

Michigan Association of Chiefs of Police
MICHIGAN LAW ENFORCEMENT ACCREDITATION PROGRAM



Onsite Final Report

**Western Michigan University Department of Public Safety
December 2021 – December 2023**

Team Leader: Scott McGraw

Team Member: Scott Kolster

A. Agency Name, CEO and AM:

Western Michigan University Department of Public Safety
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Scott Merlo
Director of Public Safety/Chief

Accreditation Managers: Lieutenant Michael Smith, Sergeant Dustin Hubbell,
Officer Charles Johnson, Officer Sara Helmer.

B. Dates of the On-Site Assessment:

Thursday, December 21, 2023

C. Assessment Team:

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D. Community and Agency Profile:

1. Western Michigan University Department of Public Safety Profile

Founded in 1903, Western Michigan University (WMU) is a learner-centered, discovery-driven, and globally engaged research institution with an enrollment of 17,051. Classified as a “higher research” university by the Carnegie Foundation for the Advancement of Teaching, WMU offers more than 250-degree programs, including 31 at the doctoral level. Committed to diversity in all its forms, the University attracts students from a rich variety of backgrounds and identities representing every state in the union and 100 nations around the world.

In 2014, in partnership with the community and two local teaching hospitals, WMU launched a private medical school, the Western Michigan University Homer Stryker M.D. School of Medicine. WMU is also formally affiliated with one of the nation's largest law schools, renamed the Western Michigan University Thomas M. Cooley Law School.

WMU is one of only 103 public institutions with a chapter of Phi Beta Kappa. For 26 consecutive years, U.S. News & World Report has listed Western Michigan University among that publication's top national universities. Military Times EDGE magazine ranks WMU among the best U.S. institutions for military veterans, the only Michigan school to appear on its annual Best for Vets list all seven years of the list's existence. Western regularly appears on Washington Monthly's annual list of Top 100 National Universities, a designation that recognizes contributions to the public good. In addition, the University has been recognized nationally for its many award-winning sustainability programs and environmental leadership.

WMU has eight degree-granting colleges. The Lee Honors College is home to more than 1,700 high-achieving students who are completing programs of study in every one of WMU's seven undergraduate degree-granting colleges.

One of WMU's signature initiatives, the Seita Scholars program, provides scholarships to students who have aged out of the foster care system. WMU students enjoy a vibrant campus atmosphere featuring nearly 400 student organizations, including an active student government, academic clubs and honor societies, student chapters of professional associations, fraternities and sororities, club sports teams, faith-based groups, and a variety of other interest groups.

The WMU Broncos, members of the NCAA – Division I Mid-American and National Collegiate Hockey Conferences, are nationally competitive in fifteen varsity sports. Notably, the 2016 Bronco football team completed a perfect 13-0 season and competed in the 2017 Cotton Bowl.

The University hosts acclaimed arts programs and exhibitions, world-renowned speakers, and world-class musical and theater performances.

2. Agency Profile

During the fall of 1971, a Western Michigan University Safety and Security Advisory Committee was formed by President Miller. The committee determined the current structure of the Office of Safety and Security, providing unarmed, non-police patrols for the campus, was inadequate. The Kalamazoo City Police were called in times of need, but the rate of crime increased dramatically. The university did not feel they received proper law enforcement services.



Therefore, a decision was made to convert the Office of Safety and Security into a law enforcement agency. University officials wanted a force of trained personnel to provide assistance at the time of a criminal incident as well as proper follow up investigations.

The Western Michigan University Department of Public Safety became a reality in July 1973.

C. Keith Sheeler was the first Chief/Director of WMU Public Safety. The original proposed police force contained a staff of 37 people. The first department photo composite contained 30 sworn officers. The police division was first located in a building that had previously been the clubhouse of a golf course. The department moved to its current location at 511 Monroe Street in 1990.

WMU Public Safety has seen many changes over the years. The first female officer was hired in November 1974; however, the first promotion of a female did not occur until 1996. Two persons of color were hired as police officers when the department transitioned from Safety and Security to WMU Public Safety.

The department currently has 33 sworn officers. The WMU Board of Trustees empowers these officers with the same authority as are granted by law to peace and police officers to enforce state law on university property. Additionally, all the officers are also deputized by the Sheriff of Kalamazoo County. While the officers have jurisdiction in the county, the primary responsibility is to Western Michigan University and the community.

3. CEO Biography

Chief Scott Merlo, Director of Public Safety

Western Michigan University Department of Public Safety Chief Scott Merlo currently leads a department comprised of 33 sworn officers, parking services, security administration, and emergency management. Chief Merlo was hired as the Director of Public Safety/Chief in the fall of 2014.

