

2018

ALLEGAN COUNTY PROSECUTING ATTORNEY

ANNUAL REPORT



RESPECTFULLY SUBMITTED TO:

THE CITIZENS OF ALLEGAN COUNTY

AND

ALLEGAN COUNTY BOARD OF COMMISSIONERS

Allegan County Prosecuting Attorney 2018 Annual Report

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ALLEGAN COUNTY PROSECUTING ATTORNEY
2018 ANNUAL REPORT

INTRODUCTION

We are pleased to present the 2018 Annual Report for your review. This report covers the year of Myrene K. Koch's first term as the Allegan County Prosecuting Attorney, and was prepared by the Allegan County Prosecuting Attorney, Myrene K. Koch and her staff.

The Michigan Constitution mandates that every county elect a Prosecuting Attorney whose duties are legally defined.

The Prosecuting Attorney administers public justice and is a local office. His or her duties to a large extent are local only in the sense that they are to be performed locally; for they are to be performed on behalf of the state just as much as are the duties of the judge who holds court for his or her county.

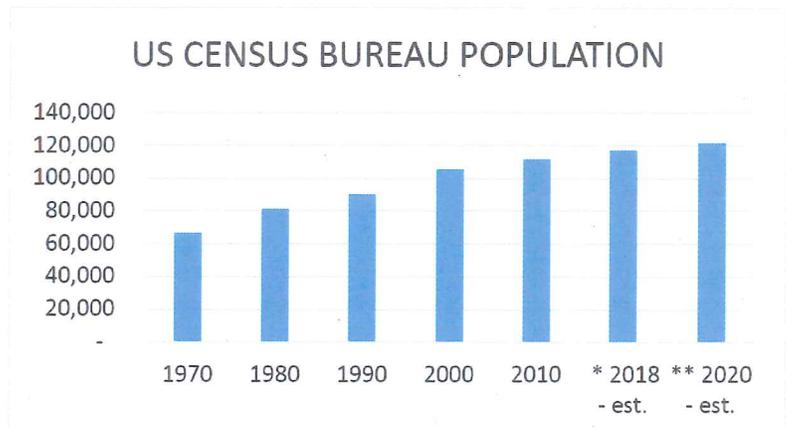
The Prosecuting Attorney is responsible for a wide array of legal functions for the County, including:

- Act as the chief law enforcement official in the County.
- Review, authorize and prosecute violations of felony and misdemeanor criminal laws of the State of Michigan and County ordinances committed inside the County.
- Authorize and prosecute felony and misdemeanor juvenile delinquency offenses.
- Represent the County in criminal matters before the District and Circuit Courts; juvenile delinquency, parental neglect and miscellaneous probate matters in the Family Court; and appeals in the Court of Appeals and Michigan Supreme Court.
- Advise the Michigan Department of Human Services on child abuse and neglect petitions, and actions to terminate parental rights.
- Attend contested mental health commitment hearings.
- Advise the County Board of Commissioners and other County departments on legal matters.

POPULATION

Allegan County is one of the fastest growing counties in this state by population having increased from 90,509 in 1990 to 105,665 in 2000 and 111,407 in 2010. That is an increase of 23.09 from 1990 to 2010. The U.S. Census Bureau estimates Allegan County's population at 117,328 in 2018. As a result, we have and will continue to experience the inevitable result of an increased workload with a limited staff.

| Population by Year | | % Increase |
|--------------------|---------|------------|
| 1970 | 66,575 | |
| 1980 | 81,555 | 22.5 |
| 1990 | 90,509 | 10.9 |
| 2000 | 105,665 | 16.7 |
| 2010 | 111,407 | 5.40 |
| * 2018 - est. | 117,328 | 5.31 |
| ** 2020 - est. | 121,800 | 9.32 |



* www.census.gov/quickfacts/fact/table/allegancountymichigan

** https://www.michigan.gov/documents/8510_26104_7.pdf

According to Julie Mack in a story posted to MLive on April 18, 2019, *Michigan's population peaked at 10.09 million in 2006 and last exceeded the 10 million mark in 2008, on the eve of the Great Recession, according to U.S. Census Bureau estimates. With job losses hammering the state, the population dropped to 9.88 million by 2011, based on Census Bureau estimates. It's slowly increased since [then]. Among Michigan's 83 counties, Kent and Ottawa counties ranked Nos. 1 and 2 in population gains between 2017 and 2018. Allegan County is the 18th most populated county in Michigan, and ranks #7 in population growth.*

CRIMINAL CASE CHARGING DUTY

Under Michigan Law, it is the duty of the Prosecuting Attorney to decide "if" someone will be charged with a crime and the precise nature of that criminal prosecution. Police agencies submit their investigative reports to the Prosecuting Attorney to determine if a factual and legal basis exists to initiate prosecution. The Prosecuting Attorney has a great responsibility to properly review reports and properly charge criminals. Each investigative report, if it results in a charged crime, could result in a jury trial in District Court, Circuit Court, or Family Court/Probate Court; and a jury trial could cost Allegan County between \$300.00 and \$800.00 per day of trial. The graph below shows the number of Adult and Juvenile charging requests and Abuse and Neglect charges received by our office since 2009. During the last year,

this office reviewed 5096 adult criminal warrant requests and 449 juvenile delinquent and Abuse and Neglect petitions. On average, the office receives 22.44 request for charges per day.

It is important that the Office of Prosecuting Attorney have a sufficient staff of attorneys to not only be available to staff the eight courtrooms and hearing rooms with their Judges and Referees but to have attorneys available to review arrest warrant requests and prepare search warrants. Due to the serious nature of criminal cases and county civil liability, it is necessary for Assistant Prosecutors to have a sufficient amount of time to review investigative reports and prepare cases.

