

LITIGATION HOLD, PRESERVATION DEMAND, WRITTEN STATEMENT, AND REQUEST FOR INCIDENT REPORTS

June 23, 2026 Hillsdale County Board of Commissioners Meeting Removal

To:

Hillsdale County Board of Commissioners
Chair Mark Wiley
Hillsdale County Sheriff Scott Hodshire
Hillsdale County Prosecutor's Office
Hillsdale City Police Chief
Michigan State Police
Michigan Attorney General's Office

Re: Litigation Hold, Preservation Demand, Written Statement, and Request for Incident Reports — June 23, 2026 Hillsdale County Board of Commissioners Meeting Removal

This preservation demand is made pursuant to the Michigan Open Meetings Act, including MCL 15.263, MCL 15.271, and MCL 15.273; the Michigan Freedom of Information Act, including MCL 15.233(3); Michigan public-records law, including MCL 750.491 and MCL 399.811; and Michigan law concerning the duty to preserve evidence when litigation is pending or reasonably foreseeable. These authorities require public bodies and public officials to preserve relevant public records, protect records from loss, unauthorized alteration, mutilation, or destruction, and preserve evidence known or reasonably expected to be relevant to anticipated litigation.

This notice shall also be treated as my written statement, complaint, and request that each receiving agency create, open, or supplement any incident report, complaint file, investigative file, internal review file, or referral file concerning this matter. This includes the Hillsdale City Police Department, Hillsdale County Sheriff's Office, Hillsdale County Prosecutor's Office, Michigan State Police, and Michigan Attorney General's Office.

If any receiving agency contends that a separate form, sworn statement, in-person statement, or additional procedure is required before this matter may be formally recorded, investigated, or referred, I request immediate written notice of that requirement. I also request that this notice be attached to, incorporated into, and preserved within every report, complaint, referral, investigation, or review file created concerning the June 23, 2026 incident.

This is a formal litigation hold, preservation demand, written statement, complaint, and notice of anticipated legal action concerning my removal from the Hillsdale County Board of Commissioners meeting on June 23, 2026.

This notice concerns the incident in which I attempted to address the Board during public comment, was ordered or required to state my name, refused to surrender my anonymity, and was then removed from an open public meeting by officers of the Hillsdale City Police Department.

I do not concede that the demand that I state my name was lawful, constitutional, validly applied, or consistent with the Board's own rules, the Michigan Open Meetings Act, the First Amendment, or the Michigan Constitution.

The Board's Rule 5.13 must be read as a whole, subordinate to the United States Constitution, including the First Amendment, the Michigan Constitution, and PA 267 of 1976, Michigan's Open Meetings Act. The Board may not isolate one sentence of Rule 5.13 and apply it in a manner that defeats the constitutional and statutory protections governing open public meetings.

Rule 5.13 begins by stating that members of the public shall be encouraged to attend open meetings and address the Commission. Rule 5.13(2) provides that no person shall be excluded from a public meeting except for a breach of peace committed at that meeting. Rule 5.13(3) cannot be isolated from those protections or applied in a manner that transforms a public-comment procedure into compelled identification as a condition of attendance.

At no time did I commit, threaten, or attempt any breach of the peace. My refusal to surrender my anonymity was treated as grounds to deny public comment and then as grounds for removal from an open public meeting. That application was unlawful. It converted a public-comment procedure into compelled identification, then converted refusal to identify into exclusion from attendance, despite no breach of the peace.

I have video evidence documenting my peaceful conduct during this incident. That video evidence also documents the conduct of officials and law enforcement while my rights were being violated. Before removing me, a Hillsdale City Police officer attempted to move the matter out of public view by insinuating that, “as a man,” I should speak with him alone in the hallway rather than continue addressing the issue publicly while the open meeting was in recess. The same officer then accused me of being a “dick” during the incident. Those statements further escalated a situation created by Chair Mark Wiley’s unlawful application of the Board’s rules and Commissioner Brent Leininger’s out-of-order motion to remove me for allegedly disturbing the peace.

Despite repeated efforts by the Board and law enforcement to escalate the situation created by the unlawful application of Rule 5.13, the video evidence shows that I remained peaceful, respectful, and calm throughout the incident. At no time did I commit, threaten, or attempt any breach of the peace.