Prior to his selection, Chief Merlo began his law enforcement career at the Kalamazoo Department of Public Safety (KDPS) as a public safety officer in the Operations Division in 1990. During his career he won several departmental awards for excellence, merit and lifesaving. Chief Merlo served in many positions while at KDPS. He served as a public safety officer, detective, sergeant, detective/sergeant, lieutenant, executive lieutenant, and acting captain.



Chief Merlo retired from KDPS in April of 2012 and accepted a lieutenant position with the Grand Rapids Community College (GRCC) police department. Chief Merlo graduated from Western Michigan University in 1989 with a Bachelor of Science degree in criminal justice and political science.

During his tenure at WMU, Chief Merlo has established the Community Policing model of engagement, education, and enforcement. Chief Merlo initiated the Residence Hall Liaison program where officers are partnered with all campus residence halls to engage students and staff to form relationships and build trust. Chief Merlo also launched the K-9 program with two dual purpose K-9's who are trained on explosive detection and are utilized for numerous community policing events. Under Chief Merlo's leadership, Western Michigan University Department of Public Safety was recognized in 2017 as a national finalist by the National Campus Safety Summit for department of the year.

4. Accreditation Manager

Lieutenant Michael Smith has been employed with the Western Michigan University Department of Public Safety for over 24 years. He graduated in April 1999 from Western Michigan University (WMU) with a bachelor's degree and began his law enforcement career.

He served as a patrol officer from 1999-2008. Prior to being promoted to sergeant, he served as a field training officer as well as an executive board member of the Western Michigan

University Police Officer's Association. As a shift patrol sergeant, he oversaw a day shift platoon and had the responsibility of quartermaster for the department. He was promoted to lieutenant in 2021.

Lt. Smith has attended numerous supervisory conferences and seminars; however, he is also a proud graduate of the Northwestern School of Police Staff and Command. In his spare time, Lt. Smith enjoys reading, traveling, and spending time with his family. He is married with two children and lives in Portage, Michigan.

5. Accreditation Manager

Sergeant Dustin Hubbell is a 15-year veteran of the Western Michigan University Police Department, serving the last eight years as a patrol sergeant. He has previously served as a board member of the Western Michigan University Police Officer's Association. His current duties include supervising the field training program, emergency vehicle operations instructor, mobile active violence instructor, firearms instructor, and day-shift supervisor.

Sergeant Hubbell earned a bachelor's degree in criminal justice from Western Michigan University and is a graduate of Eastern Michigan University School of Police Staff and Command.

Sergeant Hubbell has been married for thirteen years and has two children, Peyton and Landon. He enjoys spending time with family, and his hobbies include watersports, fishing, and hunting.

6. Accreditation Manager

Officer Charles Johnson has served the entirety of his 13-year law enforcement career with the Western Michigan University Department of Public Safety. After attending a law enforcement academy at Ferris State University, he was hired in January 2011.

One of Officer Johnson's proudest moments is earning a Life Saving Award in 2016 after helping to save the life of a student who suffered a cardiac arrest in a dining cafe. As an Accreditation Manager for the past year and a half, he has worked hard to keep up with the demands of accreditation while also fulfilling his regular patrol duties.

Officer Johnson enjoys photography as a hobby, and many of the pictures posted around the department, on the WMU PD website, as well as this welcome packet, were taken by him.

Officer Johnson spends his time off duty experiencing the Kalamazoo community and traveling to new places with his wife and daughter. Officer Johnson and his wife both homeschool their daughter, who is in second grade.

7. Accreditation Manager

Officer Sara Helmer has been employed with the Western Michigan University Department of Public Safety for 8 years. She graduated from WMU with a bachelor's degree in criminal justice and social psychology and a master's degree in public health. She is currently working on a Master of Social Work degree, also at WMU.

As a patrol officer, Officer Helmer has served as a field training officer, evidence room custodian, union board representative, community policing residence hall liaison, and negotiator with the Kalamazoo Metro SWAT Team. During her free time, she enjoys spending time with her family and dogs, drinking coffee, and crafting.

8. Future Issues

The agency sites reduced enrollment and how it will affect the budget moving forward in funding for the agency. The agency is anticipating a facility remodel/update in the near future. Although the department is fully staffed, recruitment is always a concern; finding qualified candidates will be challenging as the agency has officers reaching retirement age. As technology grows, staying up with the most current technological advancements could be an issue regarding funding.

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 Thursday, December 21, 2023, from 1:00 p.m. to 3:00 p.m. The telephone line was tested and found to be functional, and four calls were received.