Charging Requests Received/Reviewed

| | Adult Rec'd | Denied | Juvenile Rec'd | Denied | Ab/Neg | Total Rec'd | Total Denied |
|------|-------------|--------|----------------|--------|--------|-------------|--------------|
| 2009 | 4022 | 613 | 496 | 68 | 165 | 4518 | 681 |
| 2010 | 3889 | 682 | 547 | 103 | 178 | 4436 | 785 |
| 2011 | 3901 | 575 | 486 | 99 | 194 | 4387 | 674 |
| 2012 | 3761 | 615 | 516 | 88 | 228 | 4277 | 703 |
| 2013 | 4307 | 655 | 448 | 75 | 221 | 4755 | 730 |
| 2014 | 4062 | 633 | 503 | 85 | 147 | 4712 | 772 |
| 2015 | 4237 | 496 | 434 | 77 | 146 | 4817 | 637 |
| 2016 | 4308 | 512 | 436 | 77 | 151 | 4895 | 655 |
| 2017 | 4827 | 496 | 438 | 71 | 76 | 5341 | 616 |
| 2018 | 5096 | 634 | 350 | 84 | 99 | 5545 | 771 |

% of Charging Requests Denied

| | | |
|------|--------|-----------------|
| 2009 | 15.07% | Anderson/Bakker |
| 2010 | 17.74% | Anderson/Bakker |
| 2011 | 15.88% | Anderson/Kengis |
| 2012 | 17.25% | Anderson/Kengis |
| 2013 | 16.67% | Anderson/Kengis |
| 2014 | 16.91% | Anderson/Kengis |
| 2015 | 13.63% | Anderson/Kengis |
| 2016 | 13.80% | Anderson/Kengis |
| 2017 | 11.69% | Kengis/Koch |
| 2018 | 14.15% | Koch/Kasson* |

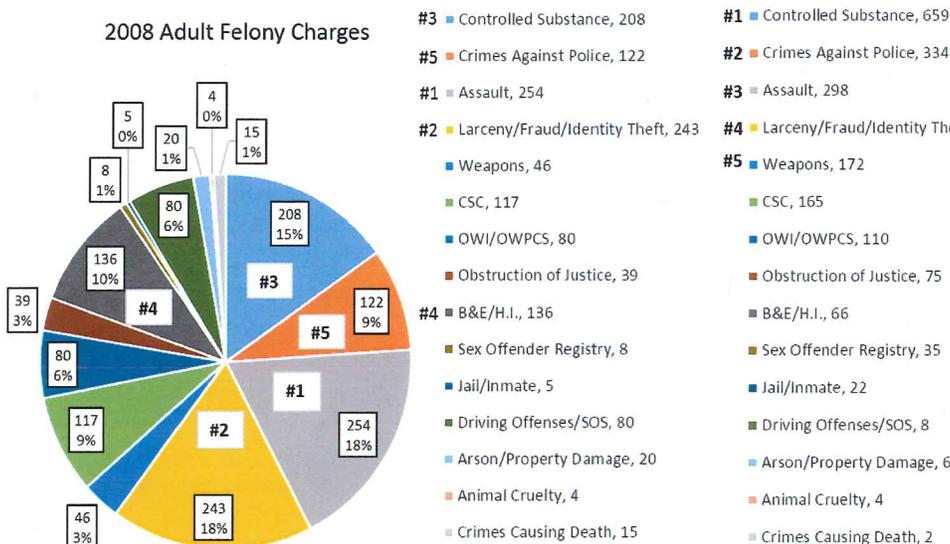
Increase in Charging Requests from 2014 - 2018 25.45% (5 years)

*Kengis PA 1/1/18-3/16/18 Koch PA 3/17/18-12/31/18

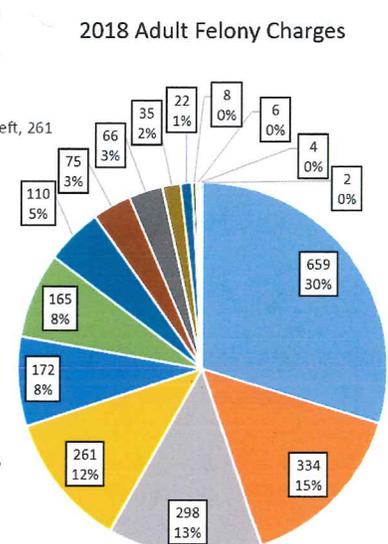
The types of crimes being committed in Allegan County has shifted somewhat over the years. The two graphs below help illustrate that point. In 2008 Controlled Substances was the 3rd most charged crime with 208 counts. In 2018 it was the first at 659 counts – more than three times as many than 10 years ago.

In 2008, Crimes against Police was the 5th most charged crime at 122 counts and accounted for

2008 Adult Felony Charges



2018 Adult Felony Charges



9% of all the crimes our office charged. In 2018 it was the 2nd most charged with 334 counts and accounted for 15% of all the crimes our office charged.

Also, the laws themselves change regularly due to changes by the Michigan State Legislature. A charge that was once a Civil Infraction, can become a Misdemeanor, and likewise Misdemeanors become Civil Infractions or they may change to a Felony. For example in 2018, marijuana laws have changed so that crimes that had been misdemeanors can now be Civil Infractions. Conversely, in 2015, Assault with Intent to do Great Bodily Harm changed to include strangulation, so a charge of Strangulation in the past was a misdemeanor, and now it is a felony.

The Prosecuting Attorney and staff have a tremendous impact on how the criminal element is handled in Allegan County. Economic pressures and constraints have been placed upon every segment of our governmental system. However, law enforcement (as well as our educational system) continues to be a vital link in our civilized society and must be protected. I point out to the Board of Commissioners that the Office of the Prosecuting Attorney is a constitutionally mandated office in Michigan County Government and the County must fund the office at a serviceable level.

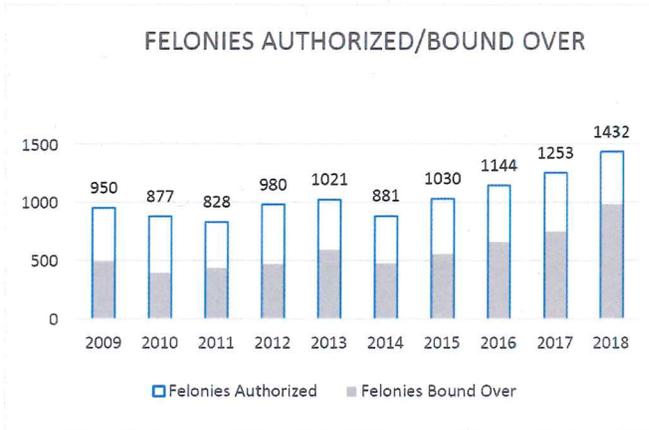
CIRCUIT COURT – FELONY CASES

The Circuit Court docket includes felony cases which are crimes where punishment is incarceration in excess of one year. Felony cases require significant staff time and multiple court appearances such as pre-exam hearings and preliminary examinations in District Court. If the case is bound over to Circuit Court, the Prosecuting Attorney is responsible for all proceedings at that level including pre-trials, motion hearings, pleas, trials, and sentencing. All felony cases have strict time limits both for preliminary examinations (within 14 days) and trials (within 180 days). Allegan County has two Circuit Court Judges, who are primarily responsible for handling the adult felony cases.

