

COVER STORY

Lifeguards

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risking their own lives to help struggling swimmers, with several dying in the process: Parents going in after their children. Good Samaritans helping strangers.

“The number of deaths that have occurred ... is just extraordinary. Throughout the state of Michigan, it’s just a really sad situation,” said San Diego lifeguard advocate Chris Brewster, chairman of the National Certification Committee of the U.S. Lifesaving Association (USLA), which certifies lifeguard programs across the country.

Brewster, who came to Michigan in April to help South Haven develop a potential lifeguard program, said he has a message for the “Water Wonderland” state: Get lifeguards. Your system isn’t working.

“This is a failed experiment,” Brewster said of the move to eliminate lifeguards.

Moreover, he stressed: “When you have a tourist economy that is built around a beach environment, there comes with it an obligation to safeguard the people who are using that water,” Brewster said. “I’m not suggesting that every inch of the coastline of Michigan needs to be guarded. ... But you strategically pick the areas where the most people are at. Sadly, Michigan knows where these hot spots are.”

One of them is South Haven.

Grieving parents win back-to-back court rulings: ‘Their deaths cannot just be for nothing’

Perhaps nowhere else is the lifeguard issue more heated than in the popular Lake Michigan beach town of South Haven, where three grieving families are suing the city over the drowning deaths of three teenagers in two separate lawsuits. In both cases, the families said they believe lifeguards could have saved their loved ones’ lives, while maintaining that statistics back them up: Since getting rid of lifeguards in 2001, South Haven has had 12 drowning deaths, compared with only two drowning deaths occurring in the 40 years when lifeguards were used.

Against the backdrop of the litigation is a yearslong campaign to bring lifeguards back to South Haven, an effort that gained momentum in 2022 following the drowning deaths of four people in less than a month – a Michigan State University couple, a 7-year-old Texas boy and his 33-year-old uncle, who fatally drowned trying to save him. All died in the turbulent waters of Lake Michigan while vacationing in South Haven, where public outrage over the lack of lifeguards has been building.

South Haven officials maintain the city is working on a plan to add 19 lifeguards to its two beaches by Memorial Day weekend 2026, estimated to cost \$619,000 the first year and \$383,000 the second year. But, for now, the city still is researching the plan, its costs and logistics, most recently approving a \$45,000 contract in June with a planning firm that would help roll out the program.

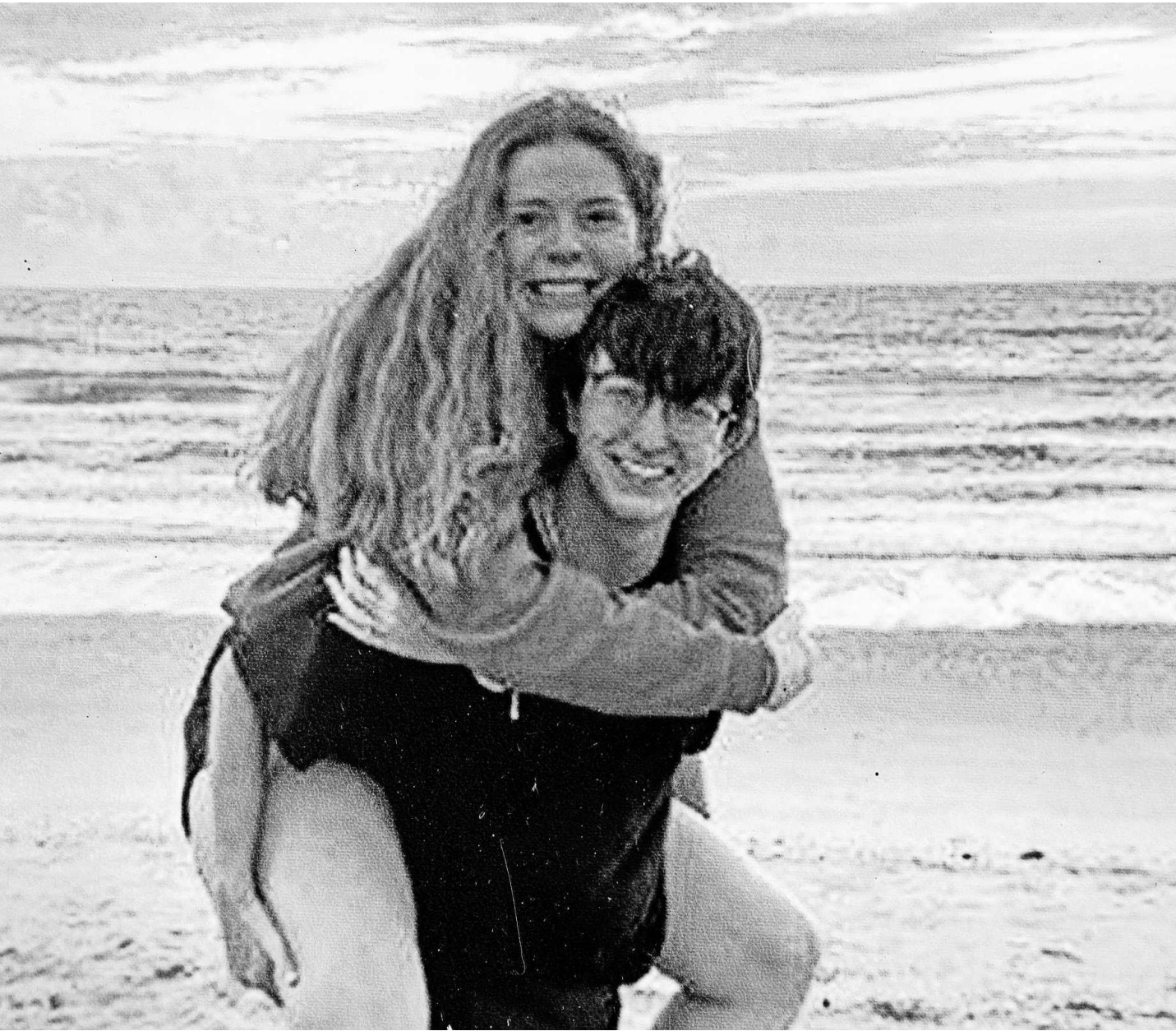
The USLA has proposed a lifeguard program for South Haven that would cost \$243,000, but the city rejected that plan.