Matt Kulik – Employee of WMU Athletics Department

Mr. Kulik stated he works closely with the WMUDPS during sporting events and added that they give great service. He explained that with the service of alcohol at college sporting events, there have been no issues because of the WMUDPS presence at the

events. Mr. Kulik added that WMUDPS has done a great job with community policing and is a great partner during sporting events. Lastly, WMUDPS has been great to collaborate under the current leadership.

Cheng Kidd-Sun – Student Body President (2022-2023)

Mr. Kidd-Sun cited that Chief Merlo and his team have been great to work with. In the aftermath of the Michigan State University active shooter incident, Chief Merlo hosted a town hall for students to attend and learn about what WMUDPS has been doing to prepare for such an incident. Mr. Kidd-Sun stated that the town hall made students feel safer and more confident with WMUDPS.

Mr. Kidd-Sun added that the WMUDPS does a great job with community engagement. He stated the citizens academy that WMUDPS hosted was a great way to connect with the students and show off some of their advanced training technologies. He stated he supports the agency in the re-accreditation process. Lastly, he added that WMUDPS has a strong presence on campus. However, he would like to see their headquarters closer to the main campus.

Adam Wall – Associate Director and ADA Coordinator

Mr. Wall stated he has held several roles at WMU throughout the years. He stated that he has always had a very positive relationship with WMUDPS in all his roles. Mr. Wall supports WMUDPS in becoming re-accredited. Mr. Wall stated that from a WMU staff perspective, the officers are always visible, professional, and reasonable. He stated that WMUDPS is an active partner in training to make sure staff and students are safe.

Jan Van Der Kley- Vice President Business & Finance

Jan said the team has worked really hard to keep up with accreditation. She is in favor of the department's reaccreditation. She recognizes the effort level it takes to complete accreditation and is happy the department continues to keep up with it.

2. Correspondence

One email was received for support of the Accreditation process for the Western Michigan University Department of Public Safety.

To: Michigan Law Enforcement Accreditation Commission

I would like to comment on the numerous improvements the Western Michigan Police Department has made to become an Accredited Agency. I retired from the University in 2015 and I am extremely impressed at how the Department continues to comply with the Accreditation Standards. The Department has increased its efforts in Community Policing in the Residence Halls by being more directly involved with the students. Theft reduction and self-defense programs which are being offered to the students, in my opinion, are great ways to keep the students safe on campus.

Coffee with the Chief is also an excellent way for University employees and students to voice their opinions as well as ask questions directly to the Chief. The Department's continued involvement with the County SWAT Team and establishing a K-9 Unit shows

the Department's commitment in keeping both the campus of WMU and the surrounding community safe.

I recently reviewed the Department's website and was very impressed with all the resources and information the website provides. Having all the information at your fingertips is certainly a valuable asset for the students and employees. These are just a few of the many programs, I highlighted, which show the efforts and continued involvement of the Department to comply with the Accreditation Standards. I am extremely impressed with how the Department has improved itself during Chief Merlo's tenure.

Blaine Kalafut

3. Media Interest

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

4. Community Outreach Contacts

The On-Site Assessment occurred during the holiday break. The majority of the telephone contacts were from individuals who would have been contacted in the Outreach.

5. Agency Ride-along

On Thursday, December 21, 2023, Assessor Scott Kolster rode along with Officer Sara Helmer. Officer Helmer provided a knowledgeable overview of the campus and community. Officer Helmer highlighted the different geographical locations and dimensions of the campus.

Officer Helmer was not dispatched to any incidents as the campus was on Christmas break. Officer Helmer has worked for the agency for eight years. She had a favorable outlook on the agency.

Officer Helmer provided perspective on the change in relationships with the students. Officer Helmer said relationships were strained as they returned from COVID. Officer Helmer said with effort from the department, the relationships have improved.

Officer Helmer explained there is a separate parking services group that is overseen by the chief but are not police officers with the department. She said department members can write parking tickets but do not write things like overtime parking tickets, as they leave that to parking enforcement.

Officer Helmer took me to several portions of the campus. The campus is spread out in the city. Officer Helmer said the department works with the sheriff's department regularly and will assist them in some areas. She said they rarely assist Kalamazoo Department of Public Safety unless they are on a structure fire.

Officer Helmer was complimentary of her co-workers and the community as a whole.

6. Interview

Officer Patrick Wujkowski was interviewed during this assessment process.

Officer Wujkowski has been employed as a police officer for the WMUDPS for eight years. He previously served with the Kalamazoo DPS for twenty-four years. Officer Wujkowski stated his perspective is slightly different because he came from policing the city. He stated he loves working for WMUDPS and Chief Merlo. He added morale is great within the department and no union issues exist.

Officer Wujkowski loves community policing on campus. He added that working with the neighboring agencies is flawless, he added everyone gets along great.