On the following page is a breakdown of the number of felony cases authorized each year since 2009. This table also illustrates how many cases were charged as felonies and were subsequently bound over to Circuit Court. In the last 10 years felony cases that were bound over to Circuit Court increased 98.78%.

| | Felonies Authorized | Felonies Bound Over | % of B.O. |
|------------------------|---------------------|---------------------|-----------|
| 2009 | 950 | 493 | 51.89 |
| 2010 | 877 | 392 | 44.69 |
| 2011 | 828 | 434 | 52.41 |
| 2012 | 980 | 469 | 52.69 |
| 2013 | 1021 | 592 | 57.98 |
| 2014 | 881 | 476 | 54.02 |
| 2015 | 1030 | 558 | 54.17 |
| 2016 | 1144 | 660 | 57.69 |
| 2017 | 1253 | 750 | 59.85 |
| 2018 | 1432 | 980 | 68.19 |
| (7 mos) Jan - Jul 2019 | 940 | 546 | 58.08 |

Bind Overs increased **98.78%** in last 10 years
Charging Requests increased **55.62%** in last 10 years



Controlled Substances

A large portion of our felony case load consists of controlled substance violations. Out of the 659 felony drug charging requests that were authorized, 323 or 49.01% of the drug cases were for Methamphetamine. Those charges are: Operating/Maintaining a Lab (5), Deliver/Manufacture Methamphetamine (37) and Possession of Methamphetamine (281). Of the 980 Felony Charges Bound Over during 2018, 67.24% were drug related and 32.95% were related to Methamphetamine.

Criminal Sexual Conduct

Criminal Sexual Conduct (CSC) charges included in the above numbers are all the CSC 1st, 2nd, 3rd and 4th Degree as well as CSC Assault with Intent and Child Sexually Abusive Activity/Materials and Accosting a Child for Immoral Purpose. In 2018 there were a total of 251 petitions authorized against juveniles. Of those, 22 or 8.76% were CSC 1st, 2nd, 3rd, 4th and Child Sexually Abusive Activity/Materials charged against juveniles.

Human Trafficking

In the last few years, Human Trafficking has come to the national forefront. It is defined as modern day slavery and includes recruiting, enticing, harboring, transporting or providing individuals for the purpose of forced labor or services. Traffickers use force, fraud, or coercion to lure their victims and force them into labor or commercial sexual exploitation. The trauma caused by the traffickers can be so great that many may not identify themselves as victims or ask for help, even in highly public settings.

Many myths and misconceptions exist. Recognizing key indicators of human trafficking is the first step in identifying victims and can help save a life, and stop an offender. Not all indicators are present in every human trafficking situation, and the presence or absence of any of the indicators is not necessarily proof of human trafficking.

Prostitution

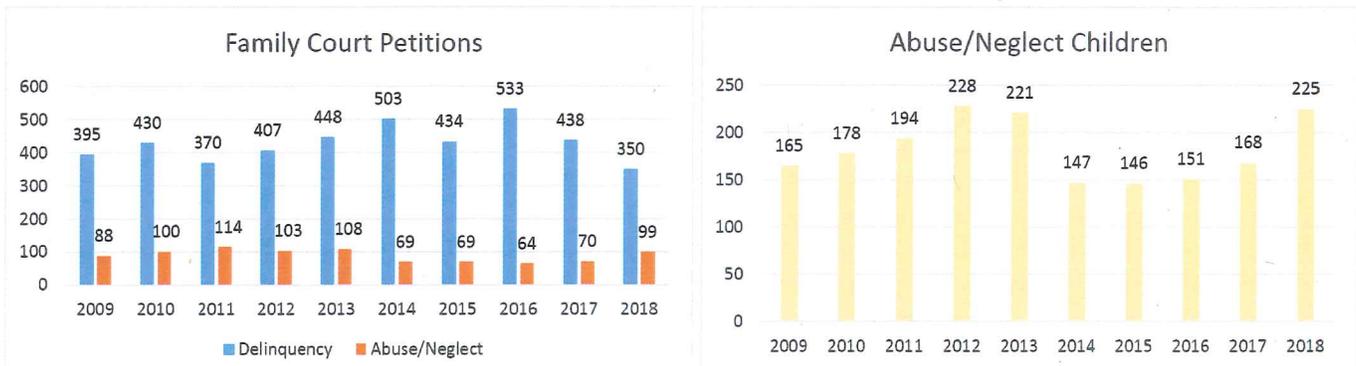
Prostitution is a criminal act that includes the trade, barter, or exchange of sexual acts with the expectation of the receipt of economic gain or opportunity. The notion of 'gain' expressed in the definition of Prostitution may vary in its classification with regard to personal circumstance on a case-by-case basis. Human trafficking can play a part in this crime when the expressed intent of engaging and arranging forced sexual activity in the form of Prostitution; this type of Prostitution can involve victims ranging from adults to children. The following chart shows the number of times Prostitution or Human Trafficking was charged in Allegan County in the last 5 years.

| Prostitution/Human Trafficking Charges | | 2014 | 2015 | 2016 | 2017 | 2018 |
|---|--|-------------|-------------|-------------|-------------|-------------|
| Felony | Keeping a House of Ill Fame | 0 | 0 | 0 | 1 | 0 |
| | Prostitution/Pandering | 0 | 0 | 0 | 2 | 0 |
| | Prostitution/Accepting Earnings | 0 | 0 | 0 | 2 | 0 |
| | Prostitution/Transporting Person | 0 | 0 | 0 | 2 | 0 |
| | Human Trafficking of a Minor for Commercial Sexual Act | 0 | 0 | 0 | 1 | 0 |
| Misdemeanor | Prostitution/Engaging Services of | 0 | 0 | 3 | 1 | 1 |
| | Prostitution/Leasing House | 1 | 0 | 0 | 0 | 0 |
| | | 1 | 0 | 3 | 9 | 1 |

CIRCUIT COURT – FAMILY DIVISION

The Circuit Court – Family Division are those cases where the Prosecuting Attorney is charged with the responsibility of bringing cases of child neglect or abuse to the court. In addition, the Prosecuting Attorney handles cases of juvenile delinquency as well as involuntary commitments pursuant to the Mental Health Code in Probate Court. Allegan County has one Family Court/Probate Judge, and two Hearing Attorney-Referees. In 2018 this office reviewed 349 requests for delinquency petitions.

Below is the number of Petitions received for Delinquency Petition and Abuse/Neglect Petitions as well as children in new Abuse and Neglect Petitions authorized since 2009.

