# Michigan Association of Chiefs of Police

## MICHIGAN LAW ENFORCEMENT ACCREDITATION PROGRAM



**Onsite Final Report**

**The Livingston County Sheriff’s Department**

**July 25 & 26, 2022**

**Team Leader: Brad Wise**

**Team Member: Gale Kicinski**

**A. Agency Name, CEO and AM:**

Livingston County Sheriff’s Office

150 South Highlander Way

Howell, MI 48843 (517) 546-2440

Michael Murphy

Sheriff

mmurphy@livgov.com

Eric Sanborn

Lieutenant

esanborn@livgov.com

**B. Dates of On-Site Assessment:**

Monday, July 25, 2022 – Tuesday, July 26, 2022

**C. Assessment Team:**

1. Team Leader: Brad Wise, Inspector

Battle Creek Police Department

34 North Division

Battle Creek, MI 49014

bmwise@battlecreekmi.gov

1. Team Member: Gale Kicinski, Accreditation Manager

 Port Huron Police Department

100 McMorran Boulevard

Port Huron, MI 48060

kicinskg@porthuron.org

**D. Community and Agency Profile:**

1. Community Profile

Livingston County is a county in the United States, State of Michigan. As of the 2020 Census, the population was 193,866. The county seat and most populous city is Howell. The county was platted in 1833 but for three years remained assigned to Shiawassee and Washtenaw counties for revenue, taxation and judicial matters. It was formally organized in 1836. As one of Michigan's "Cabinet counties" (a group of ten counties whose names honor members of President Andrew Jackson's Cabinet) it is named after former US Secretary of State Edward Livingston. Livingston County's location in Southeast Michigan offers residents relatively convenient access to the metropolitan centers of Detroit, Lansing, Ann Arbor, and Flint. Livingston County residents regularly commute to those centers, using the three major expressways which pass through the county: I-96, US 23, and M-59. Although continuing to be composed largely of bedroom communities, the county is experiencing and maintaining significant growth in both the service and industrial economic sectors. Livingston County is made up of 16 townships, it has two cities (Howell and Brighton), and two villages (Pinckney and Fowlerville).

The county government operates the jail, maintains rural roads, operates the major local courts, records deeds, mortgages, and vital records, administers public health regulations, and participates with the state in the provision of social services. The county board of commissioners controls the budget and has limited authority to make laws or ordinances. In Michigan, most local government functions – police and fire, building and zoning, tax assessment, street maintenance, etc. – are the responsibility of individual cities and townships.

2. Agency Profile

The Livingston County Sheriff’s Office (LCSO) was established in 1836. The Sheriff is an elected official by the voters of Livingston County. Today the Sheriff’s Office is comprised of 180 full and part time staff members. In addition, the Sheriff’s Office has youth explorer volunteer units. The Sheriff is responsible for operating a Field Services Division and a Corrections Division.

With the recent addition to the jail, the rated capacity now stands at 411. With this expansion, the LCSO was able to implement a number of technical advances as well, such as video visitation and e-mail for those incarcerated which improved communication with their legal counsel and loved ones. The Jail Division, on average, processes over 5,000 inmates per year. Currently the average length of incarceration for an inmate is 14 days. LCSO offers a number of programs to individuals while they are incarcerated, for example Alcoholics and Narcotics Anonymous, church services, counseling, self-development classes, and assistance with GED completion to name just a few. These programs are designed to be additional tools for their “toolbox” to help individuals better acclimate when they are released.

The Sheriff’s Office is responsible for responding to 80 percent of the calls for service in the unincorporated areas of Livingston County. In addition, the LCSO contracts to provide supplemental law enforcement services in the townships of Tyrone and Putnam. In 2017, Livingston County Sheriff’s Office formed a community outreach unit for things community, school and youth based. LCSO has since added a partnership with the intermediate school district for an attendance officer and early literacy advocate. LCSO has collaborated with townships and school district for school resource officers.

The Field Services Division consists of a Uniformed Division, Detective Bureau, Special Response Team, Crime Scene Investigators, K9, Traffic Safety Bureau, Community Outreach, SRO, marine patrol, animal control and a Central Records Division to name a few. The Field Services Division responds to approximately 27,000 investigations per year. Approximately 15,000 of these calls are dispatched responses for service from 911 and approximately 12,000 are self-initiated investigations generated by the deputies. These incidents include; accidents, domestic situations, property crimes, misdemeanor and felony complaints. The LCSO has a great working relationship with the other police agencies in the county and assist them regularly.

3. CEO Biography

Sheriff Murphy began his career with the Livingston County Sheriff’s Office in 1990. During his career, Sheriff Murphy has held the positions of Corrections Deputy, Road Patrol Deputy, Sergeant, Detective Lieutenant, Shift Lieutenant, and Undersheriff. In November 2016, he was appointed Sheriff to fill the remaining term of retired Sheriff Bob Bezotte. Sheriff Murphy was elected as the Sheriff of Livingston County in January 2017.

Sheriff Murphy received his Associates Degree from Lansing Community College in 1988 and graduated from the Mid-Michigan Police Academy in 1990. Sheriff Murphy is a graduate of the FBI National Academy No. 217 as well as several leadership schools including Eastern Michigan University Police Staff & Command School, Law Enforcement Executive Leadership Institute (LEELI), Police Executive Leadership and the Michigan State Police Leadership Development School.

Sheriff Murphy is involved in the Livingston County Community and statewide through the following organizations:

* Livingston Arts Council
* Board of Directors - LACASA
* Livingston Sunrise Rotary Club
* Michigan Municipal Risk Management Authority Law Enforcement Advisory Committee
* Michigan Association of Counties Judiciary and Public Safety Avisory Board
* Genesis House Advisory Board
* Board of Directors – Midcourse Correction Challenge Camp
* Board of Directors - Work Skill
* Walk for Warmth Committee
* Michigan Sheriffs’ Association Board of Directors
* Past President – Michigan Sheriffs’ Association Board of Directors – 2021

4. Accreditation Manager Profile

Lieutenant Eric Sanborn graduated from Northern Arizona University in 2009 with a Master’s Degree in Administration. Additionally, he holds a Bachelor’s degree in Criminal Justice/Political Science from the University of Michigan-Flint. He is a graduate of the FBI National Academy, (2010)

Lieutenant Sanborn began his career with the Livingston County Sheriff’s Office in in April of 1998 - 2003. He was employed at the Paradise Valley Police Department (Arizona) as a Patrol Officer and Detective from September 2003 – December 2006. He returned to the Livingston County Sheriff’s Office in January 2007. Lieutenant Sanborn has been assigned as Shift Lieutenant, Assistant Jail Administrator, Field Services Administration, and currently is assigned to Special Services. As part of the Special Services assignment Lieutenant Sanborn was given the responsibility to completely re-vamp the department’s policies and procedures in preparation for accreditation. This effort was undertaken to ensure that the policies of this department met or exceeded the best practices within law enforcement as dictated by the MLEAC accreditation standards.

5. Future Issues

The Livingston County Sheriff’s Office has identified the necessity to upgrade technology and equipment as a current and future issue. The recruitment and retention of quality law enforcement personnel has also been identified as a future issue. The agency presently has only one vacancy in the Field Services Division; however, several deputies are eligible for retirement in the near future. The agency has enacted strategies to recruit qualified candidates regarding the future vacancies. The Sheriff is proud of the agency’s robust website and social media presence and commitment to excellent customer service. Employee wellness is also a priority. The agency provides a designated space to exercise and allows staff to take time for physical fitness.

**E. Public Information Activities:**

Public notice and input are cornerstones of democracy and MLEAC accreditation. This section reports on the community’s opportunity to comment on their law enforcement agency and to bring matters to the attention of the commission that otherwise may be overlooked.