Officer Wujkowski's appearance mirrored those of other officers who were observed around the station during the assessment period. Officers are clearly given top-of-the-line equipment, and their uniform standards are very professional.

Records Clerk Myra Currie was interviewed during this assessment process.

Ms. Currie has been with WMUDPS for fifteen years, with the last five years in the records department. She stated that under the current administration, morale in the department is great. She stated the records department has great equipment and software, ensuring her job can be completed effectively and efficiently. She stated that as support staff, they are included in the daily operations of the agency. Ms. Currie stated the working relationship with the administration and the officers is great.

Administrative Assistant Melissa Scharf was interviewed during this assessment process.

Ms. Scharf has been with WMUDPS for twenty-two years. She stated she has served in dispatch and parking in the past. She has been in the Administrative Assistant role for the last seven years. She stated Chief Merlo has been easy to work for. She stated as far as she is aware, morale is good in the department. Ms. Scharf cited a future challenge as the upcoming facility updates because of the old building. Ms. Scharf is an integral part of the executive command, and it was clear that she was well-supported by the staff.

7. Community Involvement

The Western Michigan University Department of Public Safety has over 100 emergency call boxes strategically placed throughout campus on buildings, in parking structures, and along pathways, allowing anyone needing assistance to contact them without a phone.

The department has two dual-purpose police K-9s trained in explosive detection and utilized for numerous community policing events.

The Agency also has a staff member who participates in the Early Intervention Team (EIT) to discuss and monitor students with mental health difficulties. The team coordinates response efforts regarding student concerns initiated by faculty, staff, and students.

An officer is assigned to the Community Outreach and Problem Solving (COPS) unit of Kalamazoo Department of Public Safety. This community policing officer is assigned in

Officers participate in Bigs and Badges, a Big Brothers/Big Sisters initiative that partners an officer with an elementary student. Officers are also involved in mentoring relationships with SEITA scholars and other students. (below is a collage of community policing photographs)



E. Essential Services:

Chapter 1 – The Administrative Function:

Direction of Personnel

The Director of Public Safety/Chief has the sole authority to issue, modify, and approve agency written directives. The Deputy Chief may make minor modifications to policies that do not affect organizational procedures or practices. Written directives are issued to all agency personnel, and changes to written directives are disseminated to all affected employees.

The agency uses PowerDMS to maintain and distribute policies to employees. The overall written directive system was clear and understandable. The directives were constructed in a logical manner with employee duties and responsibilities clearly defined. Written directives are updated, canceled, or revised as needed.

All directives are archived according to applicable retention schedules.

Fiscal Control

The agency accepts cash payments for employment fingerprints, preliminary breath tests, and parking violations. They do not make change. The money is turned over for the service, a receipt is provided, and during non-business hours, the money is placed in a locked locker.

The director's administrative assistant, the administrative lieutenants, and the deputy chief have keys to the locker. The administrative assistant takes the cash/receipts out of the locker, and it is brought to the Western Michigan University Cashiers Office daily.

The department does not maintain any cash accounts and no officer has access to cash. The only cash that comes in is for payments which are brought to the Cashiers office.

This was discussed at length while on site and it was determined they should seek a Standard Not Applicable in the future.

Internal Affairs

Internal Affairs is the responsibility of the Deputy Chief. The Deputy Chief is responsible for the direction and control of the investigation of citizen complaints and the department's internal affairs function. The Deputy Chief reports directly to the Chief.

Complaints that are minor in nature, as spelled out by policy, are referred back to the immediate supervisor of the involved employee. The supervisor may conduct an informal or formal inquiry. If a supervisor is assigned an internal affairs investigation, the supervisor will have the authority to report directly to the Chief or Deputy Chief.

The agency will accept and investigate all complaints, even those made anonymously. Upon completion of all investigations, the complainants are forwarded to the Chief.

The written directive allows for supervisors to immediately relieve employees from duty in severe cases.

A thorough written analysis of employee misconduct was completed for 2020, 2021, and 2022. In 2020 there were five internal affairs investigations conducted. One was sustained. In 2021, there were 2 internal affairs investigations. One was sustained. In 2022, there were 10 internal affairs investigations. Two were sustained. there were no policy changes required for any of the investigations conducted.

Disciplinary Procedures

The agency's written directive system details the rules, regulations, and expectations for employee conduct. The agency is well-disciplined and has procedures to apply training and counseling in lieu of employee discipline. The agency has an appropriate appeal and grievance process in place with established timelines based on contractual language for those involved in unions. No grievances were filed during the evaluation period.

Organization

All sworn personnel take, sign and subsequently abide by an oath of office to enforce the law and uphold the Constitution of the United States and the Constitution of the State of Michigan. All agency personnel, sworn and non-sworn, acknowledge a code of ethics and receive ethics training.

