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## OAKLAND

# Karen McDonald accused of misconduct in historic Crumbley prosecutions



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## Key Points AI-assisted summary ⓘ

The Attorney Grievance Commission is investigating Oakland County Prosecutor Karen McDonald for alleged ethical misconduct during the prosecution of the Oxford school shooter's parents.

A complaint filed by a prominent attorney alleges McDonald prioritized winning over justice, withheld evidence, and used the case for political gain.

The prosecutor's office has defended its actions, stating the allegations are a political attack and that they stand by the jury's verdicts.

Legal ethics experts have raised concerns about the prosecutor's office allowing a Hulu documentary crew inside access during the case.

The Attorney Grievance Commission is investigating allegations that Oakland County Prosecutor Karen McDonald crossed ethical lines while prosecuting the Oxford school shooter's parents, put winning over justice and used the historic case to advance her political career, according to documents obtained by the Free Press.

Among those documents is a complaint that was filed in August with the grievance commission by prominent attorney Nancy J. Diehl, a former president of the Michigan Bar Association, former Judicial Tenure Commissioner and retired prosecutor who spent nearly three decades with the Wayne County Prosecutor's Office.

In her complaint, 72-year-old Diehl alleges that McDonald broke multiple court and professional conduct rules while prosecuting the shooter's parents, James and Jennifer Crumbley, who in 2024 became the first parents in America to be held criminally responsible for a mass school shooting committed by their child. In separate trials, juries convicted both Crumbleys of involuntary manslaughter for the 2021 deaths of four Oxford High School students who were killed by their son.

Diehl alleges McDonald won those convictions by fostering a "must-win" environment that included misconduct of all sorts, including: Withholding evidence from the defense – in this case, [proffer agreements that protected two key witnesses](#) who testified against the Crumbleys; using press conferences, media interviews and a public relations firm to allegedly prejudice the defendants early on; and giving a TV crew inside access to her office – while a gag order was in place – resulting in a [Hulu documentary](#) titled: "Sins of the Parents: The Crumbley Trials."

"The prosecutor's prioritization of winning over justice was cemented by her decision to embed a Hulu reporter in her office beginning in the pretrial process – to my knowledge, unprecedented in Michigan and arguably unethical in and of itself," Diehl's complaint states. "The only conceivable motivation for this decision was fame and self-promotion. Thus, losing was not an option as it would produce the opposite effect of casting her in an unfavorable light."

Diehl also notes in her complaint that she, too, was influenced by all the pretrial publicity about the Crumbleys, so much that she viewed them as guilty before they went to trial.

"I followed this case closely, both as a citizen and a former Wayne County child abuse prosecutor committed to holding parents accountable when children are harmed. Initially persuaded by press conferences, news articles, and media portrayals, I shared the public's impression of very bad parents guilty of charges brought," Diehl writes. "However, I found my perspective shifted dramatically

upon watching the trial and appraising the evidence — revealing a concerning disconnect between public narrative and courtroom fact."

Riehl also accused McDonald of catering to public opinion.

"While public outrage over the Oxford High School tragedy is both understandable and justified, the prosecutor's ethical duty is not to mirror public sentiment but to uphold justice impartially," Diehl writes. "The conduct in question reflects a troubling departure from that duty."

## **Prosecutor's office: 'This is a political attack'**

In a Thursday, Jan. 8, statement to the Free Press, the Oakland County Prosecutor's office defended its handling of the Crumbley prosecutions,

"From day one, Prosecutor McDonald and her team in the Oakland County Prosecutor's Office fought to secure justice for the victims of the Oxford High School shooting," spokesperson Jeff Wattrick said in the statement. "We are proud of that work and the verdicts in these cases."

As for the misconduct allegations, Wattrick stated:

"Prosecutors in our office and throughout the state routinely have complaints lodged against them by defendants or lawyers unhappy with the legitimate outcome of their cases. We do not comment on those because it is a confidential process unless the grievance commission determines there is a basis for concern."

Wattrick did not mention McDonald's candidacy for Attorney General in his statement, but he did raise the issue of politics.

"In this instance, we believe this is simply a political attack made with the same types of claims previously found not to have merit. We continue to focus on the victims in the Oxford cases, and we stand by the jury's verdict and the court's rulings."

The Crumbley parents and their son were all convicted in the deaths of Madisyn Baldwin, 17; Hana St. Juliana, 14; Justin Shilling, 17; and Tate Myre, 16. Six other students and a teacher were injured in the rampage. Prosecutors accused the Crumbleys of ignoring what they said were obvious signs their son was mentally spiraling, buying him a gun instead of getting him help, and not safely storing that gun – which he snuck out of the house to carry out his rampage.

The shooter, who was 15 at the time of the incident, pleaded guilty to all his crimes and is serving a life sentence without parole. All three Crumbleys are appealing. The Crumbleys maintain they saw no signs that their son was mentally ill, that they had no idea he was planning to shoot up his school, that the gun at issue was not his to freely use and was secured in an armoire, unloaded, with the bullets hidden in a separate drawer.