 1. **Telephone Contacts**

The public telephone line was active on Tuesday, July 26, 2022, from 10:00 a.m. to 12:00 p.m. Three calls were received.

Bob West – Hartland Township Manager

Mr. West stated he has an excellent relationship with the LCSO and in his opinion, this is the best relationship he has ever had during his municipal career. He fully supports LCSO in their endeavor to become accredited. He has nothing negative to say about the agency and has appreciated some of their recent changes as they adjust to societal changes. Mr. West states that LCSO’s communication is exceptional. Recently a partnership was started between LCSO and Hartland Township, as well as, Hartland Schools to assign a School Resource Officer to the township. This School Resource Officer will also be responsible to complete patrol duties within the township.

Erin MacGregor – Superintendent Howell Schools

Mr. MacGregor has been the superintendent for Howell Schools for eight years. For those eight years, there has been a strong relationship between the school district and LCSO. Mr. MacGregor is a strong supporter of LCSO becoming accredited. He said that the communication between the two is strong and the school district is always supported by LCSO. There is a great partnership between the two from the top down. The school district does not only rely on LCSO for security but also for educational purposes. The Sheriff and Deputies have always been very willing to educate the students and school employees in safety issues.

Dr. Michael Hubert – Livingston Educational Service Agency (LESA)

Dr. Hubert stated that LESA and the LCSO have a good relationship with tremendously high relational trust. The communication between these two entities is very good with high confidence in each other. They have an interesting partnership in which LESA contracts with LCSO for a deputy to specialize in truancy and training. This position focuses on literacy. LESA pays for half of this position while the LCSO contributes the other half of the position. This partnership increases positive relationships between law enforcement and the community, but mostly with children from ages 1 to 5. The response to this program has been tremendous. The position focuses on both literacy and truancy, which helps influence good relationships at an age that can set a precedence for the future. LESA is also involved in a Livingston County School Safety Committee. This committee involves these two agencies as well as other schools and law enforcement within the county. This committee focuses on protocols for school safety and emergency management.

2. **Correspondence**

The following emails were received concerning the Livingston County Sheriff’s Office’s accreditation assessment:

*From: Carol Griffith*

*Sent: Tuesday, July 19, 2022 9:19 AM*

*To: Eric Sanborn*

*Subject: Accreditation*

*Lt. Sanborn, I have no doubt of the Livingston County Sheriff's Department to achieve Law Enforcement Accreditation. I am aware that the department recognizes and utilizes Best Practices in the department and throughout the community. Professional excellence is a mantra for your department and this is just another step to be recognized nationally for your continued professionalism. Good luck and many thanx for taking on the initiative.*

*.*

*Livingston County Commissioner, Vice Chair District 7*

*From: ROBERT KERR*

*SENT: Sunday, July 24, 2022 2:48 PM* *nrossow@michiganpolicechiefs.org**;*

*To: Eric Sanborn*

*Subject: Livingston County Sheriff's Department Accreditation*

*Dear Michigan Law Enforcement Accreditation Commission Assessment Team:*

*As a resident of Livingston County for nearly 30 years, I am pleased to fully endorse the Livingston County Sheriff's Department's efforts to become accredited by the Michigan Law Enforcement Accreditation Commission.*

*I was employed by the Sheriff's Department for approximately 2.5 years from 2014-2016 as a Bailiff in the district, probate and circuit courts, and prior to that, served as GALEA accreditation manager for a re-accreditation cycle prior to my retirement from the Canton Police Department in 2013. Having experience in both roles, I am very familiar with the rigors of preparation for accreditation and compliance with standards, and had familiarity with the Livingston County Sheriff's Department during my employment there.*

*The agency is highly visible and effective in the community, and Sheriff Mike Murphy is a well known and respected leader in Michigan law enforcement. The LCSD maintains good working relationships with local law enforcement agencies, the Michigan State Police, and various federal law enforcement partners.*

*As a resident of Tyrone Township, my neighborhood benefits from regular patrols as part of our Township's contract with the County for regular patrol shifts.*

*The Livingston County community has been well-served under the leadership of Sheriff Murphy, his command staff, and law enforcement and corrections deputies and support staff. Their efforts in serving our community continue to make our county and my township a safe, enjoyable, and sought after place to live.*

*Sincerely,*

*Robert Kerr*

*Tyrone Township*

*Livingston County*

*From: Dennis Brennan <supervisor@putnamtwp.us>*

*Sent: Monday, July 18, 2022 2:10 PM*

*To: Eric Sanborn*

*CC: Mike Murphy*

*Subject: Comments regarding accreditation*

*Hi Lt. Sanborn,*

*In my nearly six years as Supervisor of Putnam Township, I've had the privilege of working with the LC Sheriff's office on many occasions. Most of our interaction is related to our contract for dedicated patrols in the Township. The deputies that have been assigned to Putnam have been outstanding! We receive great feedback from our residents, especially as it relates to their presence throughout the Township. Our residents are happy that your deputies are approachable and helpful but, mostly, they just love seeing them on their roads no matter how small the road may be.*

*Personally, I have been extremely pleased with the open line of communications from top to bottom in the Sheriff's office. Whenever I have shared a concern about an event in our Township, I can rely on the Sheriff's office to take my concerns seriously. We have worked well together to keep our residents and visitors safe, and your deputies always handle themselves in the most professional manner in every situation. Are there residents who would disagree?*

*Certainly! And they are likely the ones who don't get their way in a petty dispute with neighbors. Sometimes I think it must take all the self-control and patience they can muster but those deputies always handle things in a calm and professional manner.*

*I can't comment on your your internal policies and procedures, but the public persona of the department shines through with excellence, and I wholeheartedly support accreditation of the Livingston County Sheriff's Office.*

*Dennis*

*Dennis Brennan*

*Putnam Township Supervisor*

*From: linda*

*Sent: Monday, July 11, 2022 7:26 AM*

*To: Eric Sanborn*

*CC: Sheriff; Mike Murphy;*

*Subject: Accreditation comments, MACP, Sheriff's office*

*Dear Lt. Sanborn,*

*I would like our Sheriff's office to 'not' pursue accreditation with MACP. I prefer our County become members of the Constitutional Sheriffs and Peace Officers Association.*

*One of the reasons is because I believe our county truly needs a sheriff's office that stands together with the grassroots people in efforts to ensure all of government abides by their constitutional duty and obligations. Another reason is due to MACP failure to support Police Chief Bukala in Lowell, Ml when he publicly supported his oath of office a few years ago. MACP showed it's true colors and they are not what our county needs or wants.*

*I wholeheartedly do not believe MACP is the proper constitutional avenue for our Sheriff's office to rely on for standards and best practices.*

*Sincerely, Linda Bullard*

*From:Ted Van Oflen*

*Sent:Friday, July 8, 2022 10:56 AM*

*To:Eric Sanborn*

*Subject:Public Comment*

*re: whmi news article*

*i have nothing but praise for the good officers who put their lives on the line to protect the citizens of livingston county. i find it disheartening that the sheriff may publicly pick and choose which laws that he chooses to uphold. it is wrong to politicise the office. if the accreditation process can yield a negative result for Sheriff Mike Murphy, i'd support that effort.*

*From: Jeff Beaton*

*Sent: Friday, July 15, 2022 11:10 AM*

*To: Eric Sanborn; Jason Pless; Mike Murphy*

*Subject: FW: Accreditation of Livingston County Sheriff Department*

*Good morning, Neil:*

*I would like to send this email in support of the Livingston County Sheriff Department and their effort to become accredited by your organization.*

