

**Brett M. Naumcheff, M.S., J.D.**  
**Law Enforcement Expert Witness**

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**PROFESSIONAL EXPERIENCE SUMMARY**

The intersection of law and policing is my bailiwick. My professional experience includes a twenty-seven (27) year career as a police officer and current twenty-five (25) year career as a lawyer which includes over two decades of representing and training police officers. The full police career created experience-based relevance. The combination of the two professions was intentional and with the goal of earning a broad, unique and holistic law enforcement expertise.

My career path, as planned, has allowed me to gain a unique perspective on policing. Upon graduation from law school, I became a dual practitioner. My police schedule was flexible and allowed me to adjust work hours to accommodate gaining experience as a practicing lawyer. As such, I have decades of courtroom experience as both a police witness and litigating attorney having testified, examined and cross-examined on both sides of the aisle. Therefore, my legal and teaching experience is not philosophical but real world, broad-based and litigation enhanced.

For over three decades, my professional research and teaching focus has been police policy, training and practice. For example, my research found a need to train police professionals on how to practically apply the correct and relevant law to their use of force decision making, rather than a misguided reliance upon various historic police practice fallacies that are not based on legal doctrine, legislation or case law. Relatedly, I have taught more than one thousand (1,000) police training sessions on various law enforcement topics. Currently, in addition to police administrative advising, I research and teach over two hundred (200) live and in person police training sessions per year ranging from one to eight hours in length to police professionals at all career levels.

**EDUCATION**

**Juris Doctorate**, Thomas M. Cooley Law School, Lansing, Michigan, 2000

**Master of Science**, Central Michigan University, Mount Pleasant, Michigan, 1996

**Bachelor of Science**, Central Michigan University, Mount Pleasant, Michigan, 1990

**POLICE AND PUBLIC SAFETY EXPERIENCE**

City of East Grand Rapids, Michigan - February 4, 1991 to June 18, 2018

Police Officer, School Liaison, Detective and Police Legal Advisor

- ❖ Medal of Honor and Distinguished Service Medal
- ❖ Survived Three Hand to Hand Deadly Force Encounters
- ❖ Michigan Certified Police Officer and Certified Firefighter and Certified Taser Instructor

## **LAW PRACTICE EXPERIENCE**

- ❖ Admitted to State Bar of Michigan – Member Since 2000
- ❖ Admitted to Sixth Circuit Court of Appeals and United States Supreme Court
- ❖ Adjunct Professor – Muskegon Community College and Central Michigan University
- ❖ Represented hundreds of Clients in over forty (40) Michigan Counties

### **General Litigation Practice**

- ❖ Practice Areas: Labor Law, Employment Law, Family Law and Criminal Defense
- ❖ Represent individuals, unions, administrators, companies and governmental entities
- ❖ All aspects from initial investigation through discovery to dispute resolution and trial
- ❖ National Coordinating Attorney – Professional Law Enforcement Association, Troy, MI

### **Police Legal and Training Advisor – Constitutional Policing and Policy Advisor**

- ❖ Represent Police Departments, Police Chiefs and Police Officers
- ❖ Provide department training on use of force, search and seizure and police procedure
- ❖ Experience in collective bargaining, labor negotiations, mediation and arbitration
- ❖ Provide risk management legal advice and civil liability training to all levels
- ❖ Respond to and advise during and after critical incidents
- ❖ Conduct internal investigations and training division audits
- ❖ Provide Policy and Procedure creation, review and recommendations

## **NATIONALLY CERTIFIED POLICE INSTRUCTOR**

International Association of Directors of Law Enforcement Standards and Training, Eagle, Idaho

### **POLICE TRAINING COURSES CREATED AND TAUGHT**

#### **25 Years Training Police Officers - Over 1,000 Police Training Sessions**

Constitutional Police Use of Force	Basic Courtroom Testimony
Constitutional Search and Seizure	Mental Health Case Law
Criminal Law and Police Procedure	New Officer Legal Orientation
Officer Involved Shooting Law and Policy	Federal Civil Rights Legal Aspects
Investigating Police Use of Force	Drafting High Risk Policies
Police Discipline and Discharge Law	Less Lethal Force Law and Practice
Police Civil Liability and Policy Awareness	Consent Search Law and Practice
School Resource Officer Law and Practice	Automobile Exception Search Law
Legal Aspects of Conducted Energy Weapons	Police Investigatory Interview Law
First Line Supervisor Liability Awareness	Terry Stop and Frisk Legal Aspects
Legal Awareness for the Police Detective	First Amendment Audit Legal Aspects
Emergency Vehicle Operation Law and Practice	SWAT Legal Awareness
De-escalation Based Constitutional Policing	Grievance Law and Practice

## **CURRENT LAW ENFORCEMENT TRAINING AND PRESENTATION SCHEDULE**

<b><u>Type of Class</u></b>	<b><u>Length</u></b>	<b><u>Number of Presentations Per Year</u></b>	
Monthly Legal Update	1 hour each	Approximately	212
Remedial Training	1-3 hours each	Approximately	16
New Officer Training	2-4 hours each	Approximately	12
Department CPE Seminars	2-8 hours each	Approximately	25
Emerging Issue Oriented	1 hour each	Approximately	20

