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# Law Enforcement Action Forum NEWSLETTER



## A Legitimate And Thorough Background Investigation Is Your Best Defense Against Hiring Bad Employees . . .

*Supervision and Documentation Is The Remedy If You Already Have!*

By Gene King, MML LEAF Coordinator

### *Negligent Hiring*

A claim that an individual makes against an employer based on the premise that the employer has an obligation not to hire applicants that the employer knew or should have known were unsuitable for the position for which they applied and who were likely to behave inappropriately toward other employees and others.

### *Negligent Retention*

An employer's failure to take appropriate disciplinary action (i.e., termination) against an employee whose performance and conduct the employer knew or should have known was unsuitable.

### *Negligent Referral*

The failure of an employer to disclose complete information about a former or current employee to another employer.

These definitions are a sampling of the charges available to plaintiffs when instigating litigation against municipal entities because of the actions or behavior of their employees. Employers should know these terms and understand what they need to do to help avoid having any of the charges leveled against them. Once an individual files a claim based on one of these employment theories, an employer will have to defend that their employment practices meet the appropriate standard for hiring, retention, or supervision of the relevant level of employee. Luckily, in Michigan, if these type of claims are brought, the municipality, as the employer, frequently prevails because of governmental immunity. This immunity does not mean that the individual employee will not have liability for his or her actions. It does not mean that the municipality will not suffer a loss. The municipality's loss comes from the cost of defending the litigation, the time necessary to provide documents and history for discovery and the time for depositions. There is new case law out there called *Diamond v Witherspoon* that can remove governmental immunity and apply strict liability under Michigan's Elliot-Larsen Civil Rights Act. This issue of the LEAF Newsletter focuses on these claims of liability and outlines those things that an employer can do to mitigate the effect of these costly types of employment practice claims and reduce the probability of occurrence.

### **Negligent Hiring or "Past Behavior Predicts Future Performance"**

Negligent hiring is a straightforward issue to address. Employers are responsible for the conduct and performance of their employees in the course of their employment. The basis for a solid defense against a charge of negligent hiring is a documented, legitimate, and thorough background investigation. Because management has the responsibility to be aware of its employee's history, it is important to know as much about the employee as possible. This is especially true when hiring police employees because they hold extraordinary authority and power over citizens. Every employer has the obligation to make a legitimate effort to ensure that prospective employees meet the strict criteria for the behavioral and ethical standards of the industry in which they work and the job they are seeking.

Adopt this perspective: THE HIRED PERSON IS TAKING A NEW JOB NO MATTER WHERE THEY WORKED BEFORE! Therefore, you should treat even the most experienced candidates as if they were pre-service, and you should require all candidates to meet your hiring standards.

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When developing departmental hiring practices policy, police executives in Michigan should look to the Administrative Rules of the Michigan Commission on Law Enforcement Standards (MCOLES), which have the force of law in establishing the standards for the licensing of police officers in this state. A number of the criteria found in the Rules are relevant when hiring a police officer. To find them go to [www.MCOLES.org](http://www.MCOLES.org). Move on to Commission Information, then Statutes and Rules, then to 1) Public Act No. 203 of the Public Acts of 1965, as amended, Administrative Rules promulgated pursuant to Public Act 203 of 1965.

Law enforcement employers should complete a background investigation on every final candidate, experienced or pre-service, and require them to submit to a physical and mental fitness exam as well as drug screening. These pre-service requirements, established by MCOLES Administrative Rule, are comprehensive and defensible. They are the result of regularly updated statewide job task analyses as reported by the police officers doing the actual job.

Every law enforcement candidate must meet the standards of the MCOLES Administrative Rules before obtaining a license to be a peace officer. One of the Administrative Rules, R 28.4102(e), requires an employer to determine whether a law enforcement employee meets the criteria of good moral character. The bar is set high because of the nature of the law enforcement job. The bar may soon be even higher. MCOLES is currently updating its Rules and the proposed language for their new rule is (bolded material is new):

Rule 28.4102(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.

It is a well-founded and widely accepted idea that past behavior is a good predictor of future success. MCOLES, like municipal employers, only wants to license those individuals that will meet the high expectations of society regarding the performance of their duties. MCOLES is also working on new rules that would allow the denial, suspension, or removal of an officer's license if they commit certain law violations or fail to maintain the ethical standards of behavior considered necessary to hold public trust.