*My personal experience with the entire Team has been nothing but stellar.*

*They provide professional support to the community, act in the best interest of the laws they have sworn to uphold and protect and are well respected across the entire County.*

*The Department is always working to provide the 'best technology" to its deputies to allow them to protect themselves along with the community. The Department is well run, extremely organized, and has demonstrated its commitment for proper training and readiness at times when it is required.*

*I operate in many Counties, and in multiple states, I find the Livingston Sheriff Department a "a cut above" them all, I see in the operations, strength in leadership, and community involvement. Procedures are following, protocols are understood, and the entire community respects and supports the Livingston County Sheriff Department.*

*If you have any questions, please feel free to contact me.*

*Jeffrey A. Beaton President/ COO*

*From: Bob Brookins*

*Sent: Sunday, July 17, 2022 8:18 AM*

*To: Eric Sanborn*

*Subject: Proposed MLEAC Standards Accreditation*

*Lt. Sanborn,*

*Please add the following comments to the Michigan Law Enforcement Accreditation Commission in your proposed MLEAC Accreditation efforts for the Livingston County Sheriff's Office.*

*Thank you.*

*Dear Michigan Law Enforcement Accreditation Commission,*

*From my career knowledge of many members of the administrative and organizational staff of the Livingston County Sheriff's Office, I believe them to be sincere and dedicated to following and enforcing the proposed MLEAC Accreditation best practices for all agency services.*

*My personal background is I am a current resident of Livingston County, retired Chief of Police with Green Oak Charter Township (located in Livingston County), and a retired Lieutenant with the Genesee County Sheriff's Office (Flint, Ml), I believe my career experiences review of the Livingston County Sheriff's Office accreditation proposal to be balanced considering their agencies many organizational responsibilities.*

*The proposed MLEAC Standards Accreditation (draft) document is organized, detailed and concise.*

*I would like to provide endorsement for the Livingston County Sheriffs Office's efforts meeting the Michigan Law Enforcement Accreditation Commission's "best practice" standards for agency accreditation.*

*I wish them well in this endeavor and am confident that they will successfully conform and adhere to all accreditation requirements once obtained.*

*Thank you,*

*Chief Robert L. Brookins (retired)*

*From:  Judy Daubenmier*

*Date:  Saturday, June 4, 2022 at 7:39 AM
To:  Neal Rossow <nrossow@michiganpolicechiefs.org>
Subject:  Accreditation of Livingston County Sheriff's Department*

*Hello,*

*I am writing to provide input about the Livingston County Sheriff's Department.*

*Although sheriffs in Michigan are elected on a partisan ballot, I think it is important that they serve all residents equally.*

*Unfortunately, as chair of the Livingston County Democratic Party, I hear from many people who are reluctant to have interactions with our sheriff's department due to their party affiliation. They have a strong feeling that their complaints will be disregarded.*

*Sheriff Murphy's refusal to support Governor Whitmer's pandemic orders and to call them "unconstitutional" caused many to lose faith in his willingness to enforce the law fairly.*

*This feeling was only reinforced by the sheriff's decision to refer for criminal prosecution one of our former candidates for posting on social media public information about a woman who criticized school board members over their response to the pandemic. The posting was totally within the bounds of the First Amendment and the referral for criminal prosecution for cyber stalking had a chilling effect on public discourse. It also required the former candidate to raise thousands of dollars for legal fees even though so far the county prosecutor has wisely declined to pursue charges.*

*The sheriff is accessible to me when I call with concerns. For example, when President Biden visited Howell last fall we organized a welcome party of supporters to hold signs and wave as the motorcade went by. The other party organized a mob of hundreds with profane signs and chants, chain saws, bull horns, and assault rifles. They ripped signs and flags out of our hands, wrote obscenities on our signs, blasted sirens in our ears, surrounded elderly women using walkers, and pressured us on all sides. Although calls were made to 911, we were told unless there were injuries they would not send anyone. One of our group did flag down a passing patrol car who stopped and told one of the bullies to stay on his own side of the road.*

*Afterward, the sheriff did meet with me and another participant and told us he had been out of town the day of the president's visit and that decisions on whether to dispatch people are made by the 911 center, not his office. I encouraged him to have a conversation with the 911 dispatchers about when it is in order to respond to people in distress. I don't know if this occurred.*

*Theft and destruction of Democratic yard signs is an epidemic in our county. Our members refuse to even report incidents out of a belief, and their experience, that deputies will shrug and walk away. Our members have had 4 by 8 foot signs stolen in broad daylight. These are not signs that can be easily replaced. They are expensive and must be ordered in large batches so it is not "just a sign."  Others have had them shot with bullet holes even when the signs are close to their homes. Sometimes, every Democratic sign in a subdivision will disappear the same night. These are organized events, yet it is treated as just something that happens. Theft and vandalism should be treated as crimes and the sheriff's department should make it clear that they will be treated as such.*

*I have had occasion to call for help in our party headquarters when members of the other party have entered, harassed us and refused to leave. On one occasion, the sheriff's office did send someone, but instead of coming to our office, the officer went into Dollar General, came out after a couple minutes, and then left. It makes me wonder what sort of instructions they got from the dispatch center when the officer couldn't find our office which was right next door to Dollar General. I complained to the sheriff and he said he would alert his officers as to the location of our office so that future responses would be more appropriate. I have not had occasion to ask for help again, but I hope the response is better when I do.*

*In short, many people doubt they will receive the protection they pay for when and if they ever need it. Given this widespread feeling, the department should go out of its way to show that it is nonpartisan and even-handed. I hope the accreditation process can suggest some ways for that to happen.*

*Cordially,*

*Judy Daubenmier, chair*

*Livingston County Democrats*

*From:  Sean Lauren
Sent:  Sunday, May 8, 2022 6:16:37 PM
To:  Neal Rossow <nrossow@michiganpolicechiefs.org>
Subject:  Livingston County Sheriff’s Office’s ability to comply with the standards for accreditation*

*I don't know what the standards are but I imagine my experiences show they're not following something.*

*1. They don't know easement law at all. They continually told me I was wrong and my neighbors were right until I finally took them to court. They could have saved us all a lot of time by knowing some basic property rights as the court sided in my favor.*

*2. They didn't deescalate my situation with my neighbors, they escalated it themselves and typically put on a hat of authority over \*me\*--the one who was actually in the right and making my neighbors all the more brazen and harassing.*

*3. The reports from the officers do not match reality. I have a written report recounting events and I happen to have recordings showing just how different it was.*

*4. No due process. First, the officers on the scene. They took the statement of my neighbors then prejudiced themselves against me without seeing my side of the story. Because of this, I thought I'd have better luck explaining it outside the situation at the office. So I walked into the sheriff's office to explain the issue with my neighbors and how they've been harassing me and lying to police to turn them against me. I wanted to file a real report and let the prosecutor decide. Once they read the previous officer's report, however, which was prejudiced against me, they threw me out and wouldn't hear anything I had to say. Court only solved part of the civil part of the problem but there is still a criminal aspect which I am not getting due process for.*

*From: Dianne Mccormick*

*Sent: Monday, July 18, 2022 10:38 AM*

*To: Mike Murphy <MMurphy@livgov.com>; Eric Sanborn <ESanborn@livgov.com>; Jason Pless <JPless@livgov.com>; nrossow@michiganpolicechiefs.org*

*Subject: Re: Accreditation Help*

*Hello Gentleman,*

*It is my pleasure to provide my observations and input as LCSD seeks accreditation status. I have had the pleasure working over a span of many years with the department on various levels in my capacity as Director of Livingston County Health Department (LCHD). There are a few areas that I feel warrants accommodation and recognition from a public health lens including:*