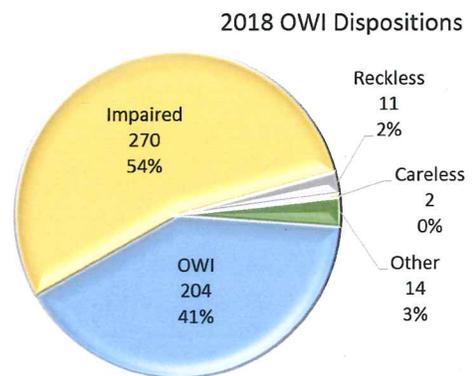


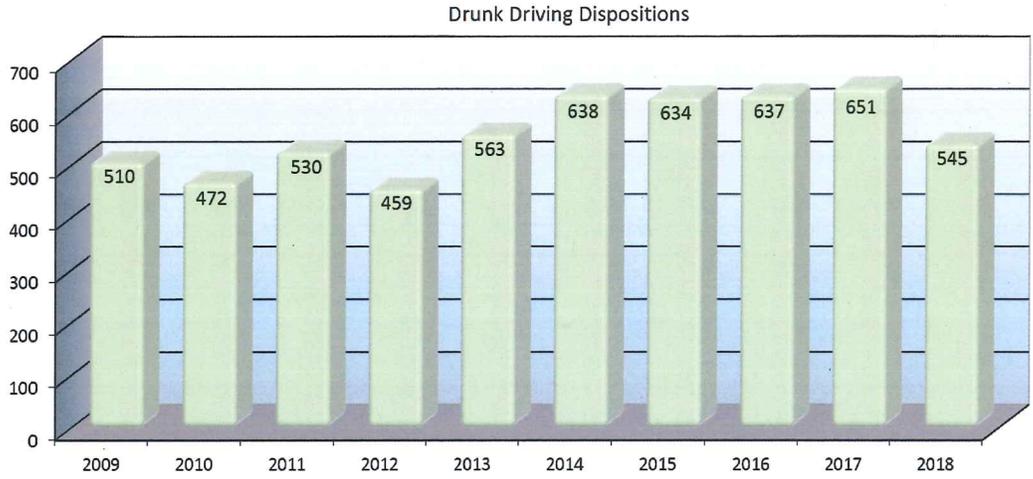
Mentally Ill Hearings are held every month at the Kalamazoo Psychiatric Hospital (KPH). Our county is on a rotation schedule with 14 other counties, so our office attends 3 or 4 times a year. These Hearings require someone from our office travel to Kalamazoo on the days our Probate Judge and his recorder are scheduled to conduct these hearings. Occasionally our Probate Court will hear Mentally Ill hearings in Allegan County. During 2018 there were 14 Mentally Ill hearings set in the Allegan County Probate Court that our office was required to attend.

DISTRICT COURT – MISDEMEANOR CASES

Misdemeanor cases are crimes handled in District Court where punishment results in incarceration in the county jail for up to one year. Allegan County has two District Court Judges and a Hearing Magistrate. These types of cases are large in number and include, assaults (domestic and others), drunk driving, drug use or possession, and property crimes. As a matter of policy, this office has sought and received significant jail terms for repeat drunk drivers and domestic assault defendants.

In 2018 95% (474) of the 545 individuals who were charged with Drunk Driving were convicted of either Operating While Intoxicated (OWI) or Impaired Driving. The pie chart on the right shows what the final disposition was on individuals charged with OWI. The graph on the following page shows the total number of Drunk Driving Case Dispositions from 2008 to 2018.

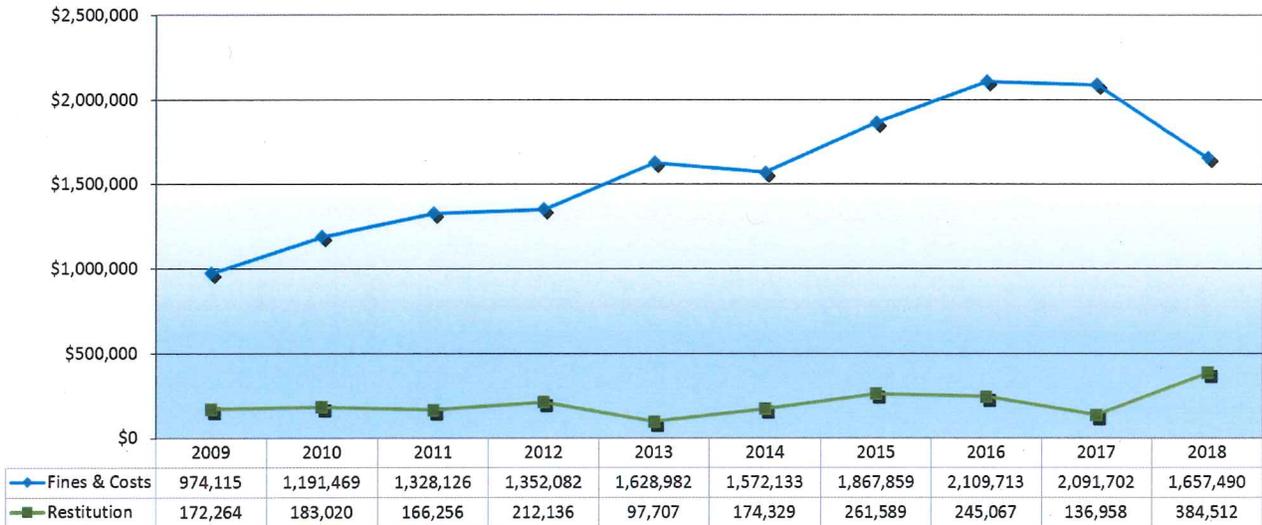




In some cases OWI and Reckless Driving can rise to a Felony level. In 2016, there were 2 cases of OWI Causing Death, 7 cases of OWI Causing Serious Injury, and 1 case of Reckless Driving Causing Serious Injury. In 2017, there were 2 cases of OWI Causing Death, 5 counts of OWI Causing Serious Injury, and 1 case of Reckless Driving Causing Serious Injury. In 2018, there were 4 cases of OWI Causing Death, 7 Counts of OWI Causing Serious Injury, 1 Count of Reckless Driving Causing Death, and 2 counts of Reckless Driving Causing Serious Injury.