The employer's goal is to hire the best candidate available for the job. The cost of making a mistake and hiring a bad employee can be extremely high. The effort necessary -- in time and money -- to remove a bad employee makes the cost of conducting a background investigation as well related exams and testing during the hiring phase very reasonable. After all, candidates are all new to the prospective employer.

To recap, all municipal employers hiring police officers need to conduct a thorough background investigation of all final candidates. The selection process needs to include a physical and psychological exam and drug screening. Candidates must sign a release of information authorization before the background investigation can take place. In the case of the medical exams, employers must ensure that potential officers understand that any offer of employment is contingent on the outcome of the medical exams. When the hiring process gets to this stage, consult legal counsel or a human resources specialist for the proper forms and language. Employers must maintain and keep secure the documentation of all phases of the hiring process to ensure compliance with privacy and record retention laws.

A thorough background investigation can determine if the candidate is the person best suited to be a professional representative of the municipal entity. For more information, go to the **LEAF Manual for Law Enforcement Risk Control**, Chapter 15, "Employment Practices," for policy and resource documents that will provide guidance in a variety of employment practice areas.

During his presentation at the MACP Mid-Winter Conference, Dave King from MCOLES provided a good resource guide on background investigation. The guide is for pre-employment candidates but the information is applicable to all police background investigations. A good template, with slight modification, of a release document is the **Applicant Information Sheet and Authorization for the Release of Information** form required by MCOLES to access an applicant's information on MCOLES Information and Tracking Network (MITN). MCOLES has authorized LEAF to attach the documents to this Newsletter when it is published on the web at [www.mml.org](http://www.mml.org). To access these documents using your Pool or Fund log-in, click on the Insurance link and then click on either the Pool or Fund on the drop down menu. At either websites, the Publications tab will display the link to the LEAF Newsletters.

**Negligent Retention** or "It is Management's Duty to Supervise"

Recently, LEAF's Legal Advisor, Audrey Forbush, aired her concern that top police executives often do not hold their middle management consistently accountable for enforcing the rules and policies of the department.

She felt that it was not regular police activity that necessarily created problems because, in her opinion, most departments perform well doing enforcement and investigative types of activities. However, she expressed concern about the lack of managing the areas of internal employee behaviors. She described this situation as a misalignment between the expectations of the top executive and the actions of their mid-level managers and supervisors, frequently lieutenants and sergeants. It is Audrey's opinion that the relationship between middle management and their employees sometimes overrides the priorities set by top management. You can find a full discussion of this topic in the September 2005 issue of the LEAF Newsletter.

This misalignment can result in negligent retention, a situation that arises when there is little management notice of misbehavior and few consequences when employees continually do not follow the policies or rules of the department. Management is responsible for ensuring that their police officers maintain the department's commitment to high integrity and moral standards. If officers do not meet the standards, management has an obligation to take corrective action, ranging from remedial training and counseling to discipline or termination. Management needs to remove any employees who consistently fail to meet management's expectations and/or frequently violate the department's policies or rules.

A plaintiff who brings a claim of Negligent Retention must meet a difficult test to prove the claim. In addition, the municipality generally prevails because the process of hiring and training officers is a governmental function and governmental immunity often applies. However, if management allows incompetent or incorrigible employees to remain employed and an incident occurs involving a violation of the Michigan Elliot-Larsen Civil Rights Act, governmental immunity cannot protect the employer.

### **Employee Violation of the Civil Rights Act May be Strict Liability!**

Michigan's "Elliot-Larsen" Civil Rights Act, MCL 37.2302 provides that, except where permitted by law, a person shall not:

(a) Deny an individual the full and equal enjoyment of the goods, services, facilities, privileges, advantages, or accommodations of a place of public accommodation or public service because of religion, race, color, national origin, age, sex, or marital status

The Michigan Court of Appeals in *Diamond v Witherspoon*, 265 Mich. App. 673, 696 N.W. 2d 770 (April 2005) made denying access to public services by quid pro quo sexual harassment under the Michigan Civil Rights Act a matter of strict liability. In this case, Officer Witherspoon used his position as a uniformed Detroit police officer to stop

female drivers, detain them against their will, and make compliance with his sexual advances a condition of releasing them from his police custody. The officer committed Criminal Sexual Conduct offenses against the three plaintiffs. The Court ruled that the officer acted with both gender and sexual prejudice when he targeted female drivers and violated the Michigan Civil Rights Act that, in part, bans discrimination because of religion, race, color, national origin, age, sex, or marital status and ensures full and equal utilization of public accommodations, public services, and educational facilities. In this case, Witherspoon, as the public service provider's agent (Detroit Police Department Officer), used plaintiffs' submission to or rejection of his sexual advances as a factor in his decision to provide or deny public services. The Court explained its logic best:

The instant case is easily distinguishable because plaintiffs had public police services imposed on them by defendant, and they were not free to leave the public services environment created when Witherspoon stopped and detained each plaintiff. Witherspoon used his position as a uniformed police officer in a marked police car to stop each plaintiff, detain her against her will, exert authority over her, and finally humiliate and sexually assault her. In fact, Witherspoon made plaintiffs' compliance with his sexual advances a condition of releasing them from his police authority. Plaintiffs argue, and this Court agrees that unlike *Dockweiler*, plaintiffs were not free to "walk away" from Witherspoon, an on-duty, uniformed police officer exerting apparent authority over plaintiffs. Moreover, in this case, plaintiffs alleged that Witherspoon stopped them for no legitimate public service reason, that Witherspoon required sexual favors as a quid pro quo for not arresting or ticketing them, that submission to Witherspoon's conduct was made a condition of obtaining police services, e.g., release from police custody, and that Witherspoon's actions had the effect of substantially interfering with the public services rendered to them, services to which they were entitled without regard to sex or sexuality.

The Legislature, when it passed the Michigan Civil Rights Act, excluded governmental immunity as a defense to a claim brought against a city under the Act. The Court found that Witherspoon was an agent of the City and his disparate treatment of the plaintiffs denied them access to a public service based on sex alone, which meets the statutory cause of action for quid pro quo sexual harassment. It found that the City of Detroit was strictly liable for the actions of their agent, Witherspoon.

Even though a quid pro quo sexual harassment claim of this type is rare, municipal employers should recognize that the Witherspoon case specifically establishes that municipal entities do not have governmental immunity under the Michigan Civil Rights Act for the actions of their employees that are discriminatory under the Act. In the Witherspoon case, the officer's criminal sexual conduct was outside the scope of his employment and yet the Court did not spare the City. It is important to recognize that it is not the sexual assault in this case but rather Witherspoon's disregard for the rights of people protected under the Act that created the problem. Departments must train their officers on the civil rights acts as they apply to police activities.

Because these types of incidents are possible, top-level police managers must know what their people are doing on the street. They have to have a quality assurance process in place that ensures adequate supervision at all levels of the organization. Departments must establish and maintain a documented process that demonstrates that it is reviewing and evaluating employee activity regularly. Employers must screen their employees through background investigations and psychological exams to identify and eliminate unsuitable individuals from employment. As with so many other issues, if the department does not document the employment practices process, the Courts will consider that the department has not done it.

### Negligent Referral

Providing employment information to others can put former employers in a difficult situation. On the one hand, a prospective employer may sue them for failing to disclose critical information about a former employee's performance and conduct. On the other hand, the former employee may sue his former boss if he discloses information that might prevent him obtaining new employment. In situations where a claim of negligent referral arises, the best of all worlds would be that the prospective employer fails to do a background investigation. That way there is no concern about a former employee prevailing in litigation because the former employer disclosed information about his past employment. However, I hope that after reading this Newsletter, no MML Pool or Fund member will hire an employee without doing a thorough background investigation.

Keep in mind that if a current or former employer fails to disclose complete and accurate information about inappropriate or illegal behavior by the employee and that behavior causes injury in the new employer's workplace, the new employer can sue the former or current employer. If you have an employee whose conduct might cause harm or loss to another employer, you should document that behavior and disclose it when a prospective employer seeks information about the employee.

In Michigan, the **Disclosure of Employee Job Performance Act, PA 90 of 1996, (MCL 423.451)** provides that, upon

request of the individual or their prospective employer, an employer may disclose to an employee or that individual's prospective employer information relating to the individual's job performance. The former employer must have documented the information and placed it in the employee's personnel file. The law assumes that employers act in good faith when they release the information, so the Act provides immunity from civil liability for disclosure. There are exceptions to the good faith immunity when employers release information that they knew was false, or with reckless disregard for the truth, or if state and federal statutes prohibit the disclosure of the information.