*Communicable Disease Control:*

*Communicable disease control and prevention communication between the medical team within LCSD and the LCHD public health nurses is excellant. The effort to prevent, isolate or contain potential outbreaks within the jail is exceptional regardless if it is COVID, Hep A, MRSA, TB etc. The medical team does not hesitate to reach out to LCHD to consult on public health related issues as appropriate.*

*As examples, LCHD and the LCSD medical team collaborated to provide Hepatitis A vaccination clinics and provided education and vaccination to more than 130 prisoners incarcerated that agreed to being vaccinated. We also collaborated to provide COVID testing supplies and vaccines and worked closely together on recommendations for setting up isolation and separation protocols for prisoners that tested positive for COVID.*

*Food Service Operations:*

*To assure proper food service operations and compliance with the federal food code that restaurants are held to, the LCSD requests annual inspections to assure the same standards are being met. LCHD conducts these inspections as requested and any non-compliance structural or food service preparation and handling violations that are noted are corrected immediately.*

*Animal Control:*

*LCSD-Animal Control Officers worked collaboratively with Livingston IT and LCHD public health nurses to develop a timely animal bite notification process. Timely notification for public health nursing follow-up has been a gap and the new process that has been instituted is working well and is the result of the collaborative effort between the Livingston County team working to solve the problem.*

*It has been my pleasure working with each of you over the many years and I commend you and your effort to achieve the gold standard of accreditation status and leading the way!*

*If there is anything you need or additional interviews or informaion needed for the accreditation panel, please don't hesitate to reach out.*

*Best*

*Dianne McCormick*

*Newly Retired Director/Health Officer*

*From:  Daniel Luria
Sent:  Sunday, May 8, 2022 3:13:52 PM
To:  Neal Rossow <nrossow@michiganpolicechiefs.org>
Subject:  Livingston County Sheriff’s Office accreditation*

*Mr. Rossow,*

 *While I am not fully versed in all of the criteria for earning certification, I do want to note one action that concerns me with regard to whether our Sheriff's Office is in compliance with the standards required for accreditation.*

*This past Winter, Sheriff Murphy asked the County Prosecutor to consider charging a local Democratic activist when she simply reported on social media comments that a local nurse made at a public meeting. The nurse, whose statements about Covid 19 vaccines and mask effectiveness were disavowed by both her employer and the State nurses' association, apparently approached the Sheriff's Office to ask them to go after the local activist.*

*Luckily, the Prosecutor, whether out of laziness or wisdom, took no action. Had he elected to prosecute such an obvious case of the Sheriff's Department going after someone they don't like for exercising what was so obviously protected speech, the Sheriff's action would have exposed the County's taxpayers to a certain civil liberties lawsuit, which the County would have lost and been forced to award 6- or 7-figure damages.*

*Again, I have no idea whether this attempted prosecution suggests that the Sheriff's Office is a poor candidate for accreditation, but at the very least it suggests that the Office is not acting -- as it should -- "above politics."*

**

*Daniel D. Luria*

*From:  Jim Jandasek
Sent:  Thursday, May 26, 2022 11:00 AM
To:  Neal Rossow <nrossow@michiganpolicechiefs.org>
Subject:  Livingston County Sheriff Department*

*Dear Mr. Rossow:

I would like to preface this email by indicating that I am a member of a family of law enforcement officers....two chiefs of police and one deputy chief. I am very supportive of law enforcement.
However, I am disappointed in the Livingston County Sheriff Department's performance, specifically in the area of enforcement of traffic laws.  There is essentially no enforcement.
I would offer the following:

-  When I recently corresponded with the Department regarding dangerously excessive speeding on a major county roadway in a densely populated and trafficked area near Brighton, I received a gracious, empathetic response that fundamentally told me that the Department was understaffed and nothing could be done. I don't find that acceptable. If the Department's current strategy and tactics
are ineffective, then they need to be changed. If staffing is the issue, then it needs to be addressed by the Sheriff. In the interim, tactics should be altered. I offered the following suggestions:
1) Closer collaboration with the Michigan State Police. 2) Use of electronic signs displaying the speed limit and actual vehicle speeds in excess of the limit. 3) Periodic, random, high-visibility enforcement. Anything would be better than a non-response to the problem. Additionally, please note that when I suggested that it would be advisable to lower the speed limit on the stretch of road in question, the reply was that it was not the Sheriff Department's responsibility. A "not my job" response doesn't demonstrate much concern or initiative.

- The non-enforcement ethic of the Department is also exhibited in the following anecdote: I personally witnessed a Sheriff's deputy ignore a speeding motorist run a red traffic light on eastbound Grand River Road at Hilton Road in Brighton. This occurred in the vicinity of 11:30 PM. I was in the left turn lane. The deputy was next to me. The motorist blew through the red light in the right lane, well in excess of the 40 MPH speed limit. I fully expected to see the deputy pursue the motorist, but he did absolutely nothing.

One additional example of the lackadaisical attitude within the Department is that deputies apparently aren't required to complete accident reports on any regular, disciplined schedule. I was sideswiped by a driver some time ago. It took me two weeks of pestering the deputy who attended the accident scene to finally secure an accident report (to affix blame on the other driver and secure payment of my deductible by her insurance company).

To my way of thinking, these examples are indicative of some significant systemic problems in the Livingston County Sheriff Department. Perhaps a denial of accreditation would provide some motivation to the Sheriff and his subordinates to improve performance.

Respectfully,

James D. Jandasek*

*POURED BRICK WALLS, INC.*

*Specialists in Poured Concrete Brick Textured Walls Trenched and Formed Foundations*

*Established 1967*

*July 19, 2022*

*Michigan Law Enforcement Accreditation Commission*

*To Whom It May Concern:*

*It has come to my attention that the Livingston County Sheriffs Office is applying for accreditation. I have personal firsthand knowledge of the Sheriffs Department and would like to give you my evaluation of the department. The Livingston County Sheriffs Department runs a very tight ship, day in and day out, from road patrol, on calls from A-to-Z accident scenes and all other runs they receive on a daily basis. Rain or shine, day or night the office personnel are are polite and·have answered all questions and request I have had. Their leadership of command officers is exceptional, they have proven to have extensive knowledge of law enforcement, as well as having the department listen and interact with the public at large and are nonjudgmental in their actions.*

*Our Sheriff gives great direction to his full staff and they all listen and apply his directions with great attention to detail in regard to daily duties and law enforcement for our county.*

*I must say that Sheriff Mike Murphy is one of the best Sheriffs that Livingston County has had and he is an exceptional person personally.*

*I would highly recommend that the Livingston County Sheriffs Department is given all consideration with regards to accreditation. They have proven themselves worthy of the accreditation by virtue of direction and action within the department and the communities that they service.*

*Keith Tobel President*

*Poured Brick Walls, Inc.*

*From: Bill Rogers <* *Bill@genoa.org**>*

*Sent: Wednesday, July 20, 2022 12:00 PM*

*To: Eric Sanborn*

*Subject: Accreditation*

*To Whom It May Concern,*

*I have had the opportunity for several years to work with the Livingston County Sheriff's Department as a Livingston County Commissioner, Chairman, State Representative, and currently Genoa Township Supervisor. I have full confidence in their ability to comply with the standards of accreditation.*

*Sincerely, Bill Rogers*

*Genoa Township Supervisor*

3. **Media Interest**

There were no inquiries from the media to assessors regarding the on-site.

4. **Community Outreach Contacts**

 Nathan Burd – Livingston County Controller

Mr. Burd indicated that all Livingston County agencies, including the Livingston County Sheriff’s Office (LCSO), are on solid financial foundation with no budgetary concerns. Mr. Burd stated that the LSCO maintains a good relationship with the other Livingston County agencies and department heads work well together.