MISDEMEANOR FINES, COSTS & RESTITUTION

District Court has ordered the following fines, costs, and restitution where this office has actively been involved:



DOMESTIC VIOLENCE

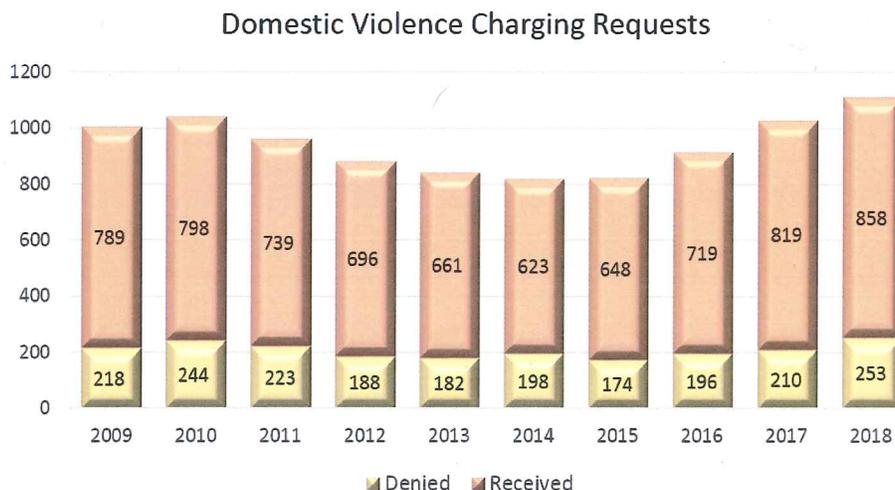
Domestic Violence is abuse perpetrated by one or both partners involved within an intimate or family relationship. Domestic Violence is considered to be fairly expansive in nature, due to the fact that it may include a wide range of victims, activities, and vary in severity. The term "Domestic Violence" can include physical assault, property damage, arson, home invasion, weapons charges, telephone misuse, interfering with electronic communication (interrupting a phone call for help), stalking, emotional abuse, unlawful imprisonment, sexual abuse, and homicide.

Domestic Violence can take place within a variety of intimate relationships, including married couples, individuals who are cohabitating, or individuals considered to be intimately involved. Domestic Violence is not specific to sexual orientation or economic group.

When children are subjected to Domestic Violence it can often result in the perpetuation of violence.

Despite the existence of institutions providing resources, shelter, and assistance through the legal system, it is estimated that only about 50% of Domestic Violence cases are reported.

The graph on the right outlines the number of requests we receive each year for charges relating to Domestic Violence.



In 1998, the 57th District Court, at the request of this office and the Allegan County Domestic Violence Task Force, implemented a Domestic Violence Diversion Program where first-time offenders are given the opportunity to receive counseling and avoid criminal convictions. The pre-requisites for acceptance into the program are specific, and one cannot qualify if there is aggravated physical injury or a history of Domestic Violence. The goal of the program is to stop the cycle of violence. The statistics from the 57th District Courts Annual Report are extremely encouraging for successful results from this program.

In 2015, a change in the law made strangulation a 10 year felony, instead of a 93 day misdemeanor. Our office held training for local law enforcement outlining the changes in the laws. In 2015 our office charged 11 counts of Assault Causing Great Bodily Harm Less Than Murder and 38 counts

of Strangulation. In 2016 our office charged 15 counts of Assault Causing Great Bodily Harm Less Than Murder and 54 counts of Strangulation. In 2017 our office charged 38 counts of Assault Causing Great Bodily Harm Less Than Murder and 18 counts of Strangulation. In 2018 our office charged 55 counts of Assault Causing Great Bodily Harm Less Than Murder, which at that point encompasses strangulation as well.

SPECIALTY COURTS

As the Chief Law Enforcement Officer it is an important part of our duties to respond to concerns of the community. One example is the participation of this office in the use of the Allegan County Mental Health Court, the Drug Treatment Court, West Michigan Regional Veterans' Treatment Court and Sobriety Treatment Courts. These programs require assigning an Assistant Prosecuting Attorney to attend program meetings and hearings in court.

Mental Health Treatment Court

On September 14, 2009, Judge Skocelas together with representatives from the Allegan County Sheriff's Department, Allegan City Police, Allegan County Prosecutor's Office, Allegan County Community Mental Health, Michigan State Police, local defense attorneys and local substance abuse providers (OAR) to create a Mental Health Treatment Court.

During the year 2018, 44 people were referred to the program, 22 people were admitted into the program, and 22 people were rejected. Nine people graduated successfully from the program.

Drug Treatment Court

The first participant was admitted into the Adult Drug Treatment Court on June 30, 2011 and is presided over by District Court Judge Baillargeon. The Allegan County Drug Treatment Court addresses the revolving-door cycle in which drug and alcohol offenders moved in and out of the justice system. Drug Treatment Court provides a comprehensive, sustained continuum of therapeutic interventions, treatment and other services to increase a participant's periods of abstinence and reduce relapse, re-arrest and subsequently incarceration.

During 2018, 31 people were referred to the program. 13 people were admitted, 18 were rejected and 7 graduated from the program.

Veteran's Court

The West Michigan Regional Veterans' Treatment Court began operation on February 7, 2014 and Magistrate Daniel Norbeck is the Administrator/Case manager. The jurisdiction of the Veteran's Treatment Court is that of both the district and circuit courts of Allegan, Van Buren and Ottawa counties, but also accepts veterans from surrounding counties. It was developed and organized by Judge Baillargeon and the treatment court team to help veteran participant address underlying service related issues.

Partnering with the court from all three counties are county commissioners, judges, prosecutors, probation, law enforcement, mentors, community supervision providers, treatment providers, the Veterans Health Administration, Veterans Benefit Administration, veteran employment representatives and veterans service organization service officers.

During the year 2018, 21 people were referred to the program. 9 people were admitted, 12 were rejected and 5 graduated successfully.

Sobriety Court

The Sobriety Court was established in April of 2018 and is presided over by Judge Baillargeon. This was specifically designed to address Operating While Intoxicated (OWI) 2nd Offense. This program has three goals: divert from jail, eliminate substance use among substance abusers and to reduce OWI recidivism.

During the year 2018, 46 people were referred to the program, 21 were admitted, 25 were rejected and 7 graduated successfully. Sobriety Court currently has 3 therapy groups with a maximum of 10 people allowed in each group at one time. This is the only Specialty Court that has a limit of how many people can be in at one time.

OTHER CASE DUTIES

The Prosecuting Attorney is responsible for a variety of other duties. It is necessary to regularly appear for involuntary commitment of the mentally ill. Throughout 2018, there were 14 Mentally Ill hearings set in Probate Court that a prosecutor was scheduled to attend, as well as four times an Assistant Prosecuting Attorney needed to attend Mentally Ill hearings at the Kalamazoo Psychiatric Hospital (KPH). These cases include many people that are a serious threat to the public or themselves.