In the last year, meanwhile, two judges have rejected the city of South Haven’s requests to have those two fatal drowning lawsuits dismissed on governmental immunity grounds, one as recently as April. A key issue in these lawsuits, according to court records, is that South Haven is making money off of its beaches through parking and vendor fees – more than \$200,000 in one year alone – yet the revenue is being spent elsewhere. This, two judges have concluded, means governmental immunity doesn’t apply.

One judge also took issue with South Haven’s use of its beach warning flags. Specifically, in rejecting the city’s immunity defense, Van Buren Circuit Court Judge Susan Metzger cited the city for “misuse and mismanagement” of its beach flags. In doing so, she concluded that plaintiffs may be able to prove that a young couple may not have drowned had red flags been flying that day, instead of yellow.

For the victims’ families, the rulings are a sign that change may be on the way as they fight to bring lifeguards back to Michigan, starting with South Haven.

“Their deaths cannot just be for nothing. ... My daughter had a lot of ideas in her head. She was going to go places,” said Lisa MacDonald, of Chesterfield Township, whose 19-year-old daughter Emily MacDonald fatally drowned while vacationing with her boyfriend’s family in South Haven in 2022. Emily’s college



Emily MacDonald drowned while vacationing with her boyfriend’s family in South Haven in 2022. Emily’s boyfriend, Kory Ernster, 22, of Novi, with her on a beach in Florida here, also fatally drowned that day. The Michigan State University couple had ventured over to the South Haven beach to spend their last vacation day by the water. It was a yellow-flag day, meaning there was a medium hazard due to moderate surf and/or currents, and there were waves. MANDI WRIGHT/DFP

sweetheart boyfriend, Kory Ernster, 22, of Novi, also fatally drowned that day.

The Michigan State University couple had ventured over to the beach to spend their last vacation day by the water. It was a yellow-flag day, meaning there was a medium hazard due to moderate surf and/or currents, and there were waves. They took a selfie near the shoreline, posted it on Instagram, then entered the water. About 15 minutes after posting their smiling faces on social media, with Kory carrying Emily on his back, a bystander pulled their bodies to shore. A current had carried them toward a pier, and within minutes they were pulled under, reports show.

“I just remember screaming,” Lisa MacDonald, Emily’s mother, recalled of learning the tragic news that day. The Macomb County mother was on the other side of the state school-supply shopping for Emily when she got the mind-numbing phone call. “I felt like someone just took my life. ... I just kept screaming, ‘No, this can’t be happening!’”

Three years later, the still-grieving mother is hell-bent on making a difference. She’s determined to bring lifeguards back to South Haven and hold the city accountable for her daughter’s death.

“She wanted to be a vet,” MacDonald, 56, said through tears in a recent interview. “Kory and Emily deserve this. I can’t save the world, I’m not delusional. But if I can save a family from going through what we’ve gone through – then all of this is worth it.”

Crystal LeDuke, who also is suing the city of South Haven over the 2020 drowning death of her 18-year-old son, Brandon Chambers, said she is equally elated about the court rulings thus far. Though she said she remains cautiously optimistic.

“It is going to be a long road,” LeDuke said after a judge ruled in her favor last year. “... we feel very fortunate to have made it this far in our Justice for Brandon mission, which is to get justice in the way of change.”

