

law enforcement action forum

Newsletter

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By Matt Heins, Law Enforcement Action Forum Coordinator

Risk Reduction Strategies and Best Practices

PERSPECTIVES ON: LEADERSHIP

Police Executives and Professional Development

I recently attended the Michigan Association of Chiefs of Police Winter Conference in Grand Rapids—a valuable opportunity to connect with members, listen to concerns, participate in training on emerging issues, and explore new technologies and services offered to law enforcement agencies.

With more than 400 law enforcement leaders attending the conference, I was able to gain a sense of the overall mindset within the profession. Naturally, routine challenges were discussed, but the atmosphere was overwhelmingly positive. Most participants demonstrated a strong commitment to learning, improving their organizations, and collaborating with peers to solve shared problems.

Professional development of this kind is essential for police executives. The exchange of knowledge and experience helps prevent repeated mistakes and encourages the adoption of effective, legally-sound solutions. At the conference, it was common to hear leaders acknowledge challenges and openly seek guidance from others. Such humility requires courage, but the attendees' desire to improve their departments outweighed any reluctance to admit uncertainty.

Continuous learning is a critical component of effective leadership. Police executives must stay informed about changes in laws and standards, advancements in operational software, improvements in equipment, and evolving best practices in the field. Ensuring access to reliable tools, safe and durable equipment, and modernized processes directly supports high-quality service to the public and responsible stewardship of resources.

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The MACP conference provides exposure to all these areas in a concentrated, affordable format, typically over three days. This level of professional engagement allows executives to return to their agencies better equipped to lead, innovate, and make informed decisions.

Although some members of the public may view conference attendance as unnecessary or an improper use of taxpayer funds, the reality is quite the opposite. These events offer critical executive-level training for leaders who are committed to doing the right thing, strengthening their organizations, and improving the effectiveness and efficiency of law enforcement services across Michigan.

LESSONS LEARNED: The Importance of Well-Written Reports

Well-written police reports are essential for accurate documentation, successful prosecution, and effective civil defense. Report writing may appear straightforward and it may be tempting to assume officers are consistently producing detailed narratives that reflect events as they occurred. However, in reality, reports often miss critical information or use ambiguous wording. This weakens legal cases and creates long-term challenges.

Supervisors should regularly review reports to assess how officers describe incidents. If an officer's reports fall short, additional training or coaching should be implemented.

Officers must be trained to write reports that are accurate, thorough, and clear. Officers must be able to explain what occurred in a logical, chronological manner, and lay out the elements of any crime involved. Additionally, because many cases take months or years to reach court, the written account must include enough detail to help officers accurately recall events long after they happened.

A strong report both supports prosecution and reflects an officer's competence. Conversely, when a report lacks detail or is subject to interpretation, it not only opens the door to questions about the facts of the case, but also about the officer's actions and decision-making.

To improve report quality, consider these key practices:

- Avoid vague statements. Instead of writing "the suspect resisted," describe specific behaviors and officer responses.
- Use plain language. Avoid unnecessary police jargon and ask whether the narrative would be easy for a jury of ordinary citizens to understand and follow.
- Provide detailed descriptions. Missing information may lead attorneys to claim later-added details are unreliable.
- Consider the statute of limitations. With a three-year window in many cases, insufficient detail increases the chance officers won't remember events clearly.
- Require reports from all officers on scene. Each officer should document observations and actions, regardless of their level of involvement.

Police reports form the foundation of law enforcement work. Supervisors must review them carefully to ensure clarity, completeness, and legal sufficiency. Strong reports reduce future problems, strengthen cases, and support sound decision-making throughout the justice process.

RECENT COURT DECISIONS

By Dave Sperry

Hamm v. Pullman SST, Inc.

US Court of Appeals for the Sixth Circuit, 2026

Mr. Hamm alleged that, after telling a co-worker he was bisexual, he began receiving verbal abuse from co-workers and the site superintendent over the course of several months. Hamm finally reported the events to the construction manager without giving any specific names of employees harassing him. Management spoke with the other members of Hamm's work crew and the verbal abuse decreased for a while, but began again after a month. A couple of months later, the site superintendent yelled at Hamm, who told the superintendent that he felt sick and needed to go home. The superintendent then used profanity and a derogatory term towards Hamm. That same day, Hamm formally complained to Pullman's HR department about the harassment.