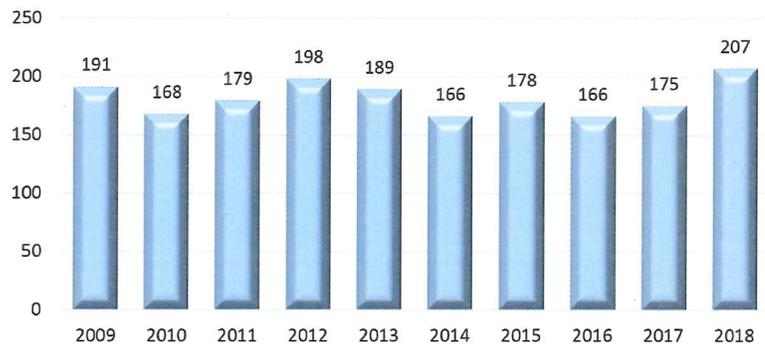
The Prosecuting Attorney also is responsible for enforcement of approximately 200 statutorily created duties from advising various county departments and agencies to making sure the annual county real estate tax sale is completed correctly.

This office is a part of the West Michigan Enforcement Team (WEMET) which involves Allegan, Ottawa, and Muskegon counties in drug enforcement. In 2002 this office was a key component of a Methamphetamine Task Force, which initiated an aggressive campaign against the use, production and delivery of Methamphetamine in Allegan County. The Task Force was extremely successful and has been used as a model for drug enforcement practices in other Michigan counties. As a result of this law enforcement effort, there are less methamphetamine labs in Allegan County; however, it is being trafficked into the county.

The Allegan County Prosecutor's Office participates in the Allegan County Child Abuse Multi-Disciplinary Team as a part of a memorandum of understanding

with 10 other agencies pursuant to the Child Abuse Investigation Protocol mandated by the State of Michigan. The team reviews all cases of suspected child sexual abuse and severe physical abuse. The reviews include monitoring child forensic interviews and a monthly case review process of those interviews. On average, this team reviews approximately 140 cases of child abuse, criminal sexual conduct and child sexually abusive material every month. An interview of a child typically takes one hour to complete, and assistant prosecutors are present for that part of the investigation. Interviews are conducted by a trained forensic specialist, while the remainder of the team views the interview over closed circuit video at the Safe Harbor Children's Advocacy Center or through the use of poly-com technology from the Prosecutor's Office. This system was made possible by a grant through Safe Harbor and allows Assistant Prosecutors to be present for the interviews while not leaving the office.

Forensic Interviews



ON CALL DUTIES

A Prosecuting Attorney is on call twenty-four hours a day. The Prosecutor is required to consult with police agencies, issue arrest warrants even during evenings and weekends, and be available to prepare search warrants (which are usually needed at the most inconvenient times).

OTHER ACTIVITIES

The current staff of Assistant Prosecuting Attorneys continues to be as active as their caseload allows in several different areas related to criminal justice. The involvement includes membership and participation in the following agencies and organizations:

- Vice President - Board of Directors of *Safe Harbor Child Advocacy Center*,
- Co-Chair - *Allegan County Coordinating Council on Domestic Violence*,
- Chair - *Case Review Multi-Disciplinary Team*,
- Chair - *Child Advocacy Center Advisory Committee*
- Member - *Allegan County Substance Abuse Prevention Counsel*,
- Member - *Prosecuting Attorney Association of Michigan*,
- Member - *Child Death Review Committee*,
- Member - *MACC*
- Chief Chair - *Allegan County Law Enforcement Council (ACLEC)*
- Trainer for the *Prosecuting Attorney Association of Michigan*
- Member - *Allegan County Safe Schools Committee*,
 - Safe Schools Collaboration letter (Attachment A)
 - General letter to schools about Terrorism (Attachment B)

During the year, we had 6 different APA's on F.M.L.A over an 8 month period. We were operating with a limited staff for 2/3rds of the year. Thankfully, we were able to have former employee Emily Hills assist our office and step in as a temporary Assistant Prosecuting Attorney to attend court hearings. Prosecutor Myrene Koch also was scheduled to cover dockets in all levels of court. This office conducted trainings for both Law Enforcement and for the Department of Health and Human Services (DHHS).

In January, Paige Christman, our administrative assistant who handles the Circuit Court cases was recognized for 30 years of service in the Prosecuting Attorney's Office. (Photo on right) Mrs. Christman started with the Allegan County Prosecuting Attorney's office on January 25, 1988.



April 8-14, 2018 was National Crime Victim's Rights Week (NCVRW). This is an annual event sponsored in part by the Crime Victim Service Commission. On Friday, April 13, our office held a Dedication Ceremony organized by our Victim/Witness Coordinator, Emelda Pope and Prosecutor Koch. This ceremony dedicated a Cherry Blossom Tree and Victim Waiting Room. The tree was donated by Bill Sorenson. A plaque attached to a rock which is placed by the tree reads "IN HONOR OF NCVRW 2018 – PLANTING HOPE FOR THE FUTURE".

Also, our office was able to remodel our office waiting room which is mainly used by victims of crime and their family during hearings and trials. During the ceremony it was dedicated to a much loved Michigan State Trooper, Ray Hoffman. It was dedicated as the "Hoffman Room".

On September 26, 2017, Trooper Raymond Hoffman passed away after a long, hard fought battle following complications from open heart surgery. Trooper Hoffman enlisted with the MSP on June 6, 1993, graduating as a member of the 108th Trooper Recruit School. He had 24 years of experience at the Wayland Post.



This office was able to add an additional part time Victim Advocate position due to an increase in the Victim's Rights Grant funding from the Michigan Crime Victim Services Commission. This part time position will assist our full time Victim Advocate with contacting and supporting our victims of crime.

Our office completed the application process for a K9 Victim Advocate. Canine Advocacy Program (CAP) was founded in 2010 and is a Non-Profit organization. CAP was developed to provide advocacy services to child victims utilizing a highly trained dog to help alleviate the anxiety associated with being involved in the criminal justice system. CAP has placed approximately 24 canines in such roles throughout the State of Michigan, including Ottawa, Van Buren, Berrien and Cass Counties.

On October 30, 2018, was the Together We Can Awards Breakfast. This annual event is organized by the Allegan County Coordinating Council on Domestic Violence (ACCCDV) and the Lakeshore Alliance Against Domestic & Sexual Violence (LAADSV). Our Victim/Witness Coordinator, Emelda Pope was chosen to receive the 2018 Agency Professional Award, for "outstanding service and dedication to eliminating domestic and sexual violence in Allegan County".



Detective Craig Gardiner and Detective Chris Haverdink from the ACSD were also recognized and received the Law Enforcement Officer Award for Allegan County.

Our office was able to add a part time irregular employee to assist the Circuit Court Administrative Assistant who handles both Circuit Courts. Hilary Anes started with our office in October and works 19 ½ hours each week. This position was possible when funds shifted from the Victim Right's Program to the general office budget.