## **PAST PROFESSIONAL PRESENTATIONS – REPRESENTATIVE LIST**

- |  |   |
|--|---|
| ❖ Northwestern University<br>School of Police Staff and Command    | ❖ Eastern Michigan University<br>School of Police Staff and Command |
| ❖ Central Michigan University                                      | ❖ Western Michigan University                                       |
| ❖ Michigan State University  | ❖ University of Alabama-Birmingham                                  |
| ❖ Muskegon Community College                                       | ❖ Grand Rapids Community College                                    |
| ❖ Mid-Michigan Community College                                   | ❖ Calvin University   |
| ❖ Michigan Association of Chiefs of<br>Police                      | ❖ Michigan Sheriff's Association                                    |
| ❖ Michigan Association of Campus Law<br>Enforcement Administrators | ❖ Michigan Municipal Risk<br>Management Authority                   |
| ❖ FBI National Academy Graduates<br>Association                    | ❖ Commission on Accreditation for Law<br>Enforcement Agencies       |
| ❖ Fraternal Order of Police  | ❖ National Troopers Coalition                                       |
| ❖ National Association of Police<br>Organizations                  | ❖ Professional Law Enforcement<br>Association                       |
| ❖ Michigan State Police  | ❖ Michigan DNR Law Enforcement                                      |
| ❖ Colorado State Patrol Association                                | ❖ Louisiana State Troopers Association                              |

## **PUBLICATIONS**

### ***Officer Involved Shootings – Preparing for the Legal Aspects***

Michigan Association of Chiefs of Police Magazine, Winter 2020

## **LAW ENFORCEMENT RELATED CERTIFICATIONS**

### **Force Science Analyst**, Force Science Institute, Des Plaines, Illinois

Certified and trained to recognize and articulate important psychological, biological, and physiological factors that can affect behavior and memory in force encounters and pursuit situations. Professionals certified in Force Science Analysis have a foundational understanding of human dynamics to allow them to determine how and why a force confrontation proceeded and evolved in the manner that occurred.

### **TASER Conducted Energy Weapon Instructor**, Axon Enterprise, Inc., Scottsdale, Arizona

Instructors are a certified individuals that are trained to teach others—typically law enforcement officers—how to properly and legally use a Taser or conducted energy weapon (CEW). Instructors are responsible for educating users on weapon operation, physiological effects, safety protocols, legal standards, use-of-force policies, and scenario-based applications.

### **ICAT Instructor**, Police Executive Research Forum, Washington, D.C.

Integrating Communications, Assessment, and Tactics (ICAT) is a new way of thinking about use-of-force training for American police officers. ICAT takes the essential building blocks of critical thinking, crisis intervention, communications, and tactics, and puts them together in an integrated approach to training. ICAT is anchored by a Critical Decision-Making Model that helps officers assess situations, make safe and effective decisions, and document and learn from their actions.

## **PROFESSIONAL MEMBERSHIPS**

### ***International Association of Chiefs of Police – Police Legal Advisor Section***

Founded in 1893, the International Association of Chiefs of Police (IACP) is the world's largest and most influential professional association for police leaders. The IACP is a recognized leader in global policing, committed to advancing safer communities through thoughtful, progressive police leadership. Since 1893, the association has been serving communities by speaking out on behalf of law enforcement and advancing leadership and professionalism in policing worldwide. The Legal Officers Section assists in the establishment of professional standards, assistance, and cooperation among attorneys who provide legal advice or representation to law enforcement administrators

### ***Police Executive Research Forum***

Founded in 1976 as a nonprofit organization, the Police Executive Research Forum (PERF) is a police research and policy organization and a provider of management services, technical assistance, and executive-level education to support law enforcement agencies. PERF helps to improve the delivery of police services through the exercise of strong national leadership; public debate of police and criminal justice issues; and research and policy development.

### ***National Internal Affairs Investigators Association***

Founded in 1993, with a main goal to develop and establish professional performance standards and instill the importance of ethical behavior and integrity to those involved in administrative and/or internal affairs investigations.

### ***American Society of Criminology – Division of Policing***

Founded in 1941, the American Society of Criminology is an international organization whose members pursue scholarly, scientific, and professional knowledge concerning the measurement, etiology, consequences, prevention, control, and treatment of crime and delinquency.

### ***Academy of Criminal Justice Sciences – Division of Policing***

The Academy of Criminal Justice Sciences (ACJS) is an international association established in 1963 to foster professional and scholarly activities in the field of criminal justice.

### ***International Law Enforcement Educators and Trainers Association***

ILEETA is a fraternal association of professional trainers and educators dedicated to the continuing improvement of the effectiveness of criminal justice practitioners, as well as enhancing their safety and the communities they serve. ILEETA is an organization of peers with no rank or hierarchy.

### ***International Association of Directors of Law Enforcement Standards and Training***

IADLEST's mission is to support the innovative development of professional standards in public safety through research, development, collaboration and sharing of information, to assist states and international partners with establishing effective and defensible standards for the employment and training of public safety personnel.

## **TRAINING AND TECHNICAL ASSISTANCE PROVIDER**

***Law Enforcement Practice and Policy Expert.*** “Community Policing Innovations Initiative (CPPI).” Community Foundation for Southeast Michigan (in partnership with 21CPSolutions). TTA provider to the Canton Township Police Department Project. Co-created, trained and serves as the Police Legal Advisor for the Police Transparency And Guidance Group (PTAGG) which is a citizen advisory committee. The purpose of PTAGG is to review and evaluate the police policy, procedures and practices of the Canton Township Police Department.

***Law Enforcement Training Expert.*** “Community Policing Innovations Initiative (CPPI).” Community Foundation for Southeast Michigan (in partnership with 21CPSolutions). TTA provider to the Warriors on Wheels and Hamtramck Police Department Project. The project purpose was to assist in creating a series of disability-based training modules for police officers.

## **EXPERT WITNESS RETENTION**

Najlaa Jaluob v City of Dearborn, Eastern District of Michigan, Case No. 23-12963	Defendant
People v Jacob Cronick, Delta County MI Circuit Court, Case No. 24-11099-FH	Defendant