Brandon Chambers died on Labor Day weekend 2020 after being pulled into a rip current, then clinging to a buoy for a few minutes before disappearing into the water. His body was recovered a week later.

His mother alleges officials knew conditions were treacherous – two children had to be rescued from rip currents there two days earlier – but red flags had not been posted where her son went into the water. While red flags were posted on nearby sections of the beach, her lawsuit alleges the city should have known the entire area was unfit for swimming.

‘If you’re charging a parking fee, then you should have lifeguards’

Over the last 15 years, Lake Michi-

gan’s eastern coastline was the site of at least 136 fatal drownings, according to a Free Press analysis of statistics compiled by the Great Lakes Surf Rescue Project. Nearly half of those Lake Michigan fatal drownings occurred in five cities: Holland, which saw 15 fatal drownings; Muskegon, 14; Grand Haven, 12; South Haven, 11; and Ludington, 11. Another 45 beaches up and down the coast saw at least one drowning.

Most of the victims were swimmers overcome by choppy waters, powerful rip currents or big waves. Others included people who jumped off piers, were washed off piers, or fell out of boats or kayaks while not wearing life jackets.

The lifeguarded beach in St. Joseph, meanwhile, saw no fatal drownings while lifeguards were on duty over the last 15 years; the lifeguarded-New Buffalo beach saw one fatal drowning in 2013.

At Holland State Park, which is run by the state and hasn’t seen lifeguards in three decades, there’s talk among Park Township officials of implementing a lifeguard pilot program. Though officials say it’s unlikely to launch before 2026, and that state funding and liability still are potential obstacles.

On the liability front, lifeguard advocates say Michigan law and court rulings offer what they view as “substantial” protection for governmental agencies who fear getting sued over a lifeguard’s actions or inactions. For example, over the last decade, the Michigan Supreme Court has twice ruled in favor of governments that got sued over drowning deaths involving lifeguards.

- In 2015, the high court ruled that a government-employed lifeguard was not liable for the death of a 19-year-old swimmer with a learning disability and autism, who fatally drowned while swimming in a pool at the Michigan Career and Technical Institute.
- In 2021, the court issued a similar ruling in concluding that a lifeguard at the Troy Community Center was not liable for the death of a 31-year-old disabled man who fatally drowned at the community center’s pool.

On the financial front, lifeguard advocates argue there’s enough money to pay for lifeguards – but the state and towns just don’t want to spend it, they say.

For Benjamin, of the GLSRP, who survived a drowning experience while surfing in Lake Michigan the day after Christmas 2010, the answer is simple: “If you have a parking lot and you’re charging a parking fee, then you should have lifeguards.”

Muskegon makes \$1 million a year off beach parking, but doesn’t spend it on lifeguards

In 2010, the city of Muskegon eliminated its lifeguard program, citing a savings of \$26,000 a year.

Today, the city makes an estimated \$1 million a year through its beach parking program instituted at Pere Marquette five years ago, according to public records obtained by the Free Press.

Still, the beach has no lifeguards. Instead, in 2021, the city installed what look like traffic lights on both beach restroom buildings, which also have a beacon on their roofs that flash red when it’s too hazardous to swim. The \$13,000 lighted system pulls data in real time from the National Oceanographic and Atmospheric Association. That means the lights change on their own, in real time, as the lake conditions change, eliminating the need for people to change the flags when the changes occur.

And when it comes to Lake Michigan, conditions can change very quickly, from shifting waves to hidden powerful currents – details that have been cited by multiple entities in designating Lake Michigan the “deadliest” and “most dangerous” lake in America. This No. 1 ranking has been made by multiple groups, including USA By the Numbers, Pond Informer, AZ Animals and the Great Lakes Surf Rescue Project, though local officials say they fear out-of-town-ers may not be aware of this when they visit their beaches.

“For people who aren’t familiar with the water, it’s really worth your time and effort to spend a little time learning about how currents work, how undertows work,” Muskegon City Manager Jonathan Seyferth, a former lifeguard, said in a recent interview. “It looks like it’s a lot of fun when the waves are big, but that’s when it’s the most dangerous.”

Officials stress personal responsibility: Stay out of the water on high-risk days; wear a life jacket

Seyferth said that while he understands the concerns and positions of people asking for lifeguards, “I don’t think that’s the direction we’d be going in.

“I completely understand their point of view, and we empathize with it,” Seyferth said. But he said Muskegon’s lighted warning system, with its high visibility, reaches and impacts a lot of people.

“It’s not to discount the value of a lifeguard. It’s really looking at how do we have the best impact that we can,” Seyferth said, noting he’s also working with the U.S. Army Corps of Engineers on a proposed plan to install gates at the entrance to Muskegon’s pier to prevent people from walking on it when waves are crashing over.

As for using beach parking revenues for lifeguards, Seyferth said that money is already earmarked for beach maintenance.

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