Mr. Burd stated that the LCSO is near its fully authorized strength numbers and does not seem to struggle with recruiting. Mr. Burd said the largest future issue facing Livingston County is the lack of broadband internet access.

5. **Agency Ride-along**

On Tuesday morning, Assessor Brad Wise rode along with Deputy Ray Marino. Deputy Marino is assigned to the day shift from 6am-6pm. During which, he responded to a wide variety of calls during his shift. Deputy Marino highlighted the county to me, which is comprised of the cities of Howell and Brighton along with villages of Fowlerville and Pinckney, rural farming areas, lakes, and industrial areas. Deputies do not have a designated patrol area, but are dispatched to incidents based on the closest available deputy.

Deputy Marino has been employed with the agency for approximately 22 years and finds fulfilment in the position. He was drawn to the agency based on the agency’s good reputation, variety of patrol areas, and opportunities within the agency. Deputy Marino has been assigned to the Community Outreach Unit, School Resource Officer, Field Training Officer, and is a former 10 year member of the agency’s Tactical Response Team.

Deputy Marino said that the agency provides regular training on basic topics including firearms, defensive tactics, and precision driving. Deputy Marino stated that personnel also receive additional training such as domestic violence investigation, strangulation investigation, and how trauma can impact victims. Deputy Marino stated that deputies can also identify training they would like to attend and the agency generally will approve the training, within reason.

Deputy Marino stated that Sheriff Murphy has named him as his representative to LACASA Center, which provides resources to the area’s Domestic Violence/Sexual Assault survivors. Deputy Marino explained that this permitted him to develop as it fostered relationships that he would have not had an opportunity to have otherwise.

Deputy Marino had a rudimentary understanding of Accreditation but understood that it would improve the agency and its response to the community.

6. **Community Involvement**

The Livingston County Sheriff’s Office appears to have authentic community involvement. They go beyond an event-based strategy but look to provide resources and support based on the needs of their community. Examples of some of these services or services they collaborate with are listed below:

STOPPED Program – A parental notification system with the goal of reducing the number of young drivers who are involved in motor vehicle crashes each year. Parents voluntarily register their vehicles with LCSO online. They may register any vehicle (such as a car, boat, ORV, moped, motorcycle) that will be operated by a driver under 21. An identification decal is issued by and affixed to the top left corner of the rear windshield of the vehicle.

If, for any reason, the vehicle is pulled over by a participating law enforcement agency while a driver under 21 is driving a notification is sent to the registered owner of the vehicle. Notification includes the time and location of the stop, the driver’s name and number of passengers in the vehicle, the reason for the stop and whether or not any citations were issued.

Red Barrel – Prescription drug drop-off and disposal program.

Property Checks – Property

Unclaimed Property Web Page – Unclaimed property that can be released to the owner, however, the owner has not responded to telephone messages or mail.

Explorer Program

Car Seat Inspection

Active Shooter Response Program - The Livingston County Sheriff's Office offers a free training program to help citizens respond to an active assailant event.

The program incorporates concepts from both the A.L.I.C.E program (Alert, Lockdown, Inform, Counter, and Evacuate) and the C.R.A.S.E (Civilian Response to Active Shooter Events) course developed by A.L.E.R.R.T. The program is free of cost and available to public and private businesses, schools, places of worship, and other locations within Livingston County.

Livingston County Community Alliance – County-wide, anti-drug collation that aims to unite the Livingston County community to reduce and prevent youth substance abuse.

Shop with a Cop – A program that gives children in need the opportunity to shop for holiday gifts with local officers.

Kick’en It for the Kids – Kickball Tournament whose proceeds go towards sending children to summer camp.

Bicycle Giveaway Program

Breakfast with the Sheriff – Sheriff Murphy eats breakfast with a local student, drops them off at school, and visits the classroom.

Cram the Cruiser – Yearly food drive that the proceeds go to area food banks and pantries

**F. Essential Services:**

**Chapter 1 – The Administrative Function:**

Direction of Personnel

The Sheriff has the sole authority to issue, modify, repeal, amend, revise, revoke, or approve any of the rules, written directives, policies, and procedures. The written directives were constructed in a logical manner with employee duties and responsibilities clearly defined, including constraints on employee actions and expectations. The agency uses Lexipol to maintain their policies, which allows for the policy to be disseminated for review by staff prior to issuance. The agency has identified the difficulties in maintaining policies in Lexipol but having to maintain any and all updates in PowerDMS and the struggle it is to keep current.

Fiscal Control

The agency has one cash box in records. Purchases are paid for by cash or credit cards. Citizens coming to the agency for fingerprints, SOR payments, etc. pay at the front counter. These funds are receipted and then placed in a drop box. The drop box is balanced every day and deposited with the County Treasurer. There is no beginning balance and no change is made.

The agency also has a CI fund which has a starting balance of $5,000 and is replaced as needed. Buy funds are taken from this money. If the amount needed exceeds the balance of the account, permission from the Sheriff must be obtained. All monies taken from this fund are approved by supervision.

Any office or department equipment is purchased by either a department credit card or a purchase order to the County offices.

Internal Affairs

The agency will accept and investigate all complaints, even those made anonymously. Internal investigations are assigned to a command officer, who has the authority to report directly to the Undersheriff/Sheriff. The agency has a well-defined process from the receipt of a complaint through the final disposition and notification to the citizen.

During this accreditation period the agency completed four Internal Affairs investigations. The first resulted in a PIP and the employee has adhered to department expectations. The second was a complaint of a deputy not being courteous with protestors. He was counseled and has had no further complaints against him. The third was in reference to a deputy not responding to dispatched calls. A PIP was completed with the deputy performing well ever since. The fourth complaint was in response to a culmination of issues where the deputy resigned prior to the completion of the investigation.

An analysis was done where no trends or systematic issues were noted. There did not seem to be any supervisor or training issues either.

The Disciplinary Process

The agency’s written directive system details the rules, regulations, and expectations for employee conduct. Supervisors have discretion to place employees on administrative leave when it is in the best interest of the individual or agency. The agency is well disciplined and has procedures to apply training and counseling in lieu of punitive employee discipline. The agency has an appropriate appeal and grievance process in place with established timelines governed by a collective bargaining agreement.

Organization

All personnel acknowledge an oath of ethics.

Bias-influenced policing is strictly prohibited by the agency. There is a clear definition for bias-influenced policing including the reliance on characteristics such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, economic status, age, cultural group, disability or affiliation with any non-criminal group as the basis for providing differing law enforcement services or enforcement.

The agency prohibits unlawful workplace discrimination and harassment, including sexual harassment. The written directive did not have a reporting avenue if the Sheriff was the actor but did change this during the on-site. The directive requires employees to report any type of harassment and requires investigations to be conducted in accordance with state law. There were no harassment complaints filed during the assessment period.

The agency has a structured unity of command. The Sheriff is elected and is supported by an undersheriff. There are three lieutenants supported by 49 deputies and civilian support staff.

The agency also has access to supervisory personnel on a 24-hour basis. In the absence of the Sheriff, the Undersheriff is designated to act in his place.

Agency Equipment and Property

Agency personnel are responsible for all equipment issued to them or physically under their control. It is the responsibility of the employee to maintain all law enforcement related equipment in an operational state and report any malfunctions, damage, or loss of equipment immediately to their supervisor. The agency performs regular inspections of issued equipment to ensure that it is being maintained by the employee and is operable.

The agency maintains stored equipment but did not have language in the written directive mandating that the equipment was stored in the state of readiness. Additionally, the agency did not perform inspections to insure the condition of the equipment or if it was maintained in the state of readiness. This provision was added to the policy during the on-site and a plan to inventory and inspect the stored equipment prior to the Commission Meeting was put into place.