A senior HR manager interviewed Hamm the following day and nine other employees soon after that. The site superintendent admitted to using profanity toward Hamm, but denied using any derogatory slurs. The other employees offered contradictory recollections of the events in question and denied using derogatory language toward Hamm. While the HR manager could not corroborate Hamm's claims of harassment, she did issue a written warning to the site superintendent for using inappropriate language toward an employee, against company policy. She also sent all area field supervisors to anti-harassment training and had all employees reread and sign the company's anti-harassment policy.

When Hamm was informed of the investigation's inconclusive findings, he stated he would not work with that crew again and submitted a doctor's note indicating that he needed a week's medical leave due to anxiety and panic attacks. Management agreed to reassign him to a different worksite and grant him medical leave.

Hamm's doctor then extended the leave twice, for a week each time. While Hamm was on leave, the company contacted him about five different possible assignments at alternative locations. Hamm declined all of the jobs for various reasons. When Hamm contacted the employer about assignment at the end of the medical leave, he was informed that the company considered his refusal to accept work to be a voluntary resignation.

Hamm brought suit alleging a violation of Title VII of the Civil Rights Act of 1964 and Michigan's Elliott-Larsen Civil Rights Act, claiming that the alleged abuse created a hostile work environment and that the termination was in retaliation for his sexual-harassment complaint. The district court granted summary judgement in favor of the employer on both claims.

Appeals Court Findings:

The Sixth Circuit Court of Appeals upheld the district court's decision. The court noted that the site superintendent did not qualify as management as he was not in a position to take any employment actions toward Mr. Hamm – he was merely a coworker. As such, the company could be found legally liable for the superintendent's actions only if management knew or should have known of his actions but failed to stop them. The court found that, in Hamm's case, Pullman took prompt and appropriate corrective action upon learning of harassing behavior and therefore the actions of his co-workers could not be tied to the employer.

The company had a written antidiscrimination policy and its HR department began an investigation of the incident within 24 hours of receiving a complaint. Following the investigation, appropriate disciplinary action was taken for documented violations of company policy, and several other preventive measures were taken to prevent possible future harassment. Hamm was then informed of the results of the investigation and efforts were made to reassign him to prevent any further harassment.

Additionally, the court found that Hamm's retaliation claim failed because the company had a stated policy regarding refusal to accept suitable assignments and it relied upon that policy when terminating his employment.

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Case v. Montana

US Supreme Court, 2026

In September 2021, William Case called his ex-girlfriend and stated he was going to kill himself. Case was erratic, leading his ex-girlfriend to believe he had been drinking. He told her he was going to get a note, which she took to mean a suicide note. After hearing a clicking sound like a gun being cocked, she told Case she was going to call the police. Case replied that he “would shoot them all too.” Finally, she heard a pop followed by nothing. Case’s ex-girlfriend yelled his name into the phone but got no response. She called 9-1-1 and then drove to Case’s home.

Three police officers were dispatched to Case’s home to do a welfare check. They met Case’s ex-girlfriend outside the house. She informed them of what had occurred on the phone call. Additionally, officers were aware Case had a history of alcohol abuse and mental health issues; that he had previously threatened suicide at his workplace; and he had seemed to attempt ‘suicide-by-cop’ in a previous incident. The officers circled the house looking for signs of injury or danger. They knocked on doors and yelled for Case through an open window, with no response. Through the window, officers observed empty beer cans, an empty gun holster, and a notepad with writing on it, which they took to be the suicide note Case’s ex-girlfriend had reported. The police chief arrived on scene and he and the officers decided to enter the house to render emergency aid.

Officers entered the house and called out for Case, receiving no answer. When one officer approached a bedroom closet in which Case was hiding, Case threw open the closet curtain while holding an object that looked like a gun. The officer, fearing he was about to be shot, fired his gun at Case, hitting him in the abdomen, injuring but not killing him. Case’s handgun was found in a laundry basket next to the place where he had stood.

Case was charged with assaulting a police officer. He moved to suppress all evidence, arguing police had violated his Fourth Amendment rights by entering his house without a warrant and that an officer must have “probable cause” to believe that an occupant needs emergency aid. The trial court denied the motion on the ground that the police officers were responding legitimately to an emergency. A jury found Case guilty.