Our office was able to have a new workstation added with no extra funds from the county. This was done by using left over pieces from another department who moved to a different building. Our office also actively participated in the Peanut Butter Drive and the Boxed Cereal Drive organized by the Allegan County Community Foundation.

CRIME VICTIM ASSISTANCE

Most crime victims experience physical suffering, financial loss, and emotional distress. Physical injuries occur in nearly one-third of all violent crimes. Our Victim Assistance Program provides an extensive notification service to victims to advise them of each court proceeding as their case moves through the court system. In 2018 the Victim Assistance Program provided over 8794 contacts with victims throughout the year. This is a very important function of this office. During 2018 our office provided services by way of letter, telephone contact and email, providing support to victims in court and providing appointments with victims of various crimes. The Victim/Witness Coordinator serves as the primary contact for victims of Domestic Violence, Criminal Sexual Conduct, Drunk Driving or Driving

Under the Influence of Controlled Substance Causing Death or Serious Injury. This contact includes explaining of rights, court procedures, services, shelter alternative and assistance. Our Victim Assistance Program previously had been funded by an award of \$121,561.00, however in 2018 our Victim Assistance Program received \$163,378.00, an increase of \$41,817.00 from the Michigan Crime Victim Services Commission. This fund is used to employ both a full time Victim Rights Coordinator, and full time Victim's Rights Secretary. The increase will be used in part to fund a part time Victim Advocate Specialist, who will assist the Victim/Witness Coordinator.

The Allegan County Victim/Witness Coordinator has a Bachelors Degree in Psychology with over twenty-eight years of experience working with child and adult victims.

APPEALS

Each person who is convicted of a crime in Michigan is entitled to appeal his or her conviction. The Prosecuting Attorney has the obligation to represent Allegan County in opposing each appeal. Appellate cases require meticulous research in the preparation of lengthy legal briefs, as well as appearances in the various appellate courts. These are vitally important areas of endeavor. If we are not successful in the appeals in the higher courts of the state, the efforts of our office as well as the police departments are futile.

In 2018, our office filed 21 post-conviction pleadings with, as well as attended 4 oral arguments at the Michigan Court of Appeals in Grand Rapids. During this same time 47 pleadings and correspondences were received and reviewed for cases pending in the Court of Appeals. Our office filed 16 pleadings with the Michigan Supreme Court while receiving 27 pleadings and correspondences. Our office also filed 9 post-conviction pleadings on appeals in the Circuit Court, either as appeals from the District Court, remands from the Court of Appeals, or in post-conviction matters. Our office received 93 pleading and correspondences for appeals in Circuit Court. From those, 5 hearings were attended in the Circuit Court.

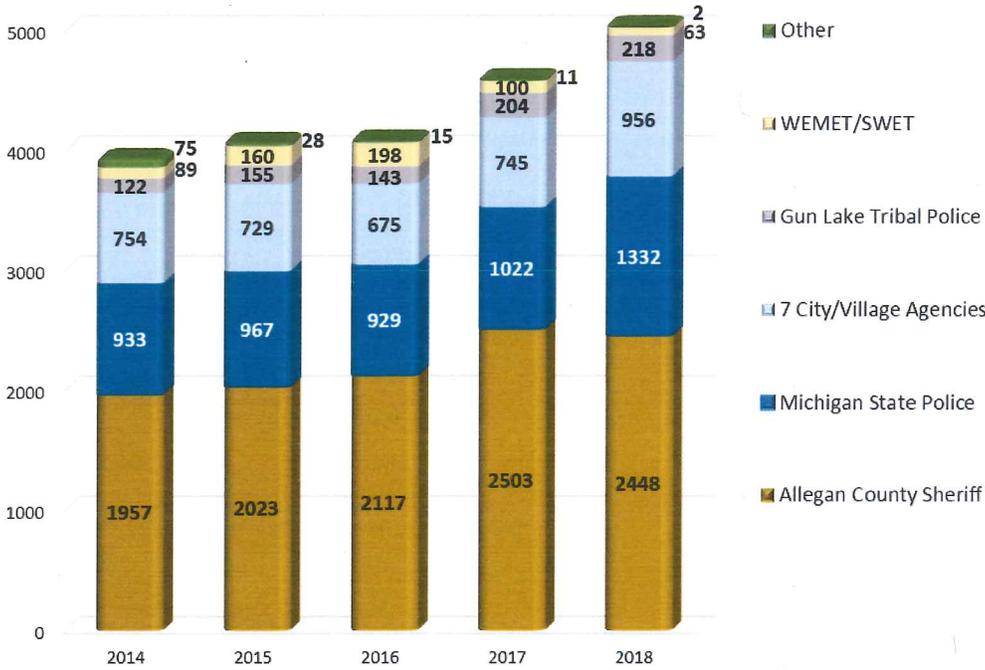
LAW ENFORCEMENT AGENCIES

This office serves all the law enforcement agencies in Allegan County including the Sheriff's Office, the State Police, DNR, and the Cities of Plainwell, Otsego, Wayland, Holland, Allegan, Douglas, Fennville and Gun Lake Tribal Police Department. The Gun Lake Tribal Police was established in 2012.

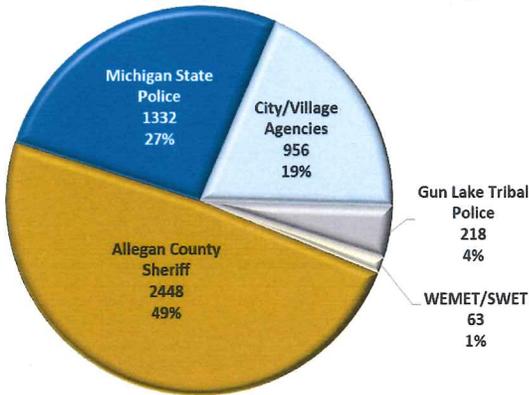
As the gatekeeper of all criminal activity from the policing agencies to the court system it is critical to our criminal justice system to adequately staff the Office of the Prosecuting Attorney and not

compromise the public safety of the citizens of Allegan County. On the next page are summaries of the warrants requested by agency for adult criminal cases.

