

HOUSE BILL No. 6081

December 4, 2014, Introduced by Reps. McMillin and Robinson and referred to the
Committee on Criminal Justice.

A bill to require the investigation of crimes alleged to have
been committed by law enforcement officers; and to provide for the
powers and duties of certain state and local governmental officers
and entities.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. This act shall be known and may be cited as the "law
2 enforcement integrity act".

3 Sec. 3. As used in this act:

4 (a) "Law enforcement agency" means a county sheriff's
5 department or a police agency of a state university or college or a
6 city, village, or township. Law enforcement agency does not include
7 the department of state police.

8 (b) "Law enforcement officer" means that term as defined in
9 section 2 of the commission on law enforcement standards act, 1965

1 PA 203, MCL 28.602.

2 (c) "Prosecuting attorney" means that term as defined in
3 section 1 of chapter I of the code of criminal procedure, 1927 PA
4 175, MCL 761.1.

5 Sec. 5. (1) Subject to subsection (2), a law enforcement
6 agency in this state that receives information about the possible
7 commission of a crime within the agency's jurisdiction by a law
8 enforcement officer shall investigate the allegations as required
9 by this act.

10 (2) If the law enforcement officer described in subsection (1)
11 is employed by the law enforcement agency described in subsection
12 (1), the law enforcement agency shall not investigate the
13 allegations. The law enforcement agency shall forward all of the
14 information that it possesses about the possible commission of the
15 crime to the department of state police, and the department of
16 state police shall investigate the allegations as required by this
17 act.

18 (3) If a law enforcement agency that conducts an investigation
19 under subsection (1) determines that the facts give rise to a
20 reasonable suspicion that the crime was committed by the law
21 enforcement officer, the agency shall forward all of the
22 information that it possesses about the possible commission of the
23 crime and the agency's conclusions to the department of state
24 police.

25 Sec. 7. On receipt of information under section 5(2) or (3),
26 the department of state police shall conduct an investigation of
27 the allegations. If the department of state police determines that

1 the facts give rise to a reasonable suspicion that the crime was
2 committed by the law enforcement officer, the department of state
3 police shall do all of the following:

4 (a) Forward all of the information about the possible
5 commission of the crime and the department of state police's
6 conclusions to the appropriate prosecuting attorney.

7 (b) Send a report of the suspected criminal activity to the
8 Michigan commission on law enforcement standards.

9 (c) On a quarterly basis until the investigation is closed or
10 any criminal prosecution or disciplinary proceedings are concluded,
11 prepare a report on the status of any charges against the law
12 enforcement officer and forward the report to the Michigan
13 commission on law enforcement standards.

14 Sec. 9. The Michigan commission on law enforcement standards
15 shall keep reports received under this act on file for at least as
16 long as the law enforcement officer is certified under the
17 commission on law enforcement standards act, 1965 PA 203, MCL
18 28.601 to 28.616.