

MICHIGAN COMMISSION ON LAW ENFORCEMENT STANDARDS ACT (EXCERPT)
Act 203 of 1965

28.611 Powers of commission; rules; fingerprints; criminal history record information check; law enforcement officers training fund.

Sec. 11. (1) The commission may do 1 or more of the following:

(a) Enter into agreements with colleges, universities, governmental agencies, and private entities to carry out the intent of this act.

(b) Issue certificates of approval to agency basic law enforcement training academies, preservice college basic law enforcement training academies, and regional basic law enforcement training academies.

(c) Authorize issuance of certificates of graduation or diplomas by agency basic law enforcement training academies, preservice college basic law enforcement training academies, and regional basic law enforcement training academies to students who have satisfactorily completed minimum courses of study.

(d) Cooperate with state, federal, and local agencies to approve programs of in-service instruction and training of law enforcement officers of this state and of cities, counties, townships, and villages.

(e) Make recommendations to the legislature on matters pertaining to qualification and training of law enforcement officers.

(f) Require a licensing examination.

(g) Establish a recognition of prior basic law enforcement training and experience program.

(h) Establish and charge a fee to recover the cost of screening, enrolling, evaluating, and testing individuals who are not employed by a law enforcement agency, which must be deposited in the law enforcement officers training fund created in this section.

(i) Establish and charge a fee to recover the cost of issuing licenses to persons licensed under this act, which must be deposited in the law enforcement officers training fund created in this section.

(2) The commission may promulgate rules with respect to any of the following:

(a) In-service training programs and minimum courses of study and attendance requirements for licensed law enforcement officers.

(b) The establishment and approval of agency basic law enforcement training academies, preservice college basic law enforcement training academies, and regional basic law enforcement training academies.

(c) The minimum qualifications for instructors for approved agency basic law enforcement training academies, preservice college basic law enforcement training academies, and regional basic law enforcement training academies.

(d) The minimum facilities and equipment for agency basic law enforcement training academies, preservice college basic law enforcement training academies, and regional basic law enforcement training academies.

(e) Minimum standards and procedures for reserve officers.

(3) The commission shall require an individual seeking admission to a preservice college basic law enforcement training academy or a regional basic law enforcement training academy or the recognition of prior basic law enforcement training and experience program to submit his or her fingerprints to the department of state police for the purpose of conducting a criminal history record information check. The department of state police may charge a fee for conducting a criminal history record information check. The individual shall submit his or her fingerprints to the department of state police in a manner prescribed by the department of state police.

(4) The department of state police shall conduct a criminal history record information check on each individual described under subsection (3) through its own records and through the Federal Bureau of Investigation. After the completion of each criminal history record information check, the department of state police shall provide the criminal history record information to the commission.

(5) The department of state police shall store and retain fingerprints submitted under this section in an automated fingerprint identification system that provides for an automatic notification if subsequent criminal history record information matches fingerprints previously submitted under this section. Upon receiving a notification under this subsection, the department of state police shall forward that notification to the commission.

(6) The department of state police shall forward the fingerprints submitted under this section to the Federal Bureau of Investigation to be retained in the Federal Bureau of Investigation's next generation identification system and integrated automated fingerprint identification system that provides for automatic notification if subsequent criminal history record information matches fingerprints previously submitted to the Federal Bureau of Investigation under this subsection. Upon receiving a notification from the Federal Bureau of Investigation under this subsection, the department of state police shall forward that notification to the

commission. The fingerprints retained under this subsection may be searched by using future submissions to those systems, including, but not limited to, latent fingerprint searches, with appropriate responses sent to the submitting and subscribing entities. This subsection does not apply unless the department of state police is capable of participating in the Federal Bureau of Investigation's next generation identification system and integrated automated fingerprint identification system.

(7) The law enforcement officers training fund is created within the state treasury.

(8) The state treasurer may receive money or other assets from any source for deposit into the fund. The state treasurer shall direct investment of the fund. The state treasurer shall credit to the fund interest and earnings from fund investments.

(9) Money in the fund at the close of the fiscal year shall remain in the fund, shall not lapse into the general fund, and may be used by the commission, upon appropriation, in future fiscal years as prescribed in this section.

(10) The commission shall be the administrator of the fund for auditing purposes.

(11) The commission shall expend money from the fund, upon appropriation, to carry out its responsibilities under this act.

History: 1965, Act 203, Eff. Jan. 1, 1966;—Am. 1976, Act 422, Imd. Eff. Jan. 11, 1977;—Am. 1985, Act 15, Imd. Eff. May 15, 1985;—Am. 1998, Act 237, Imd. Eff. July 3, 1998;—Am. 2016, Act 289, Eff. Jan. 2, 2017;—Am. 2017, Act 198, Imd. Eff. Dec. 15, 2017.

Compiler's note: For transfer of statutory authority, powers, duties, functions, and responsibilities of the Michigan justice training commission, the Michigan justice training fund, the commission on law enforcement standards, and the law enforcement officers training fund to the new Michigan commission on law enforcement standards by type III transfer, see E.R.O. No. 2001-2, compiled at MCL 28.621 of the Michigan compiled laws.

Administrative rules: R 28.4301 et seq. and R 28.4351 et seq. of the Michigan Administrative Code.