The wearing of body armor is mandatory for all sworn personnel, and there are additional requirements to wear body armor while engaged in pre-planned and high-risk operations. All sworn personnel are responsible for the maintenance of agency-issued equipment.

Public Information

The agency has a comprehensive Media Relations Policy. The Sheriff has the ultimate responsibility for media relations, however, in certain situations where the Sheriff does not need to be notified commanders, supervisors and certain deputies have the authority to release information to the media.

Agency Records and Computers

The agency has a detailed written directive system describing field reporting, follow-upinvestigations, and the approval of reports by supervision. The department controls access to agency records electronically with records management passwords. The Sheriff or authorized designee determines what personnel may have access. Criminal, quasi-criminal and juvenile records are kept designated as such in the records management system. There are extra security measures for non-public records in the system and physically.

All freedom of information requests are handled by one of the agency’s support staff. The agency abides by the state retention and disposal requirements in accordance with Michigan Statute and Records Management.

The agency has procedures to protect its central records. The data is stored and backed up electronically and is password-protected. Annual security audit and password audit were performed during the assessment period. There were no breaches in security during the assessment period.

Agency Training

The agency training records are current and are being maintained in accordance with applicable retention schedules. Training course content is outlined and lesson plans are utilized. In-house instructors are properly trained and experienced. Newly sworn personnel are required to complete an extensive field training program. Officers in field training rotate shifts and are assigned field training officers in an attempt to expose newly hired officers to all shifts. Field training officers are properly selected and trained through a documented process. The Sheriff, or authorized designee, makes the final determination on the selection of field training officers after discussion with command officers. The field training program is properly supervised by an assigned Lieutenant.

Newly promoted, or personnel newly assigned to a specialty assignment, receive training consistent with new responsibilities and tasks. The agency implements remedial training when necessary. During the assessment period, no remedial training was conducted to improve performance. No other training needs were identified during the assessment period. Specific required annual training topics were properly identified in the written directive. Annual and bi-annual training included hazmat, use of force, unarmed subject control tactics, less lethal weapons including proficiency assessment, defensive tactics (unarmed subject control), ethics and bias influenced. Accreditation Manager, Lieutenant Eric Sanborn, received accreditation manager training.

Authorization and Use of Agency Weapons and Ammunition

The Sheriff is the authorizing authority for weapons and ammunition, including specialized weapons. The agency uses certified/qualified staff for armorer inspections, repair and replacement. Records of weapons are properly maintained with written guidelines for storage. The agency had an written procedure on removing unsafe weapons and provide a replacement if repairs could not be made that met accreditation standards. The agency provides use of force training, firearms, less lethal weapons and unarmed subject control, at the minimum, yearly. Training is provided by qualified instructors and proficiency must be demonstrated by the officer. A procedure for remedial training is in place for officers unable to qualify or meet minimum standards.

**Chapter 2 – The Personnel Function:**

Personnel Benefits and Responsibilities

The agency has a written directive outlining an employee assistance program (EAP). The employee may seek assistance or can be recommended to seek assistance by supervisory personnel. Any referrals to the EAP will be kept confidential. The agency has a detailed written directive outlining the steps to be taken in the event of a line of duty death.

Secondary employment, otherwise described as off duty employment is allowed at the approval of the Sheriff. The approval is conditional and may be revoked by the Sheriff if it is determined the secondary employment may be detrimental to the agency or the member involved. Extra duty employment is not allowed by policy.

The agency has a detailed written directive indicating the procedures for employees involved in department vehicle crashes and subsequent responsibilities for the supervisor on duty. Following the administrative investigation and review, a Lieutenant will make recommendations if any other actions are necessary. Recommendations may include training, policy change, discipline or equipment change. The Sheriff shall be notified by the on-duty shift commander regarding any accidents resulting in personnel injury where a department motor vehicle was involved.

The agency has a comprehensive exposure control and reporting policy to include appropriate follow up mechanisms for the exposed employee. Additionally, the written directive establishes a supervisory meaningful review of all employee injuries or exposures which culminates into recommendation for policy change, additional training and/or discipline.

Performance Evaluations

The agency utilizes a defined performance evaluation system. The agency uses a standardized rating scale. All levels of performance are discussed at the annual meetings, however, special reviews can be conducted at any time if determined necessary by command staff due to less than standard performance. The employee is provided a copy of the annual evaluation and there is a process in place for contesting the evaluation should the employee disagree with the supervisor’s findings. The employee’s performance evaluations are maintained in accordance with the records retention schedule. There is a protocol in place to deal with early warning identifiers to include referral to the employee assistance program. If deemed necessary, employees can be removed from duty.

Promotion of Sworn Personnel

The agency’s promotional system is regulated by current contractual language. The promotional testing to the rank of Detective, Sergeant and Lieutenant is specifically outlined in the Collective Bargaining Agreement. To meet eligibility requirements for Lieutenant and Sergeant positions, the employee must be off probation on the date of testing. The testing process consists of a written test, oral interview, seniority, education, and evaluations.

The agency uses written test and oral board interviews for promotional scoring purposes. Special assignment selection is based on outlined criteria including productivity, personal skills, technical skills and seniority. The newly promoted personnel will remain on probation for one year following promotion date.

Recruitment of Sworn Personnel

The recruitment plan has defined goals and objectives as well as contains a clear statement that the agency is committed to equal opportunity. The written directive outlines that the recruitment strategy should use expanded technology as well as outreach through partnerships. The recruitment plan is reviewed on a triennial basis by the Special Services Lieutenant who will consult with the Sheriff, Undersheriff and other Lieutenants to update when necessary.

Selection of Personnel

The agency has a complete written process for the selection of new full-time personnel to include a comprehensive application for employment, driving record, minimum of three reference checks, verification there is no prohibition from employment, check of public internet sites, financial history consistent with fair credit reporting, criminal history check, medical and psychological examinations, and review board or selection committee assessment. A background investigation will be conducted to verify an applicant’s integrity and high ethical standards.

Reserve Officers and Civilian Volunteers

N/A

**Chapter 3 – The Operations Function:**

Arrest, Search and Seizure

Livingston County Sheriff’s Office is a full-service agency with full arrest powers. The agency and its policies follow the U.S. Constitution and the Constitution of the State of Michigan in relation to arrest, and search and seizure practices. The agency recognizes the foundation set forth in the Fourth Amendment.

Agency policy outlines the warrantless search exceptions and the need for a court authorized search warrant, when applicable. The agency takes all in-custody arrests directly to the Livingston County Jail for processing and housing. Gun lockers are available and officers are required to secure weapons when an individual is brought in for a breath test.

The agency only conducts strip searches when an arrestee is in custody and there is reasonable cause to believe the suspect is concealing a weapon, controlled substance or evidence of a crime. The person conducting the strip search does so only under written authorization by the on-duty command officer, who has been designated this authority by the Sheriff. The strip search must be conducted by person of same sex. Body cavity searches are conducted by a licensed physician (or nurse, under the direction of and in the absence of the doctor), with a search warrant.

The agency did not have language in their policy that stated that the person giving consent should have apparent control and that consent could be revoked at any time. This was corrected at the on-site.

Interview and Interrogation

Livingston County Sheriff’s Office has established procedures for standards compliance with contemporary criminal procedural requirements related to interviews, investigative detention interviews, and interrogations.

The agency has two interview rooms located on the premises. Another detective in an adjoining room can monitor the interrogation rooms. Interview rooms have audio and video recording capability. The agency’s written directive indicates that investigative members are encouraged to use the agency’s audio and video taping capabilities for purposes of recording statements and confessions in an overt or covert manner consistent with state law. The policy also indicates a specific number of persons will be inside an interview room during an interview/interrogation. The interviewer can summon assistance by radio, verbal signal, or cell phone.

