

LAW ENFORCEMENT OFFICER SEPARATION OF SERVICE RECORD ACT (EXCERPT)
Act 128 of 2017

***** 28.563.new THIS NEW SECTION IS EFFECTIVE JANUARY 15, 2018 *****

28.563.new Separation of service; maintenance of record regarding reasons and circumstances; review by separating law enforcement officer; request for correction or removal of portion of record; submission of written statement by separating law enforcement officer.

Sec. 3. (1) In addition to the employment history record required to be maintained under the Michigan commission on law enforcement standards act, 1965 PA 203, MCL 28.601 to 28.615, by a law enforcement agency for each officer it employs or for each officer to whom the chief of police of a village, city, or township or county sheriff has administered an oath of office, a law enforcement agency shall maintain a record regarding the reason or reasons for, and circumstances surrounding, a separation of service for each law enforcement officer for whom the law enforcement agency is required to maintain an employment history record under the Michigan commission on law enforcement standards act, 1965 PA 203, MCL 28.601 to 28.615, who subsequently separates from the law enforcement agency or from his or her employment as a law enforcement officer requiring the administration of an oath of office under section 9c or 9d of the Michigan commission on law enforcement standards act, 1965 PA 203, MCL 28.609c and 28.609d.

(2) The law enforcement agency shall allow a separating law enforcement officer to review a record prepared under subsection (1) upon the request of the separating officer.

(3) If a separating law enforcement officer disagrees with the accuracy of the contents of the record prepared under subsection (1), he or she may request the correction or removal of the portion of the record he or she believes is incorrect. If the law enforcement agency and the separating law enforcement officer cannot reach an agreement on the contents of the record prepared under subsection (1), the separating law enforcement officer may submit a written statement explaining the separating law enforcement officer's position and the basis for his or her disagreement. If a separating law enforcement officer submits a written statement under this subsection, it must be kept with the record required under subsection (1) and provided with the rest of the contents of the record as required under section 5.

History: 2017, Act 128, Eff. Jan. 15, 2018.