Upon appeal, a divided Montana Supreme Court upheld the officers’ entry as lawful. The majority analyzed the issue under Montana’s community caretaker doctrine, which requires “objective, specific and articulable facts” that would lead an “experienced officer [to] suspect” that a person inside is in need of help or is in peril. The dissenting justices favored a probable cause requirement, which they found the officers did not satisfy.

U.S. Supreme Court Findings:

The U.S. Supreme Court concluded that the officers’ entry was lawful but disagreed with the Montana court’s reasonings: both the proposed probable cause requirement and the reliance on the community caretaker doctrine. The U.S. court explained that it agreed to hear this case because courts nationwide have differed on whether officers entering a home to provide emergency aid need probable cause to believe an occupant is in peril.

The U.S. Supreme Court’s opinion found that the probable cause standard which applies to criminal investigations should not be applied in the context of determining whether emergency aid to the occupant of a home is required. Additionally, it reiterated its previous rejections of the community caretaker doctrine being, by itself, sufficient justification for warrantless home entries.

The court instead strongly reaffirmed its conclusions in *Brigham City v. Stuart*, which held that officers may enter if, but only if, they have an “objectively reasonable basis” for believing that the occupant faces serious danger.

The court also noted that an emergency-aid entry gives officers no basis to search the premises beyond what is reasonably needed to deal with the emergency while maintaining the officer’s safety.

LEGAL INSIGHTS

Prepare for Complex, Non-Criminal Situations

Police officers increasingly serve as first responders to complex, non-criminal situations such as mental health crises, homelessness, and addiction—often without adequate specialized training or resources. These encounters can escalate, resulting in serious injury, death, and significant liability.

Department leadership must clearly set expectations for handling these incidents. Open discussions with command staff and patrol officers about de-escalation, when reasonable, including decision-making around custody or entering dwellings, help officers navigate difficult situations.

Providing clear guidance on available resources, response options, and management expectations benefits officers, agencies, and the public. This is training.

Effective training equips officers with practical options in challenging circumstances and offers important protection for municipalities during civil litigation.

**By Audrey Forbush
Plunkett Cooney**



MIOSHA MOMENT

Hazard Communication: Not Just for Fire Services

By Frank Demers

Do your officers use drug testing kits and chemicals to detect blood and fingerprints? If so, you must comply with MIOSHA's Hazard Communication (HAZCOM) standard that requires employers to inform and train employees about hazardous chemicals in the workplace.

Employers must develop a written hazard communication program, maintain a current chemical inventory, and ensure Safety Data Sheets (SDSs) are readily accessible. All containers must be properly labeled with standardized signal words, hazard statements, pictograms, and precautionary information. Employees must receive effective training on chemical hazards, label elements, SDS use, and protective measures at initial assignment and when new hazards are introduced.

The standard aims to reduce chemical-related injuries and illnesses by ensuring workers understand the risks of chemicals they use and respond to chemical exposures safely.

More information on MIOSHA's HAZCOM standard is available at the following weblink:
[Hazard-Communication-and-Right-to-Know-2025-with-form.pdf](#).

MIOSHA Consultation, Education & Training Division

The Consultation Education and Training (CET) Division offers free, statewide safety and health assistance to employers and employees. Call: 517-284-7720.

LEAF MEMBER SPOTLIGHT

Georgia Andres

Chief of Police
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Do you have questions about any material in this newsletter?

Do you have a suggestion for topics to be covered in future editions?

Call or email Matt Heins at
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THE LAW ENFORCEMENT ACTION FORUM (LEAF)

LEAF includes police chiefs, sheriffs, and public safety directors from law enforcement agencies of all sizes and all over Michigan.

LEAF members meet regularly to discuss relevant public policy matters and assist in developing model policies for the MML *Law Enforcement Risk Control Manual*.

The *Manual* is available free of charge to law enforcement executives of MML Liability & Property Pool and Workers' Compensation Fund member communities.

To access to the manual of model policies, complete the request form at:
<https://mml.org/programs-services/risk-management/leaf/request-access-form/>

(Note: If you move to a different law enforcement agency, you must reapply.)

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