During the on-site, it was determined that the investigating members inform another member of an interview, but are not required to monitor the interview.

During the on-site, it was determined that the agency had defined policy and procedures for interviewing/interrogating juveniles, but contained vague language regarding when juveniles consent to an interview. The policy was updated during the on-site to provide clearer guidance to employees regarding juvenile interviews.

Use of Force

The agency utilized Safety Guard to track use of force incidents, but has recently transitioned to Axon. The use of force reporting platform captured relevant information, such as offenders’ physical build, chemical influence, threatening violence, etc., along with incident progression and officer narrative. The form has an approval workflow with recommendations, rejection reasons, and status.

The agency completed a review of the 25 use of force incidents during the assessment period. Assessors were able to review use of force reports generated during this assessment period. The reports were well written and thorough in their descriptive language. The involved officer completes the initial report and the officer’s supervisor conducts a review of the use of force. The use of force is then forwarded through the officer’s chain of command where a lieutenant ultimately reviews it. The review indicates the circumstances regarding the use of force, the suspect’s condition, equipment performance and effectiveness, however, the criteria set forth by the standard was not used when reviewing the use of force incident. The agency has a “duty to intervene” provision within the Use of Force Policy.

In the case of the application of deadly force, the officer is appropriately placed on paid administrative leave during the investigation process. The investigation is conducted by another agency and submitted to the prosecutor’s office for their review.

The agency completed a review of all use of force incidents in the aggregate for the evaluation period. The review included types of resistance, types of force used, demographics of suspects, etc. No use of force was found to be unreasonable during the assessment period. The review also attempts to identify any policy and or training revisions or needs.

During the on-site assessors found that the agency reviewed every use of force form, but did not utilize the criteria set forth by the standard. The agency reviewed the reasonableness of the force and equipment performance, but did not consider training considerations or disciplinary issues. The policy was modified during the on-site to include the meaningful review criteria.

Communications

The Livingston County Sheriff’s Office (LCSO) has contracted with the Livingston County Central Dispatch for dispatch services. The County Dispatch Center is a full service dispatch authority. All medical calls for services are forwarded to an area ambulance service, whose dispatchers are trained in medical emergency dispatching.

Assessors were able to view the facilities and see the steps taken in an emergency call for service. All relevant information for the call for service is obtained. All recordings are kept in storage for a minimum of two years unless requested by the department for longer retention. Review of the tapes are limited to personnel with a legitimate and official need.

The Dispatch Center has a back-up generator that was observed on-site. The generator will automatically engage if the main power supply is lost thus supplying power to the Dispatch Center to maintain operations. The generator goes through a weekly function test. According to the Facilities Director, there has never been an interruption in service when the power supply has been switched from the main power supply to the generator. The Dispatch Center is equipped with a backup battery power supply system to bridge the gap between the power outage and when the generator begins to provide power. The Director indicated there is a full load test done on the generator annually. The maintenance and testing is conducted by a contracted company. Proof of compliance was noted in yearly maintenance reports provided to the dispatch center.

Each dispatch station is set up identically, allowing for dispatchers to move from station to station seamlessly. The Dispatch Center provides dispatch services for several communities in Livingston County.

The on-site evaluation determined the agency’s emergency alerts on the two-way radio systems or “officer down” function has not been tested on officer’s equipment to determine it is functional. The agency will evaluate a process to verify this safety feature is operational.

During the on-site, assessors learned that the agency lacked language in the written directive that specified circumstances requiring additional field personnel in response to an incident or the notification/response of a supervisor. The agency added this language to their written directive.

Field Activities

LCSO policy allows for pursuits by officers who must follow the guidelines appropriately outlined in the policy. The agency employs stop sticks and Pursuit Intervention Technique as a method to terminate vehicle pursuits. All pursuits that were reviewed during this on site and were compliant with established department policy and procedures and conformed to the applicable accreditation standards. The policy lacked a requirement that all involved deputies complete a formal report. Additionally, the policy did not specify the required criteria for a meaningful review. This was added to the policy during the on-site. The policy had well defined roles of dispatch operators during police related pursuits. A written annual analysis of all vehicle pursuit incidents in the aggregate was not conducted during the assessment period. The annual analysis was combined with the foot pursuit analysis with total numbers combined.

LCSO has in-car computers available in each patrol vehicle, accessible to each patrol deputy. The agency also has video recording equipment in their police vehicles. Each video is downloaded and retained for a time period unless there is some evidentiary value to the video and then it is kept until the disposition of the case.

The agency has an overall patrol enforcement and crime prevention strategy. Assisting in this strategy is the analysis of data provided by a crime analyst that works for the LCSO.

The agency has a foot pursuit policy, which complies with the standard. The written directive has a section that states that the reinstatement of a previously terminated pursuit is permitted at the discretion of the officer, if conditions change, to justify the pursuit.

A written annual analysis of all foot pursuit incidents in the aggregate was not conducted during the assessment period. The annual analysis was combined with the vehicle pursuit analysis with total numbers combined.

Traffic Safety and Enforcement

Applicable policies are in place regarding traffic violation enforcement, enforcement options, offenders, and traffic direction and control. The directive establishes procedures to conduct motor vehicle stops, including high-risk stops. The enforcement options include warnings, citations, and arrest when appropriate. Assessors observed several proofs of compliance to the standards in regard to the wearing of high visibility vests when working traffic details and crash investigations.

The agency has two deputies assigned to the Traffic Safety Unit. Both deputies are certified in Collision Reconstruction. During the assessment period, the deputies responded to 22 serious injury crashes, 9 of which involved fatalities. The unit logged 176 hours of investigation and reconstruction of serious and fatal crashes. Four of the call outs were to assist other police agencies within Livingston County.

The Traffic Safety Unit provides educational programs for the public, such as Teen Distracted Driving Initiative, car seat installation, and car seat inspections. The Unit identified the top ten hazardous moving violations during the assessment period and issued 2,161 citations for these violations.

Homeland Security/Critical Incidents

The agency has a critical incident system in place, which includes command, operations, planning, logistics and fiscal responsibility. The agency used all phases of the Incident Command System strategies effectively while working a large-scale concert event.

**Chapter 4 – The Investigative Function:**

Criminal Investigation

The Livingston County Sheriff’s Office has an investigative section that includes (6) detectives, (1) sergeant and (1) command officer. Detectives are not specialized by the nature of the offense. Investigative Service manages cases by assigning the investigation to a detective. A suspense date is assigned to the investigation to assure that the investigation will for the most part remain timely. All detectives receive basic crime technician training allowing them to process crime scenes. Detectives also receive specialized training such as sexual assault investigation, homicide investigation, and blood spatter analyst, etc. The investigative unit has access to technology related to electronic forensics of cell phones.

The agency has written directives in place for eyewitness identifications as required by standards.

Crime Scene Processing

The agency processes their own crime scene and requests the assistance of the Michigan State Police for major scenes. Detectives are trained as crime technicians along with specialized training, such as blood spattering interpretation, computer forensics, etc. Field Service Deputies are also trained in basic crime scene processing allowing for 24 hours a day access for crime scene processing. The agency has also trained personnel in accident investigations.

Written directives are in place to ensure the proper identification, preservation and collection of evidentiary items.

Storage of Evidence and Property

The Livingston County Sheriff’s Office controls property with an electronic records management system. The property room was visually inspected during an escorted tour of the area. It was found to be in good order with a limited amount of property. Best practice standards are applied with layers of security to include limited access of personnel and cameras. Cash and other valuables are stored in a safe located in a separate locked room within the evidence repository. Drugs and guns are also stored in this room, but in separate secured areas. The agency did not have language in their policy regarding the enhanced security or storage measures for exceptional, sensitive, or valuable evidence/property. This was corrected during the on-site.