The **Disclosure Act** provides good protection for employers who are offering information specifically documented in the employee's personnel file. To make sure the employer has complete protection, management should ensure that the documents contained in the file are appropriate. One of the sources to review when determining the appropriate contents of a personnel file is Michigan's **Bullard-Plawecki Employee Right To Know Act, PA 397 of 1978 (MCL 423.501 - 423.512)**. Bullard-Plawecki outlines what constitutes a personnel file, the requirement to maintain the file and the types of information an employer can allow an employee or external party to view. Section 6 of the Act requires written notice to the employee if the employer is going to provide a documented disciplinary action to a third party without a signed release by the employee, or by court order or because of a complaint investigation from a governmental agency. Section 7 of the Act requires the employer to review and remove from the personnel file any disciplinary action that is older than four years before releasing the file is to a third party other than for a court action or arbitration hearing.

When disclosing personnel information, employers must also comply with the restrictions on releasing medical and disability information in the **Americans With Disability Act** and Michigan's **Persons With Disabilities Civil Rights Act, PA 220 of 1976, (MCL 37.1101 - 37.1607)**. Both laws are very strict on the privacy of medical information and the release of it only to individuals who are deemed as "need to know" within the organization.

When releasing employment information to prospective employers, the employer should ask the prospective employer for a written release for the information signed by the employee. If the prospective employer has one, the former employer should ask for a faxed or mailed copy of the release before providing any information. With a release that covers background, medical and financial information, the employer has protection from civil litigation as long as the information he releases is, to the best of his knowledge, truthful. It is important not to make unsupported disparaging remarks about the employee. Specific documentation should exist in the personnel file to support and illustrate the employee's work behavior.

For PERC\$ and other information concerning personnel file maintenance go to **www.mml.org** and click on the Insurance tab. You will need your Pool or Fund log-in for PERC\$. Pick the Pool or Fund and then publications. The Insurance tab also

contains LEAF for the **Manual for Law Enforcement Risk Control**, Chapter 15, Employment Practices in the Resources section.

### **Practical Measures You Can Take**

We turned to Audrey Forbush, LEAF Legal Advisor and asked what municipal entities can do to avoid some of the pitfalls we have discussed. She offered the following suggestions:

#### **Hiring Practices:**

- Have all candidates sign a release of information form authorizing a background investigation that includes criminal, educational, and financial history, litigation history, driving, as well as medical and psychological history.
- Perform a thorough background investigation on all candidates for employment, making sure you cover the same areas for all candidates.
- To ensure consistency, use the same form for gathering information on each candidate. Go to MCOLES' web site and use their suggested criteria on the requirements for conducting background investigations on law enforcement candidates, adopting those that are relevant to your operation. Use MCOLES' comprehensive personal history information report to gather the relevant information for the investigation.
- At a minimum, visit the candidate's last two employers and review their documentation of the candidate's employment history. Ask questions about the candidate's behavior during his or her term of employment and request to see any disciplinary action taken.
- Speak to former teachers, neighbors, spouses, supervisors and co-workers to obtain information concerning past behavior.
- Ensure the confidentiality of any information you learn during the background investigation, disclosing it on a need to know basis only.
- Require as part of the Conditional Offer of Employment for all new police employees that they must pass a physical and psychological exam and drug screen. Provide the physicians with a current job

description for the position that includes the job tasks required of the individual who obtains the position.

### **Management Duty to Supervise**

- Establish clear lines of supervision in the department and make supervisors accountable for the actions of their employees.
- Follow a quality assurance program that documents the evaluation of the employees' work product and, where possible, their interaction with the public.
- Enforce the rules and policies of the department equally and fairly by holding employees accountable for their behavior.
- Document any corrective action taken.

### **Maintenance of Personnel Process**

- Inspect personnel files to ensure they reflect employees' work records and meet all legal requirements.
- Before providing information to the prospective employer of a former or current employee, ask for a copy of any release of information or authorization. Make sure the form contains the employee's signature. Place this form in the personnel file with a notation of the date and time as well as the name and telephone number of the person seeking the information.
- Delegate the responsibility for handling requests from prospective employers for a current or former employee's to one or two top-level employees who are familiar with the employee's work habits and behavior and who have an adequate knowledge of employment law.
- Provide only the documented information in the personnel file as outlined by the Bullard-Plawecki Employee Right to Know Act to future employers.
- Log all requests for recommendations and background information. The log should at a minimum, record the requestor's name and organization, the name of your current or former employee, the receipt of a signed authorization to release such information, and the date you provided it to the requestor.

LEAF continues to develop policies and resource documents designed to help Law Enforcement Executives manage their risk exposure. Do not hesitate to contact the Michigan Municipal League's, Loss Control Services at 800-482-0626, for your risk reduction needs and suggestions.