## **Complaint cites McDonald's run for attorney general**

In her complaint, Diehl also cites McDonald's political run for attorney general.

McDonald is seeking the Democratic nomination for attorney general and hopes to ultimately succeed term-limited Dana Nessel in the November 2026 general election.

McDonald announced her candidacy for Michigan attorney general on June 24.

Seven-and-a-half weeks later, Diehl filed her complaint with the Attorney Grievance Commission, alleging McDonald's "aspirations to higher office ... raise legitimate concern that prosecutorial discretion was influenced by political ambition" in the Crumbley prosecutions.

"Prosecutor McDonald appeared to channel public emotion into prosecutorial strategy, blurring the line between responsiveness and opportunism," Diehl writes. "A prosecutor serves the People of Michigan – not the court of public opinion – and must base decisions solely on justice, evidence, and constitutional principle."

Diehl also disclosed the following:

"I strongly supported Karen McDonald's 2020 campaign for prosecutor. However, after closely following the Oxford High School tragedy and the Crumbley trials, I could not in good conscience support her in 2024."

Diehl declined to comment for this story.

According to public campaign finance reports and political donation receipts obtained by the Free Press, Diehl donated \$250 in April to McDonald's challenger, Mark Totten, who is also running for attorney general as a Democrat. She also donated \$500 to Totten more than a decade ago, during his unsuccessful 2014 bid for attorney general.

Comparatively, Diehl donated \$645 to McDonald's campaign for Oakland County prosecutor in 2020, when McDonald defeated 12-year incumbent Jessica Cooper, in a major upset during the primary. She went on to defeat Republican Lin Goetz in the general election, keeping the Oakland County Prosecutor's Office in the hands of Democrats.

Diehl has no personal ties to Totten and is not involved in his campaign.

## **Legal ethics experts: 'This is a huge potential problem'**

On the ethical front, the Hulu documentary in particular raised concerns among many in the legal community, where opinions on the prosecution's tactics ranged from "very troubling" and "outrageous" to "aggrandizing" and "icky" – particularly in a case of this magnitude.

Experts questioned the motives of the prosecutor's office in granting a TV crew inside access to the sacred judicial process: Was the office committed to administering justice, they asked, or seeking publicity?

"This is a huge potential problem," said Chicago legal ethics expert Michael

Downey, a past chairman of the American Bar Association's Ethics and Technology Committee and a member of the ABA Center for Professional Responsibility. "Allowing a documentary maker to film the criminal justice process, without all sorts of protection? ... It pollutes the process, and you can never tell whether the pollution stops."

The Hulu film raised eyebrows for Downey and others, given a gag order was in place before and during trial, and the manner in which it was made: A film crew was inside the prosecutor's office filming confidential trial strategies both before and during trial.

"What really strikes me about it is ... a prosecutor is supposed to be a minister of justice," Downey said in an interview with the Free Press.

That obligation, Downey stressed, is spelled out in the Michigan Rules of Professional Conduct, which are ethical standards that dictate how lawyers practice law. Downey noted that Michigan's rules have a special section carved out just for prosecutors, who, he said, are held to a higher standard of ethics because of the power they hold.

It is these rules that Diehl cites in her complaint.

Concerning the prosecution's tactics in making the documentary, he said:

"The question of the rule is – does this undermine or prejudice the administration of justice?" Downey said. "The question for everyone is, 'Was justice done here? Or, was this promotion for the prosecutor, and a benefit to the prosecutor's family?'"

Downey was referring to the executive producer of the documentary having family ties to Oakland County Chief Assistant Prosecutor David Williams. As [disclosed by the Free Press, the producer is cousins with Williams' wife](#), by marriage, a woman he is friendly with and with whom he attends family gatherings.

Downey also questioned the impact the filming process may have had on the prosecutors, stressing that while cameras are rolling, "You're all amped up. You're supposed to be carrying out justice, but instead you're trying to create a story." Joshua Marquis, a retired Oregon prosecutor of more than 40 years and past vice president of the National District Attorneys Association, also expressed concern with the Hulu documentary.

"This looks like a campaign video, not a news report," Marquis told the Free Press after watching 'Sins of the Parents.' When he first learned of Williams' ties to the producer, Marquis said: "That's icky ... it makes me uncomfortable."

The prosecutor's office says it did not seek out the Hulu documentary, or any media attention for that matter, and that ABC came to them about the documentary. It also has held that Williams' ties to the producer were not a secret but well known by many – though a senior ABC producer said she was unaware of this connection – and that because the documentary aired after the trials concluded, the gag order was not violated.

## **Complaint: McDonald 'eroded public trust' in the justice system**

In her request for an investigation, Diehl mentioned McDonald's political aspirations in one paragraph, at the end of her 3-page complaint with the AGC.