The processing area has an assortment of packaging materials to allow for uniformed packaging in accordance to agency standards. Upon packaging an item, it is secured in a temporary locker. The property officer will retrieve the items and transfer them to the long-term storage property room.

The Property Room Specialist, who is a sworn deputy, and supervised, by a command officer maintains the property room.

Time sensitive inspections, audits and inventories were conducted; No irregularities were identified. Appropriate policy is in place for the possession, transfer and destruction of property.

Juvenile Matters

The Livingston County Sheriff’s Office defines relevant terms associated to juveniles. The agency’s written directives provide guidance related to temporary detention. The outlined policies ensure the protection of the juvenile’s Constitutional rights.

The agency did not submit monthly reports to MDHHS as required. As a practice, the agency does not transport juveniles to their facility or place them in temporary detention. The agency changed this practice during the on-site and will make monthly reports as required.

Special Investigations and Operations

The agency has policy in place which dictates procedures for special investigations and operations. The agency has a general investigations policy and a separate special investigations policy. The written directives are in compliance with standards. The agency utilizes LAWNET for assistance in drug investigations and the countywide SRT for conducting decoy, raid and undercover operations.

The agency has established policies regarding juvenile status offenses, including runaway cases, unidentified adults and children, and the safe delivery of newborns. There were no incidents where the agency needed to use Amber Alerts or the Law Enforcement Information Network (LEIN).

**Chapter 5 – The Arrestee/Detainee/Prisoner Handling Function:**

Transporting of Arrestees/Detainees/Prisoners

The Livingston County Sheriff’s Office has established policy and procedure in place to include transporting prisoners, however, the written directive lacked a mandate of searching subjects prior to transport. The mandate was added to the written directive during the on-site. The written directive lacked a mandate that arrestees must be handcuffed. The mandate, with exceptions noted, was added to the written directive during the on-site. The subjects are secured in caged vehicles and seat belts are utilized in compliance with State law.

Processing of Arrestees/Detainees/Prisoners

N/A

Holding of Arrestees/Detainees/Prisoners

N/A

**G. Applied Discretion Compliance Discussion:**

This section provides specific information on those standards found to be in compliance after on-site adjustments were made.

During this on-site, the agency had eight standards in applied discretion.

**Standard 1.1.1 Direction of Personnel**

ISSUE: The agency did not have policy language that included that directives would be reviewed prior to issuance.

AGENCY ACTION: The agency added the specific language to the policy.

**Standard 1.5.5 Unlawful Workplace Harassment**

ISSUE: The agency did not have policy language that included if the Sheriff was the actor.

AGENCY ACTION: The agency added the specific language to the policy.

**Standard 1.8.2 Information Technology Security**

ISSUE: The agency’s written directive did not indicate the need for annual audit of central records system nor of passwords.

AGENCY ACTION: The agency added language that audits must be done annually of the central records system as well as annually for passwords during the on-site. Furthermore, the agency conducted the required audits during the on-site.

**Standard 2.4.1 Recruitment Plan**

ISSUE: The agency’s written plan lacked goals and objectives.

AGENCY ACTION: Agency added correct language by adding goals and objectives.

**Standard 3.3.3 Meaningful Review Required**

ISSUE: The agency’s written directive did not include the criteria set forth by the standard of policy, equipment, training, and disciplinary issue considerations. The agency conducted reviews on all use of force incidents; however, not all of the mandated criteria for meaningful review was utilized.

AGENCY ACTION: The agency added language to the written directive mandating that the criteria for meaningful reviews be utilized for all meaningful reviews of use of force incidents.

**Standard 3.4.3 Communications Protocols**

ISSUE: The agency’s written directive did not specify circumstances requiring additional field personnel in response to an incident.

AGENCY ACTION: The agency added language to the written directive specifying circumstances requiring additional field personnel in response to an incident.

**Standard 3.5.2 Motor Vehicle Pursuits**

ISSUE: The agency did not require all personnel involved in a pursuit to complete a formal report as defined by the agency.

AGENCY ACTION: This requirement was added to the written directive during the on-site.

ISSUE: The agency’s written directive did not include meaningful review criteria set forth by the standard of policy, equipment, training, and disciplinary issue considerations. The agency conducted reviews on all motor vehicle pursuits; however, not all of the mandated criteria for meaningful reviews was utilized.

AGENCY ACTION: The agency added language to the written directive mandating that the criteria for meaningful reviews be utilized for all meaningful reviews of motor vehicle pursuits.

**Standard 3.5.3 Roadblocks and Forcible Stopping**

ISSUE: The agency did not have procedures for deploying forcible stopping techniques or require a supervisor’s permission for deployment.

AGENCY ACTION: The agency added language to the written directive outlining procedures for the deployment of forcible stopping techniques and to require supervisor’s permission concerning deployment.

ISSUE: The agency’s written directive did not include the meaningful review criteria set forth by the standard of policy, equipment, training, and disciplinary issue considerations. The agency conducted reviews on all forcible stopping; however, not all of the mandated criteria for a meaningful review was not utilized.

AGENCY ACTION: The agency added language to the written directive mandating that the criteria for meaningful reviews be utilized for all meaningful reviews of motor vehicle pursuits, all roadblocks or forcible stopping.

**H. Waivers of Standards:**

This section provides specific information on those standards which qualified for waivers. Waivers are available to agencies when it is impossible to comply with a specific standard. A request to waive standard compliance must be made to the Michigan Association of Chiefs of Police Accreditation Program Director in writing, on official agency letterhead, signed by the CEO. The following standard was granted non-applicable waiver:

*Standard 2.6.1 Reserve/Auxiliary Officers Program*

*Standard 5.3.1 Temporary Detention*

*Standard 5.3.2 Security Protocols*

*Standard 5.3.3 Training*

*Standard 5.3.4 Evacuation/Hazard Protocols*

*Standard 5.3.5 Inspections*

**I. Standards Noncompliance Discussion:**

During this on-site, the agency had one standard in noncompliance.

**Standard 1.6.1 Storage and Accountability**

ISSUE: The agency’s written directive did not include a mandate regarding all stored equipment being maintained in the state of readiness. The agency inspected issued equipment regularly, but did not have a plan for inspecting, maintaining, and documenting stored equipment in the state of readiness.

AGENCY ACTION: The agency added language that equipment is maintained in an operational state and that the responsibility of the maintenance of the equipment is vested with the identified person or position responsible for the equipment during the on-site.

On August 10, 2022, the agency demonstrated compliance. The agency created inspections forms for stored equipment (civil disturbance gear, AED, weapons, etc.) The inspections were appropriately conducted and corresponding forms completed.

**J. Future Performance / Review Issues:**

The agency has eight areas of applied discretion and one area of noncompliance requiring written directive modifications. There are strong practices in place throughout the organization based on an experienced work group. The agency recognizes the need for organizational sustainability as it prepares for significant attrition in the near future. Accreditation is one aspect of an established strategic plan to accomplish sustainability.

The on-site assessment revealed the organization is instituting updated written directives, processes and accountability checks to formalize past practices, which were executed informally in some areas. The agency will focus on delivering the formalization of these concepts from their administrative team into the organization’s culture during the re-accreditation period.

**K. Summary and Recommendation:**

A thorough review of the files for compliance was conducted, as well as, observations of compliance; and after interviews were conducted full Accreditation is recommended.

 Brad Wise, Team Leader

 Date: August 3, 2022

Reviewed and approved to be scheduled for a hearing before the MLEAC.



Program Director Neal Rossow

Date: August 27, 2022