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Members Share, Learn at Joint Law Enforcement Symposium

by Curtis Caid, Risk Control Consultant

AS I AND OTHER MMRMA risk control consultants travel the state and attend many functions each year, we have a great opportunity to network with MMRMA members and nonmembers. In discussing the benefits of MMRMA membership, we highlight the robust array of member resources, including model protocols, sponsored training to mitigate various exposures, and easy access to risk control consultants and the entire Membership Services team.

Members helping members

Many of the core services provided by Membership Services originate from MMRMA's ten risk control advisory committees, made up of member employees with experience and expertise in the committees' respective functional areas.

Law enforcement is a source of significant liability and property exposure. Leaders from member agencies in both the Lower Peninsula and



the Upper Peninsula generously provide their time, experience, and expertise on two respective committees to help spearhead content, resources, and training for the benefit of law enforcement departments across MMRMA's membership. Both the Lower Peninsula Law Enforcement Risk Control Advisory Committee and the Upper Peninsula Law Enforcement Risk Control Advisory Committee are comprised of eight sheriffs and eight police chiefs or public safety directors.

Exchanging ideas, insights

Once a year, both committees come together for a two-day symposium to discuss areas of concern and opportunities that MMRMA may be able to assist members in their overall risk

Law enforcement members from the Lower and Upper Peninsulas come together annually to discuss concerns and opportunities.

mitigation efforts—in keeping with MMRMA's mission. It is truly an incredible group of law enforcement leaders in the State of Michigan.

In addition to MMRMA committee members, featured speakers at this year's event in June included the executive director of the Michigan Commission on Law Enforcement Standards (MCOLES,

the licensing agent for all Michigan Police Officers/Sheriff Deputies); the executive director and deputy executive director of Michigan Association of Chiefs of Police (MACP); and the executive director and deputy executive director of the Michigan Sheriffs Association (MSA). In total, nearly 60 attendees convened during the joint committee meeting.

Lessons learned and current topics

Each year, the symposium features a multitude of timely topics. In 2023, this group analyzed the tornado that ripped through the Gaylord area, focusing on the demand

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placed on the community and first responders to recover and restore the area, noting the unfortunate loss of life during the tragedy.

At this year's event, we discussed State of Michigan House Bills 5120 and 5121 as enacted, which address alternative energy supply and the challenges they present to local governments. According to legislative analysis by the House Fiscal Agency, "Generally speaking, the MPSC (Michigan Public Service Commission) certification process preempts local regulation of those facilities, although a local government with an ordinance whose requirements do not exceed the bill's certification standards can act as a permitting authority in some circumstances." ¹

Lithium battery storage risks

One MMRMA member raised the concern about the potential for an emergency event, such as a fire at a lithium battery storage facility, which is currently slated for that jurisdiction. Knowing what members have already experienced with the impact of lithium battery fires in vehicles, the proposed storage facilities, which are the size of large storage containers, warrant significant attention.



The length of time a defendant may be held in custody before a court appearance sparked a great deal of discussion.

There are few answers to many questions, among them:

- > How would local first responders extinguish a blaze if a fire engulfed the entire storage facility?
- > Have toxic gases associated with a fire been identified?
- > Are there toxins in the water runoff from the attempt to control a fire?

One of the most recent examples is a fire at a battery plant in South Korea. According to a June 24, 2024 article by the British Broadcasting Company (BBC)², 22 people perished and firefighters had to utilize dry sand to eventually extinguish the fire.

Legal developments

A highlight at each year's symposium is a presentation by Holly Battersby and/or Andrew Brege of Rosati, Schultz, Joppich and Amtsbuechler, one of MMRMA's partner law firms.

There are many questions but few answers about the risks posed by the use and storage of lithium batteries.

These legal experts address current issues in law enforcement and corrections as seen from their unique perspective of representing MMRMA members. The team presented an analysis of incidents that demonstrate best practices in law enforcement response and identified areas that may require additional training to promote sound decision-making and decrease liability exposure.

Topics included court decisions that could have potential impact on future claims in Michigan, especially from the United States 6th Circuit Court of Appeals and the U.S. Supreme Court.

The legal team presented a topic that seemed basic but led to a great deal of discussion: the length of time a defendant may be held in custody prior to formally appearing in court.

There are many aspects to be considered, including holidays, weekends, and the availability of a judge or magistrate. The consensus emphasized the necessity to coordinate timing with local officials now to ensure the rights of defendants are being recognized, therefore acting to help prevent future claims.

Providing this annual training opportunity to our leaders in law enforcement demonstrates the value of the partnership MMRMA has with all law enforcement leaders, especially MCOLES, MSA, and MACP. It is a strong and effective group committed to law enforcement and corrections professionals.

¹ <https://www.legislature.mi.gov/documents/2023-2024/billanalysis/House/pdf/2023-HLA-5120-9233CFC8.pdf>

² <https://www.bbc.com/news/articles/crgggmeyjj7o>

People are at the Heart of Successful Cybersecurity

by Dan Bourdeau,
Cybersecurity Practice Leader

CYBERSECURITY ISN'T JUST about firewalls, encryption, and fancy algorithms: it's about people. Yes, low-tech, carbon-based humans! These very beings can be your cyber defense's strongest—or weakest—link. The goal is to make sure your people land on the side of strength when it comes to protecting your digital landscape.

Good password hygiene

First, let's talk about one of the oldest, yet often compromised, forms of defense: the password. Oh, the joy of passwords! Despite countless warnings, some people still think that easily memorable choices like "password123" or "letmein" are uncrackable. On the contrary, this is akin to hiding a key under the doormat and hoping no one finds it.