"Aspirations to higher office — such as Attorney General — raise legitimate concern that prosecutorial discretion was influenced by political ambition rather than adherence to her duty as a minister of justice," writes Diehl, who added that during the Crumbley prosecutions: "Prosecutor MacDonald appeared to channel public emotion into prosecutorial strategy, blurring the line between responsiveness and opportunism. A prosecutor serves the People of Michigan — not the court of public opinion — and must base decisions solely on justice, evidence, and constitutional principle."

In the end, Diehl alleges, McDonald not only prejudiced the Crumbleys and denied them a right to a fair trial, but also "eroded public trust in the impartiality of the justice system."

Miller Canfield attorney Thomas Cranmer, who is representing McDonald in this matter before the Attorney Grievance Commission, did not return calls for comment.

**More:** [James Crumbley's son holds key to dad's fate, lawyer argues](#)

In court filings and previous court hearings, the Oakland County Prosecutor's Office has maintained it was under no obligation to disclose the controversial proffer agreements, which have become a key issue in the Crumbleys' appeals. Those agreements were discovered and [disclosed by the Free Press](#) following the father's conviction.

Wayne County Circuit Judge Cheryl Matthews concluded the prosecution's failure to disclose the proffer agreements was a willful violation of discovery rules, and described the move as "disturbing." Still, she ruled it was not enough to grant a mistrial.

The prosecutor's office also has denied engaging in negative pretrial publicity against the Crumbleys – an issue the defense raised repeatedly before the case went to trial.

As Chief Assistant Prosecutor David Williams previously stated about Jennifer Crumbley: "She was convicted on the facts, not a media narrative."

## **What comes next in the Attorney Grievance Commission probe**

The Attorney Grievance Commission is the agency that investigates allegations of misconduct by lawyers in the state of Michigan.



The complaint process is confidential, and rules prohibit the commission from publicly discussing – or even disclosing – a pending complaint. After a complaint is filed, it is evaluated through an intake process to determine whether an answer is required, and in most cases, requires the accused attorney to respond to the investigation request. The intake process then again evaluates the matter to determine whether additional investigation is warranted. If not, the Grievance Administrator has the authority to dismiss the request for investigation.

That did not happen in the McDonald case. In November, seven months after Diehl filed her complaint, it was forwarded to a General Counsel for further investigation.

Here's what could happen next:

- The commission could close the file.

- It could issue a consensual admonition to McDonald, which generally remains non-public

- It could place McDonald on consensual contractual probation, which also generally remains non-public; or it may authorize the filing of formal charges with the Attorney Discipline Board, which ultimately decides what, if any, punishment is warranted.

## Misconduct complaints not new for McDonald

In the last year, at least three complaints against McDonald, including Diehl's, have been made public.

On June 23, one day before McDonald announced her candidacy for attorney general, a [judge disclosed a 2-year-old misconduct probe into McDonald](#) and an assistant prosecutor. District Court Judge Kiersten Nielsen Hartig did this while fighting a judicial misconduct case of her own, revealing in a filing that the Attorney Grievance Commission had dismissed misconduct allegations she made against the prosecutors.

The prosecutors, however, got a warning: They were cautioned to follow proper procedures for requesting adjournments and to review professional conduct rules about knowingly disobeying an obligation.

In March 2025, a grieving mother also filed a complaint with the AGC, alleging McDonald and an assistant prosecutor made ethical and legal missteps in dismissing criminal charges against the man who allegedly fed her son lethal drugs, and [livestreamed his suffering and death on Snapchat](#).

The victim was Grosse Pointe Farms college student Denis Preka, who died in 2019 after ingesting a lethal dose of MDMA and MDA provided by friends as a joke. The Oakland County Prosecutor's Office dismissed the case, citing, in part, insufficient evidence after a judge ruled Snapchat evidence as inadmissible.

But Preka's mother, Linda Preka Thom, says there was prosecutorial misconduct, alleging the prosecutor's office dismissed her son's case, in part because it was more focused on the high-profile Crumbley prosecutions.

Prosecutors dismissed the Preka case one day before its first big hearing in the Crumbleys' case, when it convinced a judge to send the parents to trial.

"With all due respect to the families who lost their children in Oxford, my son's life is no less important," Thom wrote to the prosecutor in an email that day.

"Your office didn't want to fight for my son."

Assistant Prosecutor Marc Keast, who worked on the case, defended his actions.

"I fought tooth and nail to keep this case alive," Keast said in a prior interview, adding: "My heart breaks for Linda and (her husband) Jamie. It absolutely breaks for them."

Thom doesn't buy it and alleges political donations from the alleged killer's lawyer to McDonald also influenced her decision to dismiss the case.

McDonald has adamantly denied the allegations, calling them "outrageous."

"We can unequivocally state that campaign donations did not influence this case, or any other case, handled by the Oakland County Prosecutor's Office," Wattrick, McDonald's spokesperson, said in a previous statement to the Free Press.

Preka's case is currently under review by the Michigan Attorney General's Office, which could decide to charge the three men who were at the house the night Preka died or let the case go.

His mother, meanwhile, isn't giving up.

"Without finding justice for my son, no mother moves on," Thom has said. "I'm outraged. I'm not letting this go."

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