For that reason, all recordings, body-camera footage, audio, officer communications, meeting video, livestream footage, dispatch traffic, hallway footage, and records concerning any alleged “disturbance,” “breach of peace,” “disruption,” “disorderly conduct,” or other justification for my removal must be preserved.

This notice also concerns my same-day attempt to report this matter to the Hillsdale County Sheriff’s Office. After the incident, I attempted to make a report in person with the Sheriff’s Office concerning violations of law by the Hillsdale County Board of Commissioners, Hillsdale City Police, and the unlawful application of Rule 5.13. I was informed by Sheriff’s Office personnel that they checked with Sheriff Scott Hodshire personally, and that the Sheriff requested my phone number so that he could call me and take or arrange the report after the meeting he was in at that time. I have this documented as well. As of the sending of this notice, I have received no call from Sheriff Hodshire and no report has been taken from me regarding this incident.

This fact must be preserved as part of the record. I made a same-day attempt to notify the Sheriff of alleged violations of law by the Board of Commissioners as well as the Hillsdale City police and to initiate a report concerning the unlawful removal. Any communications within the Sheriff’s Office concerning my attempt to file that report, the Sheriff’s request for my phone number, the decision to delay the report, and the failure to follow up must also be preserved.

This notice also concerns the statement made to me by a Hillsdale City Police officer after I was escorted out of the June 23, 2026 Board of Commissioners meeting. After my removal, the officer informed me that he had spoken with the Hillsdale County Prosecutor’s Office and was told that if I “continue,” I would be charged with a crime. This conversation occurred after my removal and should be preserved on the body-camera footage of the officer who made the statement and any assisting officer present.

This alleged communication with the Prosecutor’s Office is directly relevant to this matter because it concerns the use or threatened use of criminal process following my attempted exercise of rights protected by the United States Constitution, the Michigan Constitution, and the Michigan Open Meetings Act. The statement also relates to the attempted justification for my removal and any later claim that my peaceful conduct constituted a disturbance, breach of peace, disorderly conduct, trespass, obstruction, or other criminal act.

After that statement was made, I went to the Hillsdale County Prosecutor’s Office to request a meeting. I was informed that the Prosecutor was not available. I then submitted a written statement concerning what had been said to me by the officer and requested an appointment. I provided my phone number and email address. As of the sending of this notice, I have not received a response.

Accordingly, this preservation demand also includes all records, communications, notes, call logs, emails, text messages, memoranda, appointment requests, written statements, intake records, visitor records, lobby video, phone logs, and internal communications concerning the officer’s claimed communication with the Prosecutor’s Office, the statement that I would be charged with a crime if I “continue,” my visit to the Prosecutor’s Office, my written statement, and my request for an appointment.

Accordingly, you are hereby directed to preserve all records, evidence, communications, electronically stored information, metadata, and related materials concerning the June 23, 2026 Board of Commissioners meeting, my public-comment attempt, the demand that I state my name, my refusal to state my name, the decision to remove me, the involvement of Hillsdale City Police, any communication with the Hillsdale County Prosecutor's Office, my attempt to file a report with the Sheriff's Office, my attempt to meet with the Prosecutor's Office, and all communications before, during, and after the incident.

This preservation demand includes, but is not limited to:

- All official meeting video and audio recordings;
- All livestream recordings, backup recordings, archived recordings, raw recordings, edited recordings, and unpublished recordings;
- All security camera footage from inside and outside the meeting room, courthouse, hallways, entrances, exits, parking areas, and any area showing my presence, public-comment attempt, removal, or interaction with officials or law enforcement;
- All Hillsdale City Police Department body-camera footage, dash-camera footage, microphone recordings, dispatch recordings, radio traffic, CAD logs, incident reports, call notes, officer notes, supervisor notes, emails, text messages, and internal communications relating to my removal;
- All records concerning any communication between Hillsdale City Police officers and the Hillsdale County Prosecutor's Office regarding me, my removal, my attempted public comment, any possible criminal charge, any claim that I should be charged if I "continue," and any discussion of disorderly conduct, disturbing the peace, trespass, obstruction, or any other alleged offense arising from the June 23, 2026 incident;
- All Hillsdale County Prosecutor's Office records concerning my visit after the incident, my written statement, my request for an appointment, any intake records, appointment logs, visitor logs, lobby video, phone records, emails, text messages, internal communications, notes, memoranda, or communications concerning me, the June 23, 2026 incident, or any potential criminal charge allegedly discussed with Hillsdale City Police;
- All Sheriff's Office records relating to my in-person attempt to file a report after the June 23, 2026 Board of Commissioners meeting, including front-desk notes, lobby video, audio recordings, dispatch or call logs, internal messages, emails, text messages, phone records, memoranda, and communications with Sheriff Hodshire or any command staff regarding my request;
- All notes, reports, memoranda, emails, text messages, chat messages, letters, calendar entries, and internal communications concerning me, my public comment, my refusal to state my name, the Board's public-comment rules, Rule 5.13, or my removal;
- All communications between Commissioners, Chair Mark Wiley, the County Clerk, County Attorney, Sheriff's Office, Hillsdale City Police Department, Michigan State Police, dispatch, Prosecutor's Office, Attorney General's Office, or any other public official concerning this incident;
- All records reflecting who requested, authorized, directed, approved, or participated in my removal;
- All records identifying the officer, deputy, security personnel, official, employee, or other person who removed me, verbally ordered me to leave, directed others to remove me, or participated in the decision to remove me;
- All versions of the Board's Rules and By-Laws in effect on June 23, 2026, including amendments, drafts, proposed amendments, committee discussions, legal opinions, memoranda, emails, and communications concerning Rule 5.13;
- All meeting agendas, packets, minutes, proposed minutes, draft minutes, corrected minutes, sign-in sheets, speaker lists, public-comment forms, and documents used, referenced, distributed, or discussed during the June 23, 2026 meeting;
- All records concerning prior enforcement of Rule 5.13 against any member of the public, including whether other speakers have been allowed to speak without stating their names;
- All records concerning any discussion, plan, policy, instruction, expectation, or communication about requiring me specifically to identify myself before speaking;
- All records concerning any claim, allegation, statement, instruction, or justification that I committed a breach of the peace at the meeting;

- All records concerning whether I was told I could remain in attendance but not speak, or whether I was ordered to leave the meeting entirely;
- All records concerning any decision made, vote taken, deliberation held, or business conducted after my removal;
- All records concerning how the incident was described, summarized, omitted, edited, or characterized in any official or unofficial record;
- All incident numbers, CAD numbers, call numbers, complaint numbers, report numbers, dispatch numbers, or other tracking identifiers associated with this matter;
- All metadata, audit trails, edit histories, creation dates, modification dates, deletion logs, retention schedules, access logs, system logs, and preservation logs connected to any responsive record;
- All records held by any third-party vendor, contractor, livestream provider, video host, security contractor, dispatch provider, IT provider, cloud-storage provider, or other entity maintaining records on behalf of the County, the Sheriff's Office, the Hillsdale County Prosecutor's Office, or the Hillsdale City Police Department.

This demand applies to records held on government devices, personal devices used for public business, email accounts, text messages, messaging applications, cloud storage, servers, phones, tablets, laptops, removable media, social media accounts, and any other location where responsive records may exist.

You are further directed to suspend any automatic deletion, overwriting, retention-cycle destruction, editing, alteration, disposal, or loss of records that may relate to this matter. This includes any automatic overwriting of security footage, body-camera footage, dash-camera footage, dispatch recordings, emails, text messages, meeting recordings, or metadata.

This notice is independent of, and in addition to, any request I may submit under the Freedom of Information Act. This is a preservation demand and litigation hold. No recipient should treat this notice as limited to records presently available under FOIA, nor should any recipient rely on routine retention schedules to destroy or overwrite potentially relevant evidence.

Please provide written confirmation that this litigation hold has been received and that all relevant personnel, departments, agencies, officials, employees, contractors, and vendors have been instructed to preserve the records identified above.

Please also provide any incident number, CAD number, call number, complaint number, report number, or other tracking number associated with my removal from the June 23, 2026 Board of Commissioners meeting, my same-day attempt to make a report with the Sheriff's Office, my same-day written statement/request for appointment with the Prosecutor's Office, and any communication between Hillsdale City Police and the Prosecutor's Office concerning this matter.

Nothing in this notice should be construed as a waiver of any rights, claims, remedies, objections, causes of action, or requests for relief. I expressly reserve all rights under the United States Constitution, the Michigan Constitution, the Michigan Open Meetings Act, the Freedom of Information Act, 42 U.S.C. § 1983, and any other applicable law.

Sincerely,

Lance Lashaway
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