**While compliance to the loss prevention techniques suggested herein may reduce the likelihood of a claim, it will not eliminate all exposure to such claims. Further, as always, our reader's are encouraged to consult with their attorneys for specific legal advice.**



# MCOLES

Michigan Commission on Law Enforcement Standards

## Resources for Background Investigations

Title	Resources Available	Information Sought
MCOLES Administrative Rules	Administrative rules have the effect of law. The rule that requires background investigations is R 28.4102(e).	A person selected to become law enforcement officers <b>shall</b> possess good moral character as determined by a <b>favorable comprehensive background investigation</b> covering school and employment records, home environment, and personal traits and integrity. Consideration will be given to all law violations, including traffic and conservation law convictions, as indicating a lack of good character.
MCOLES Network	The MCOLES Network is one of the first resources law enforcement agencies should access regarding a candidate. It provides a large volume of information at a single location. Access to MCOLES records concerning an employment candidate requires a waiver signed by the candidate. Waiver forms are available in the MCOLES Network Law Enforcement Agency User Guide at Appendix B. Your MCOLES Network operator will be able to download the guide if you do not have a copy readily available.	<ul style="list-style-type: none"> <li>- Licensing Eligibility</li> <li>- Academy Report Card (academic record)</li> <li>- Law Enforcement Employment History</li> <li>- In-Service Training History</li> <li>- Unresolved standards issues</li> <li>- Standards issues that may cause a candidate to fluctuate in and out of compliance (e.g. diabetes)</li> <li>- Abuse of LEIN</li> <li>- Limited criminal conviction information (must be confirmed through court of record)</li> <li>- Contact by other agencies. Who else is inquiring about this candidate? This is a pointer system that will alert investigators regarding new sources of information.</li> <li>- Limited domestic violence information that has been reported to MCOLES</li> </ul>
MCOLES Personal History Disclosure	Candidates, for a number of years, have been required to complete personal history disclosures at the time they apply for entry to an MCOLES approved police academy. This information is available to law enforcement employers. The disclosure requires information encompassing the requirements of R28.4102(e), set forth above.	<ul style="list-style-type: none"> <li>- School records</li> <li>- Employment records</li> <li>- Home environment</li> <li>- Personal traits</li> <li>- Law violations</li> <li>- Evidence of good moral character or the lack thereof</li> </ul>
Schools & Colleges Attended	Contemporary school/college experience of a candidate should be investigated.	<ul style="list-style-type: none"> <li>- Evidence of honesty or the lack thereof. Has the candidate been involved in cheating?</li> <li>- Evidence of alcohol abuse</li> <li>- Evidence of drug usage</li> <li>- Ability to communicate</li> <li>- Excessive absence</li> <li>- Inappropriate sexual behavior</li> </ul>

*This document presents often-overlooked background investigation resources. It is not intended to be comprehensive!*

Police Academy	This is an excellent and often overlooked resource. The academy director and staff have a uniquely close view of how the candidate functions under physical and mental stress. They will point out candidate strengths, weaknesses, personal traits and observed demeanor. Current academy contact information is available at <a href="http://www.mcoles.org">www.mcoles.org</a> .	<ul style="list-style-type: none"> <li>- Evidence of honesty or the lack thereof. Has the candidate been involved in cheating?</li> <li>- Ability to communicate</li> <li>- Excessive absence</li> <li>- Ability to relate and work with others</li> <li>- Leadership ability</li> <li>- Anger management</li> </ul>
Employment Records	Obviously, prior employers may possess a wealth of information regarding a candidate for employment.	<ul style="list-style-type: none"> <li>- Evidence of honesty or the lack thereof. Has the candidate been involved in cheating or theft?</li> <li>- Evidence of alcohol abuse</li> <li>- Evidence of drug usage</li> <li>- Ability to communicate</li> <li>- Excessive absence</li> <li>- Inappropriate sexual behavior</li> <li>- Evidence of anger management problems</li> <li>- Evidence of inability to get along with the opposite sex</li> <li>- Racist tendencies</li> <li>- Inappropriate use of position, especially inappropriate use of law enforcement authority.</li> </ul>
Home Environment	Investigation of the home environment should be done with care and respect for the privacy of the candidate's family members. This is a sensitive yet fertile area to help identify stable candidates.	<ul style="list-style-type: none"> <li>- Evidence of domestic violence</li> <li>- Evidence of alcohol abuse</li> <li>- Evidence of drug usage</li> <li>- Excessive debt</li> <li>- Demeanor of candidate outside of the work environment</li> <li>- Evidence of inappropriate use of position or law enforcement authority for personal gain</li> </ul>
Court Records	Court files are available for public inspection on any civil lawsuit, divorce, or bankruptcy. Court files may also contain information regarding traffic violations that do not appear in LEIN.	<ul style="list-style-type: none"> <li>- Law violations</li> <li>- Evidence of good moral character or the lack thereof <ul style="list-style-type: none"> <li>- Honesty</li> <li>- Theft</li> <li>- Marital infidelity</li> <li>- Drug usage</li> <li>- Alcohol abuse</li> <li>- Any assaultive behavior</li> <li>- Racism</li> <li>- Anger management</li> <li>- Debt management</li> </ul> </li> </ul>
Military History	Use the standard DD-214 to obtain candidate information from the armed services. Contact your MCOLES representative for further instructions on how to access information regarding administrative discipline in the military services.	<ul style="list-style-type: none"> <li>- Honorable discharge</li> <li>- Incidents occurring during active military service and which required official investigation</li> </ul>