A strong password is like a sturdy lock on your front door. Make it complex and unique, and layer two-factor authentication (2FA) whenever possible. Think of 2FA like a deadbolt. If two locks are a wise choice for your brick-and-mortar homes, doesn't it make sense to similarly reinforce your digital environments?

Resist the phishing bait

Next, we have phishing. Imagine your inbox is a sea,



and phishing emails are those pesky fish that look like gourmet meals but taste like rubber. Scammers craft emails that look so legitimate you'd swear they came from your boss or bank. The solution? **Always** verify before you click. Hover over links, check for misspellings, and if still in doubt, call the sender on a previously verified phone number—NOT the number in the questionable email.

Let's not forget about the irresistible urge to click on unknown links or download mysterious attachments. Curiosity killed the cat, and it can also infect your computers. Always think twice before clicking. If it looks too good to be true, it probably is.

View texts and calls with a critical eye

Scammers often impersonate legitimate vendors and businesses like Amazon and utility companies, typically with alarming language about allegedly delayed shipments, rejected payments, and other issues to tempt people into clicking.

A strong password is like a sturdy lock on your front door. A weak one is like hiding a key under the doormat.

Do not reply, tap a link, or call a number from a text message. Instead, always rely on the provider's app or official website to investigate the particulars of your accounts and orders. This rule applies to all your accounts, personal or professional. Keep in mind that a personal data breach or identity theft can easily carry over into the victim's professional life and accounts.

Distractions lead to complacency

I get it: cybersecurity best practices can feel like a chore. But we would never be too busy, hasty, or distracted to leave the front door of our house wide open. Similarly, we must not be careless when it comes to cybersecurity routines and activities.

Staying current with updates on all devices (don't neglect mobile phones, tablets, and their apps), conducting regular

Imagine your inbox is a sea, and clickbait is one of those tasty-looking fish you don't want to land.

backups, and practicing a little daily vigilance can go a long way to keeping ourselves and our organizations safer.

Strong communication is key

Encourage an open dialogue about cybersecurity in the workplace. Ensure that all employees and colleagues know what to do if they get that awful knot in the pit of their stomach upon realizing they absentmindedly opened a questionable attachment or clicked a shady-looking link.

Employees must:

- > Know how to report suspicious activities
- > Trust they won't be ridiculed or reprimanded
- > Feel confident that leadership will support them in creating a secure environment.

In the end, cybersecurity is a team effort. By understanding and addressing these human factors, we can turn the weakest link into the strongest defense. For more information and guidance, contact Dan Bourdeau at cyber@mmrma.org.



South Haven is home to the world's largest concentration of blueberry growers, with nearly 300 farms on 18,500 acres. In August, the city hosts the National Blueberry Festival, now in its 61st year. Cultivation of blueberries in Michigan began in the 1920s; today, the state produces upward of 100 million pounds of blueberries annually.

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Understanding MMRMA Notary Bonds and Coverage

by Cindy C. King, Director of Membership Services and Human Resources
and Bob Hauch, Managing Risk Manager

MANY MMRMA MEMBERS DESIGNATE

officials or employees as notary publics who provide a legal service to those they serve.

Overview of notary services

According to Notary.net,¹ "A Notary is a person of integrity who is appointed by a state government—usually the Secretary of State—to serve the public as an official impartial witness. A Notary performs a variety of official fraud-deterrent acts related to the signing of important documents. These official fraud-deterrent acts are called notarizations, or notarial acts. Because a Notary is publicly commissioned as a 'ministerial' official, they are expected to follow written rules without the exercise of significant personal discretion, as would be the case with a 'judicial' official."

Notary.net adds: "A Notary's duty is to confirm and verify the true identity of a person signing an important document."

Notary dos and don'ts

In local government, notaries are asked to sign a variety of documents; those related to the sales of property are perhaps the most frequent.

The State of Michigan² advises that notaries may not:

1. Notarize a document without witnessing a signature
2. Make a "true copy" statement
3. Certify that a person is alive
4. Notarize documents signed by their own relatives (spouse, grand or great-grand-parents, parents, children, siblings, or in-laws).

See footnote 2 for a full list of dos and don'ts for notaries in Michigan.

FAQs: Notary Bond Coverage

Michigan law (MCL Section 55.273) requires notaries to maintain a \$10,000 surety bond for the duration of their six-year commission. As many of our members know, MMRMA provides these notary bonds to officials and employees of its members.

Here are some frequently asked questions regarding MMRMA's notary bonds and related coverage:

What is a notary bond?

A notary bond is a three-party agreement in which the surety (MMRMA) guarantees the obligations of a principal (the notary) to an obligee (the State of Michigan). If the principal fails to meet its stated obligations, the surety will compensate the obligee for their loss. A bond is **not** insurance protection.

Does MMRMA's liability protection include notaries and their activities?

MMRMA's liability protection extends to MMRMA members' employees (including notaries) **while performing official duties on behalf of the member entity.**

MMRMA's Wrongful Acts liability coverage (similar to commercial "Errors and Omissions" insurance) covers an actual or alleged error, misstatement, act, omission, neglect or breach of official duty, including misfeasance, malfeasance, and nonfeasance.

How is payment against an MMRMA notary bond triggered?

Per Michigan law, if judgment against a notary for official misconduct in the performance of a notarial act is incurred, MMRMA would pay up to the bond face amount to the State of Michigan.

¹ <https://notary.net/what-is-a-notary-and-what-do-notaries-do/>

² <https://www.michigan.gov/sos/-/media/Project/Websites/sos/24delrio/Notary-Dos-and-Donts.pdf>