Bias-influenced policing is strictly prohibited by the agency. There is a clear definition for bias-influenced policing. There were no reported incidents violating the policy during the evaluation period.

The police personnel have a structured unity of command. The Director of Public Safety/Chief, as the Chief Executive Officer, is assisted by a Deputy Chief, one Captain, three lieutenants, and five sergeants. There are twenty-two police officers, including two detectives. In the absence of the Chief, an acting Chief is appointed from the senior command staff.

The agency utilizes the Kalamazoo County Consolidated Dispatch Authority (KCCDA) for all their dispatch needs. The agency has access to supervisory personnel on a 24-hour basis.

The agency prohibits unlawful workplace harassment, including sexual harassment. The written directive outlines a proper reporting mechanism in the chain of command, including an alternate reporting process for any conflict of interest. There were no reported incidents of workplace harassment during this assessment period.

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 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.

The agency employs a Quartermaster system and has processes in place for the prompt cleaning and return of uniforms.

Each patrol vehicle was equipped with full emergency gear and other necessary law enforcement equipment. Each vehicle was equipped identical to the others and are kept in a state of operational readiness.

Public Information

All media inquiries shall be referred to the Chief and Deputy Chief who act as the department Public Information Officers (PIO). It is the ultimate responsibility of the Chief to release information to the public. This responsibility may be delegated to designated personnel under conditions outlined in the policy.

A police supervisor or detective responsible for a specific case/incident may be a secondary contact for the news media in the absence of the PIO.

The university attorney is responsible for processing Freedom of Information Act (FOIA) requests received within the university including FOIA requests from the media.

Agency Records and Computers

The agency has a detailed written directive system describing field reporting, follow-up investigations, and the approval of reports by supervision. The department controls access to agency records electronically with records management passwords. Any hard copies of reports are stored in a room where only records staff and supervisors have access.

Juvenile records are kept separate and secure, and there are extra security measures in place for non-public records. All freedom of information requests are handled by the university attorney and the agency abides by the state retention and disposal requirements in accordance with Michigan Statute and Records Management guidelines.

The agency has procedures to protect its central records. The data is stored and backed up electronically and is password-protected. Annual security audits and password audits 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 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. New sworn personnel are required to complete a field training program.

Field training officers are properly selected and trained through a documented process. Officers in field training rotate shifts and assigned field training officers. The field

training program is properly supervised.

Newly promoted personnel receive training consistent with new responsibilities and tasks.

The agency has a documented remedial training policy. No remedial training needs were identified or conducted during the evaluation period.

Specifically required annual training topics were properly identified in the written directive. The agency conducts mandatory training annually including firearms, Taser, PPCT/Defensive tactics, bloodborne pathogen, and hazmat.

Agency-authorized in-service training focuses on any changes in case law affecting law enforcement, interview and interrogation techniques, crime prevention, emergency medical services, collection and preservation of evidence, and report writing. Members of the agency assigned to tactical operations (SWAT) and K-9 train on a regularly established training cycle to ensure proficiency.

The agency failed to complete Hazmat training in 2021. Assessors on site were told it was missed when the old accreditation manager left and the new one took over. The agency has taken steps, including a scheduled time in PowerDMS, to provide the training annually moving forward.

Authorization and Use of Agency Weapons and Ammunition

The Chief is the authorizing authority for weapons and ammunition requirements, including specialized weapons and knives. 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 conducts proper proficiency and qualification training as it relates to firearms, other less than lethal weapons, and use of force. All training and proficiency is documented properly.

Chapter 2 – The Personnel Function:

Personnel Benefits and Responsibilities

The agency has a written directive outlining an employee assistance program, line-of-duty injury and death circumstance policy, and an employee collision and review process. During the assessment period, there were no serious line of duty injury or death incidents. The agency has a comprehensive exposure control and reporting policy. Outside employment or business activities of agency employees are prohibited unless specific approval is obtained from the Chief.

Performance Evaluations

All agency personnel receive documented annual performance evaluations. The performance evaluation system has a well-defined purpose statement with established and defined criteria, and scored on a rating scale which includes Exceeds Expectations

(EE); Meets Expectations (ME); and Needs Improvement (NI). The system also includes directives to raters regarding evaluation responsibilities and procedures on how to use the required forms. Training for evaluators is documented, and the evaluations are maintained according to the department's retention schedule. The evaluation system has a clear appeal process, and no appeals of evaluations occurred during the assessment period.

The agency has an established early warning system. During the assessment period, the agency had no instances of an employee meeting the criteria for early warning, fit for duty, or employee assistance.