Internet	Internet search engines offer powerful tools that may help locate information regarding candidates,	<ul style="list-style-type: none"> <li>- Newspaper archives</li> <li>- Fee based services <ul style="list-style-type: none"> <li>- Lexus-Nexus</li> <li>- Choice Point</li> <li>- Credit Check</li> </ul> </li> </ul>
Information Not Disclosed	Willful failure to disclose requested information may constitute commission of fraud in the certification process, which is grounds for license denial or revocation by MCOLES. Agencies discovering serious instances of non-disclosure are requested to report same to MCOLES.	Information that is not disclosed by employment candidates must be investigated to determine the intent, if any, behind the omission. Often, these omission surface when comparisons are made between current and prior personal history statements and/or affidavits submitted by the candidate.
MCOLES Staff	One of the most consistent message from MCOLES staff regarding any issues pertaining to law enforcement candidates is, "call us." If you have any questions or need assistance, we can save you time and effort.	<p>(517) 322-1417 Main Number  (517) 322-6525 Standards Compliance  (517) 322-5627 MCOLES Investigations  (517)322-5615 Licensing Services Section</p>



Michigan Commission on Law Enforcement Standards  
7426 N. Canal Road, Lansing, MI 48913  
(517) 322-6525

**APPLICANT INFORMATION SHEET AND  
AUTHORIZATION FOR RELEASE OF INFORMATION**

*Type or print only:*

Name: Last:	First:	Middle:	Suffix (Jr, Sr, III):
Social Security No.*:	Date of Birth:	Gender <sup>‡</sup> :	Race <sup>‡</sup> :
Residence Address (Street, City, State, Zip):		Phone No.:	Highest Degree:
Drivers License No.:	Issuing State:	E-Mail:	

*Authorization for release of information:*

I hereby authorize any individual, agency or organization to furnish the Michigan Commission on Law Enforcement Standards, its representatives and/or agents (including, but not limited to, its academies or contractors) any and all information pertaining to my background and ability to comply with the standards for selection, employment, training and licensing as a law enforcement officer. Such information includes, but is not necessarily limited to: employment, criminal, academic, military, and personal histories; academic, attendance, and driving records; and medical records (includes medical/emotional, including diagnosis and prognosis, if any).

I hereby authorize any individual, agency or organization to release such information upon request. This authorization is executed with the full knowledge and understanding that the information is for official use by the Michigan Commission on Law Enforcement Standards.

Further, I hereby authorize the Michigan Commission on Law Enforcement Standards to release any and all records collected pursuant to this authorization to any individual, agency or organization for the legitimate purposes of fulfilling the Commission's statutory and administrative objectives.

I hereby release any individual, agency or organization, including its officers, employees and related personnel, both individually and collectively, from any and all damages of whatever kind, which may at any time result to me, my heirs, family or associates because of compliance with this Authorization for Release of Information, or any attempt to comply with it.

This Authorization shall continue in effect until revoked by me in writing. A photostatic copy of this Authorization shall have the same force as the original.

Signature:	Today's Date:
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AUTHORITY:	203 PA 1965
COMPLIANCE:	Voluntary
PENALTY:	No License Activation/ Academy Enrollment

* This information is confidential. Confidential information is protected by the Federal Privacy Act.
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<sup>‡</sup> This information is for the purposes of EEO reporting only.
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