revocations



QUESTIONS?

COMPREHENSIVE BACKGROUND INVESTIGATIONS



Why is this topic so important?

- To determine compliance with:
 - Commission Standards (including character fitness)
 - Agency Standards (can be higher but never less than the Commissions)
 - Job fit (employment/employee considerations)

Conducting a thorough and comprehensive background investigation is the single most important task an agency can complete when hiring. This is critical for your agency and the law enforcement profession.

Where do I begin?

- Waiver and Release of Authorization form
- Individual look-up in MITN
 - Eligibility status
 - Individual employment history
 - Individual employment inquiry

Character Fitness

- MCOLES Act: MCL 28.609(2)(i)
 - *“Character fitness, as determined by a comprehensive background investigation supported by a written authorization executed by the individual for whom licensure is sought.”*

Character Fitness

- Character Fitness Administrative Rule: R 28.14203(e)
 - *“Possess good moral character as determined by a favorable comprehensive background investigation covering school and employment records, home environment, and personal traits and integrity. Consideration shall be given to a history of, and the circumstances pertaining to, having been a respondent to a restraining or personal protection order. Consideration shall also be given to all law violations, including traffic and conservation law convictions, as indicating a lack of good moral character.”*

QUESTIONS?

REMOVAL AND REINSTATEMENT *OF LAW ENFORCEMENT AUTHORITY*

Removal and Reinstatement of LE Authority

- LE authority can be removed and restored at the discretion of the law enforcement agency head, provided reinstatement occurs before the license lapses (timelines)
- Removal of LE authority is not always negative (e.g., military leave, medical issue, etc.)

Removal and Reinstatement of LE Authority

- Must be reported to the Commission **within 3 days!**
- Send signed report to MSP-MCOLES-Licensing@michigan.gov



SEPARATION OF SERVICE

PA 203 of 1965 vs PA 128 of 2017

- Different Public Acts
 - PA 203 of 1965 (MCOLES Act)
 - PA 128 of 2017 (LEO Separation of Service Record Act)
- Often confused and conflated
- Agency must comply with both

PA 203 of 1965 (MCOLES Act)

- Must be reported via a **separation affidavit** to the Commission **within 3 days!**
- Send signed report to MSP-MCOLES-Licensing@michigan.gov
- Must report the reason(s) for the separation and **provide comments that fully describe the circumstances**



Separation Affidavit Options

- Deceased
- Retirement
- Resignation
- Separation
- Separation – for adjudication of guilt for a revocable offense or fraud in obtaining licensure

Separation Affidavit Options

- **RETIREMENT**
 - Retired in good standing
 - Retired in lieu of termination
 - Retired while under criminal charges
 - Retired while under investigation or during a disciplinary process
- **RESIGNATION**
 - Resigned in good standing
 - Resigned in lieu of termination
 - Resigned in lieu of termination for failure to complete field training or probation (not involving misconduct)
 - Resigned while under criminal charges
 - Resigned while under investigation or during a disciplinary process
- **SEPARATION**
 - Separation due to criminal violation(s) for non-revocable offenses
 - Separation due to department policy violation
 - Separation due to failure to complete field training or probation (not involving misconduct)
 - Separation due to medical circumstances
 - Separation due to position eliminated/seasonal position
 - Separation for Revocable Offense

Separation Affidavit Comments

- Fully describe the circumstances, for example:
 - Regular retirement following 25 years of honorable service
 - Resigned to accept employment at another law enforcement agency
- Report if the officer has been investigated or has been involved in a disciplinary process for any alleged misconduct in the last 12 months

PA 128 of 2017

Separating Agency Responsibilities

- **Written record** of the reason(s) and circumstances surrounding a licensed officer's separation of employment with a LE agency on or after January 15, 2018
- Separating officer has a **right to review** the record, request corrections and/or include additional information (when agency doesn't agree with requested corrections)
- The **written separation record** remains with the agency
- Must send a copy to potential hiring agencies and the Commission, upon its request

PA 128 of 2017

Hiring Agency Responsibilities

- Must send a Commission waiver/release to all agencies from whom the applicant separated on or after January 15, 2018
- Receive and review a copy of the **separation record** prior to hiring the applicant
- Attest to the date received and reviewed when requesting license re-activation

Recap

- PA 203 and PA 128 provide **SIMILAR INFORMATION**, yet they must be **two separate documents!**
- Legislative intent of PA 128 statements is to eliminate non-disclosure agreements with separating officers
- PA 128 provides important protections for both the separating officer **AND** the agency

QUESTIONS?

AGENCY ASSESSMENTS

Records Assessed

- **License activation** documentation
- **Comprehensive background investigations** (must contain a written report with supporting documents)
- Compliance with the **Separation of Service Records Act**
- A developed and implemented **domestic violence policy**
- **Use of force policy**

Records Assessed, Cont.

- Compliance with the ***Continuing Professional Education (CPE)*** requirements, to include compliance with the mandatory ***active-duty firearms standard***
- Compliance with the training standards for ***response to active violence***
- ***Audiovisual recording equipment***, or confirmation of access to audiovisual recording equipment

Agency Assessment Process

- Send introduction email
- Schedule and conduct online meeting
- Conduct on-site visit
- Document findings
- Identify and clarify strengths and deficiencies
- Outline any corrective measures, if needed
- Finalize agency assessment report
- Communicate results to agency head

QUESTIONS?

Contact Information

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