Promotion of Sworn Personnel

The promotional process is detailed in policy and addressed in the collective bargaining agreement. The process includes four components: first, an oral board exam with a maximum score of 40 points; second, a supervisor review with a maximum score of 20 points; third, a promotional written exam with a maximum score of 30 points and years of service credits with a maximum score of 10 points.

The Chief can pick one of three of the highest scoring candidates or has the option of not choosing any of the three and open the position up to outside the agency.

There was a promotional process completed for sergeant in 2021. A proper probationary period was completed by the newly promoted sergeant.

For a special assignment, interested parties with the proper training, skills and abilities for the position being sought, will participate in an interview with the Director of Public Safety/Chief. Based on the results of the interview and the education and skill set level of the applicant, the Chief will make their selection. The person selected will remain in that position until the Chief decides to remove them.

A new detective was promoted in 2022. The process was followed and a promotion was made accordingly.

Probationary periods for promoted personnel was discussed. The language in the written directive talked about probationary patrol officers and "Non-bargaining" employees who transfer, promote or demote to a new position being subject to a probationary period of six months. In discussions, it was determined the written directive should simply say "Employees" and not "Non-bargaining." A correction to the written directive was needed.

Recruitment of Sworn Personnel

The recruitment plan contains a clear statement that the agency is committed to being an equal opportunity employer. The agency is dedicated to creating a work force that is representative of the diversity of the community. The department currently has no openings but is expecting a large number of openings in the future.

Recruitment activities include attending the WMU career fair, Kalamazoo Valley Community College career fair, sponsoring a Bronco Bash booth, visiting regional police academies, speaking at WMU classes, and speaking at orientation.

A lack of openings sometimes makes recruiting difficult as they may find a candidate but not have any openings for them.

Selection of Personnel

The agency has a complete written process for the selection of new full-time personnel, which includes completing a WMU application, successfully completing an EMPCO pre-employment test a criminal history check, and an oral interview, which includes job related questions and scenario situations. The selected candidate will pass a background investigation, and complete medical and psychological testing. The candidate will participate in a personal interview with the Chief prior to an offer of employment.

The agency hired three officers in 2022. They did not do psychological testing on any of the three candidates. In speaking with the Chief while on site, he admitted fault and said they completed what was needed for MCOLES. The Chief advised in the future, all new hires would have to complete psychological testing prior to being hired.

Reserve Officers and Civilian Volunteers

The agency does not have a reserve program, nor does it utilize civilian volunteers within its ranks.

Chapter 3 – The Operations Function:

Arrest, Search, and Seizure

The Western Michigan University Department of Public Safety 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 foundations 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 arrests to the Kalamazoo County jail for processing and housing.

The agency has an area in its police building used for providing fingerprints and photographs for people who turn themselves in on warrants. This area is monitored by a centralized camera system. An emergency alarm button on the officer's prep radio is worn by officers conducting fingerprinting and photographs. There is a weapons storage locker located near this area.

The agency has a comprehensive strip search and body cavity search policy in place, indicating that a search warrant is necessary to conduct strip searches when an arrestee is lodged 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 under the authorization of the Chief or their designee. A person of the same sex must conduct the strip search. Body cavity searches are conducted by a licensed physician (or physician's assistant, or a nurse, under the direction of and in the absence of the doctor) with a search warrant.

There were no occurrences of either type of search within this accreditation period.

Interview and Interrogation

The Western Michigan University Department of Public Safety 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, including a 'soft' interview room and one 'hard' interview room with a camera activated by motion from inside the room. The interrogation rooms are monitored, and officers can activate an emergency alarm (prep radio) in the event of an emergency. The 'hard' interview room has audio and video recording capability. The agency's written directive indicates that investigative officers are required to use the agency's audio and videotaping capabilities for purposes of recording statements and confessions consistent with state law that all substantive interviews, including homicide, police-involved shooting, claims of excessive force, a felony punishable by imprisonment for life or twenty years or more, or CSC 3rd degree shall be videotaped. The policy also indicates that no more than two officers will be inside an interview room during an interview/interrogation.

The agency directive also included additional requirements for juvenile interviews and interrogations.

Use of Force

Assessors reviewed several use-of-force reports generated during this assessment period. The reports were well-written and concise in nature but thorough in their descriptive language. The initial use-of-force report is completed by the involved officer, and the report is reviewed and approved by their supervisor before it is sent to a higher-ranking officer for review. The supervisor review indicates whether additional training is needed or if the officer acted within policy guidelines. The agency conducts a thorough internal affairs investigation for each use-of-force incident by way of an established review protocol.

Thirty-two use-of-force reports were generated during the 2020 assessment period. Forty-five use-of-force reports were generated during the 2021 assessment period. Twenty use-of-force reports were generated during the 2022 assessment period. The department conducts a thorough internal affairs investigation for each use-of-force incident involving strikes, takedowns, or weapon displays (Taser and duty weapons). In all incidents viewed, the officers were exonerated in the final findings with no recommended changes to training, policy, or procedure.

There were no injuries to suspects or officers as a result of any use of force actions taken during the assessment period.

The agency has a policy in place that any officer involved in the use of deadly force is placed on administrative leave with pay pending further investigation.

Communications

The Western Michigan University Department of Public Safety contracts with the Kalamazoo County Consolidated Dispatch Authority (KCCDA) for communication needs. The County Dispatch Authority is a full-service dispatch authority and the operators are trained in call-taking and dispatch duties. Assessors were able to view the facilities and see the steps taken by the staff to provide state of the art Computer Aided Dispatch (CAD) to its client agencies. There is no provision at the KCCDA for Emergency Medical Dispatching. The KCCDA takes initial information on medical-related calls, then transfers the caller to one of three available ambulance companies that have trained Emergency Medical Dispatchers on staff to provide medical information to the caller while medical service units are enroute.

Each dispatch station is set up identically; some provide fire dispatch, while others provide police dispatch.

All recordings are automatically purged after 1 year unless requested by the department for longer retention. Review of any recordings is limited to personnel with a legitimate and official need.

The Dispatch Center has a backup 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. Documentation was provided that the generator goes through a full-load test annually and has semi-annual inspections. Documentation showed weekly tests to ensure operability.

Field Activities

The Western Michigan University Department of Public Safety had six vehicle pursuits during the assessment period. Each pursuit is thoroughly reviewed for compliance, and an annual summary/analysis report is generated. The policy allows for vehicle pursuits only for violent felony cases by officers who must follow the guidelines appropriately outlined in the policy.

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

During the assessment period, the Western Michigan University Department of Public Safety officers were involved in two foot pursuits. Each foot pursuit is thoroughly reviewed for compliance, and an annual summary/analysis is generated. There were no injuries to suspects or officers during the two incidents. The review concluded that officers were justified in their pursuit on foot.

The agency has in-car computers available in each patrol vehicle, accessible to each patrol officer. The agency also has video recording equipment in their police vehicles. Each video is downloaded and retained for a designated time period unless there is some evidentiary value to the video and then it is kept until the final disposition of the case is known. All other retention of video evidence follows the state retention guidelines.

Patrol officers are assigned to enforcement areas as part of an overall patrol enforcement

and crime prevention strategy. Officers are highly encouraged to engage in community activities that include WMU students, faculty, and staff, as well as with citizens from the surrounding communities they serve in connection with local law enforcement agencies.

The briefing room is conducive to providing effective roll call training for the size of the agency, with access to equipment to show training videos and conduct other roll call training as needed.

The agency trains its officers in dealing with mentally ill persons.

Traffic Safety and Enforcement

The Western Michigan University Department of Public Safety has applicable policies 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 community events.

Homeland Security/Critical Incidents

The agency has a critical incident system in place, which includes command, operations, planning, logistics, and fiscal responsibility. The agency indicated that no critical incidents that required activation of the Incident Command System took place during the assessment period. Upon discussion, it was learned that Western Michigan University Public Safety hosts several events during the year. The agency utilizes certain elements of ICS during these events.

Chapter 4 – The Investigative Function:

Criminal Investigation

Administrative Lieutenant oversees the patrol division and detective bureau and will review cases and assign those cases that require follow-up investigations. The Administrative Lieutenant will monitor and review all follow-up to ensure efficiency and effectiveness of the investigation process. The Administrative Lieutenant is the only person that is able to change open cases to closed ensuring a completed investigation. A policy is in place for eyewitness identification however wasn't needed during this assessment period.

Crime Scene Processing

There are no accident investigators or evidence technicians at the department. Officers use basic training to process police scenes. The Western Michigan University Department of Public Safety has an agreement with Kalamazoo Forensic Laboratory if the need arises for an evidence technician. For Accident Reconstruction, the department uses one of three police agencies in the county that are available on a 24-hour basis.

Storage of Evidence and Property

Appropriate policy is in place for property processing and evidence collection. The agency has a property room that the lieutenant and sergeant have access to. The door has a thumbprint ID, key code access, and a special key-locked. A surveillance camera is situated in the hallway near the property room door and is also located inside the secured property room. The agency utilized a camera situated in the property room as enhanced security or storage of exceptional, sensitive, or valuable evidence/property.

Outside the thumbprint ID, key code access, a special key for entry, and security cameras inside and outside the evidence room, there is no other mechanism in place for security of evidence.

All weapons are kept separate from other evidence in a secure area inside the evidence room. At the end of the appeal process for cases involving weapons, they are sent to the Michigan State Police for destruction.

Drugs are kept in a secure area inside the evidence and separate from other evidence. After the case adjudication and appeal process, all drugs are taken to an incinerator in Grand Rapids for destruction.

Money is also kept separate and in a secure area inside the evidence room.

The collection and storage of biohazardous/hazardous/explosive materials were satisfactorily demonstrated and explained during the department tour.

Only two property custodians have access to the evidence room. A proper process is in place in case neither evidence room custodian is available to take care of the evidence room.

Evidence that needs lab submission is sent to the Kalamazoo Forensic Laboratory. Appropriate policy for transmission and chain of custody is in place.

All time-sensitive inspections, audits, and inventories were conducted. No irregularities were identified. There was no change in CEO or property custodian during the assessment period.

Juvenile Matters

The agency has established policies regarding juvenile status offenses, including dealing with runaway cases, unidentified 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. Appropriate forms are used for the petitioning of juveniles to court. Parent notification policies and practices for the release of juveniles are present with appropriate documentation including time limits associated with juvenile processing and holding. Reporting requirements were also observed that comply with accreditation standards. The agency has a child seat available if needed.

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 Western Michigan Department of Public Safety has the ability to utilize the Kalamazoo Valley Enforcement Team (KVET) for more complex cases they may become involved in.

The agency has written directives and procedures for dealing with investigating adult missing persons, Juvenile missing persons, and unidentified persons.

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

Transporting of Arrestees/Detainees/Prisoners

The Western Michigan Department of Public Safety has established procedures for the transportation of arrested subjects, to include searching vehicles prior to the beginning of each shift, prior to and following any transport, and after the securing of arrested subjects in restraints during transport.

Processing of Arrestees/Detainees/Prisoners

The agency processes arrestees at their department unless the subject is violent. Violent prisoners are taken directly to the Kalamazoo County Sheriff's Department Jail where processing can be done when safe to do so. The agency lodges prisoners at the Kalamazoo County Sheriff's Department.

Holding of Arrestees/Detainees/Prisoners

The agency does not have a holding facility as defined by the standards. The Kalamazoo County Jail is utilized for detention. The agency has received a not applicable exemption to this standard.

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 standards that needed additional proofs added or corrected, but no standards in applied discretion.

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 standards were granted non-applicable waivers:

Standard 2.1.3 Extra-duty Employment
Standard 2.6.1 Reserve/Auxiliary Officers Program

Standard 2.6.2 Civilian Volunteer Program
Chapter 5.3 Holding of Arrestees/Detainees/Prisoners

I. Standards Noncompliance Discussion:

The agency was noncompliant with two standards:

Standard 2.5.4 Psychological Exams

During this accreditation cycle, the agency hired three patrol officers who were previously sworn police officers in Michigan. The agency does have a policy that states, “A *psychological examination will be conducted by a licensed psychologist to determine emotional stability and psychological fitness for employment.*” The agency failed to conduct psychological testing for all officers who were hired. Chief Merlo indicated that all candidates were in good standing with MCOLES at the time of hire. He added that all candidates have been model employees with no issues since their employment. The failure to send them for a psychological examination was an oversight during the hiring process. Chief Merlo assured MLEAC Assessors that they have taken steps to correct this oversight for the future.

Standard 1.9.7 Hazmat Training

During this accreditation cycle, the agency failed to conduct hazmat training for 2021. The agency does have a policy that speaks to the mandatory annual hazmat training. When the missed training was discovered, the accreditation team prescheduled annual training courses in PowerDMS for the mandatory annual training. The agency was in-compliance for the years 2022 and 2023.

Upon discussing these non-compliance issues with Chief Merlo and his accreditation team, it was clear there was no specific intent not to follow the standards. They have assured the MLEAC Assessors that moving forward, these and all standards will be followed.

J. Future Performance / Review Issues:

The agency should make sure to follow new standards that have been implemented. The agency should ensure the policy language mirrors standard language to alleviate ambiguity. Additionally, the accreditation team must find ways to have more proofs and fewer non-occurrences for new standards moving forward.

K. Summary and Recommendation:

A thorough review of the files for compliance was conducted, as well as observations of compliance; after interviews, it was determined that the agency was not in compliance with all the established accreditation standards. However, when looking at the assessment as a whole, the WMUDPS accreditation team has done an excellent job with the assessment. When speaking with Chief Merlo and the accreditation team, they put together a plan to ensure full compliance in the future. I believe that with the creation of the accreditation team and getting officer involvement in the process, the WMUDPS accreditation team will be fully compliant in the future. Re-accreditation is recommended.

Deputy Chief Scott McGraw, Team Leader
Date: January 10, 2024

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

Program Director Ron Wiles
Date: January, 11, 2024