Agency Requests for Adult Charges



2018 Agency Request for Adult Charges



| | 2012 | 2013 | 2014 | 2015 | 2016 | 2017 | 2018 |
|---|-------------|-------------|-------------|-------------|-------------|-------------|-------------|
| Allegan County Sheriff's Dept. | 1933 | 2167 | 1957 | 2023 | 2117 | 2503 | 2448 |
| Michigan State Police | 638 | 960 | 933 | 967 | 929 | 1022 | 1332 |
| All Local City & Village Agencies: | | | | | | | |
| Allegan PD | 223 | 187 | 185 | 155 | 176 | 167 | 199 |
| Fennville PD | | 20 | 10 | 8 | 17 | 15 | 19 |
| Hopkins PD | 8 | 11 | 8 | 1 | 1 | 1 | - |
| Holland PD | 30 | 24 | 19 | 22 | 18 | 11 | 7 |
| Otsego PD | 93 | 118 | 97 | 106 | 85 | 106 | 116 |
| Plainwell DPS | 136 | 148 | 124 | 123 | 100 | 129 | 123 |
| Saugatuck/Douglas PD | 132 | 124 | 126 | 127 | 120 | 126 | - |
| Douglas PD (2018) | - | - | - | - | - | - | 31 |
| Wayland PD | 185 | 162 | 184 | 184 | 157 | 189 | 170 |
| Total City/Village Agencies | 807 | 795 | 754 | 729 | 675 | 745 | 956 |
| Gun Lake Tribal Police | 58 | 114 | 122 | 155 | 143 | 204 | 218 |
| WEMET/SWET | 122 | 107 | 89 | 160 | 198 | 100 | 63 |
| All Other Agencies: | | | | | | | |
| Dept of Nat. Resources | 24 | 32 | 14 | 21 | 4 | 5 | 14 |
| Office of Insp. General | 23 | 24 | 57 | 2 | 4 | 5 | 5 |
| SCAR | 3 | 4 | - | 4 | 3 | 1 | 1 |
| Dept. Environ. Quality | - | - | 1 | 1 | 0 | - | 0 |
| Alpena Co. | - | - | - | - | - | - | 1 |
| Barry Co. | 1 | - | 1 | - | - | - | - |
| Berrien Co. | - | - | 1 | - | - | - | - |
| Kalamazoo Co. | - | - | - | - | - | - | - |
| Kent Co. | - | - | - | - | - | - | - |
| Ottawa Co | - | - | 1 | - | 4 | - | 1 |
| Van Buren Co. | 4 | 3 | - | - | - | - | - |
| Kalamazoo City PD | - | - | - | 1 | - | - | - |
| Grand Haven City PD | - | - | - | 1 | - | - | - |
| South Haven City PD | - | - | 1 | - | - | - | - |
| Hastings City PD | - | - | - | - | 1 | 1 | - |
| Wyoming City PD | - | 1 | - | - | - | - | - |
| Zeeland City PD | - | - | - | 1 | - | - | - |
| Total All Other Agencies | 55 | 63 | 75 | 28 | 15 | 11 | 2 |
| Yearly Totals | 4475 | 5064 | 4759 | 4819 | 4767 | 5341 | 5706 |

CONCLUSION

I look forward to working with other members of the law enforcement community to help make Allegan County a safe place in which to work, live, and raise a family.

Respectfully submitted,

Myrene K. Koch
Prosecuting Attorney



ALLEGAN COUNTY PROSECUTING ATTORNEY MYRENE KAY KOCH

JUDITH C. KASSON
Chief Assistant Prosecuting Attorney

EMELDA CALANCHI-POPE
Victim/Witness Coordinator

Resolution in Support of School Safety Collaboration

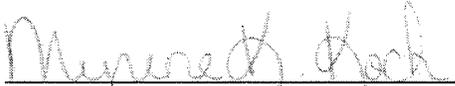
The members of the Allegan County Law Enforcement Council recognize the importance of school safety and security. Children should be free to attend school safely. School staff should be able to focus on educating the children.

The Council is committed to addressing immediate safety needs as well as finding long term solutions to school safety. Given the magnitude of this issue and tragic school events around the Nation, the safety of students and staff must be a top priority. This situation must be addressed immediately.

An effective way to combat school violence is to have full-time school resource officers in every school. However, currently, there is no funding for that option. But, this crisis cannot wait for available funding.

As a result, all Allegan County Law Enforcement Agencies are partnering with schools in the county to provide a law enforcement presence in each school. Law Enforcement Officers are encouraged to go to the schools, spend time with students, establish trusting relationships, and show their presence to both those inside as well as outside the school. In many cases, the schools are providing office space for the officers to work and meet with students. Trainings are also being offered to school administrators and staff by a collaborative team of prosecutors and law enforcement.

The Law Enforcement Agencies are making this school safety initiative a priority although not receiving funding of any kind. This collaboration in Allegan County between the Law Enforcement Agencies and the schools shows the dedication, care, and commitment of all parties. The focus of this collaboration is on the greatest resource we have, our children.


Allegan County Prosecuting Attorney


Allegan County Sheriff's Office


Allegan City Police Department

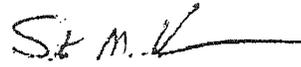

Otsego City Police Department


Plainwell Department of Public Safety


Wayland City Police Department



Fennville City Police Department



Douglas Police Department



ALLEGAN COUNTY PROSECUTING ATTORNEY
MYRENE KAY KOCH

JUDITH C. KASSON
Chief Assistant Prosecuting Attorney

EMELDA CALANCHI-POPE
Victim/Witness Coordinator

September 25, 2018

Dear Parents;

Few events hit home for students and families like a school shooting. When students learn of these events on television or on social media, it is natural for them to worry about their own school and their own safety. Unfortunately, some students see these tragedies as an opportunity to gain notoriety and make threats against their schools, teachers, and classmates.

Between 2017 and 2018, the Allegan County Prosecutor's Office received 19 reports from law enforcement agencies of students either using social media to make threats against schools or communicating the threat to other students. Many of these threats turn out to be made by students who claim they were just joking or playing a prank. I want to be very clear: **these threats are no joke, and this behavior will not be tolerated.**

Out of the 19 reports submitted:

- 16 students were charged.
- Each defendant has been charged with False Threat of Terrorism or Threat of Terrorism;
- Both of these charges are felonies that could result in significant incarceration in jail or even prison if convicted as an adult, and also include the costs associated with investigation and prosecution.

While the punishments dictated by the criminal justice system are stern, students may face additional consequences, including:

- Loss of scholarships and federal aid;
- Denied college admission;
- Being required to disclose pending cases or criminal convictions on job applications.

I urge you to talk to your children about the appropriate use of social media, and the lasting consequences of making threats against our schools. Please stress that there is nothing humorous about threatening to shoot up a school. All threats will continue to be taken seriously and prosecuted to the fullest extent under the law.

By working together, we can provide our children the safe schools they deserve.

Sincerely,

Myrene K. Koch
Allegan County Prosecuting Attorney

Frank Baker
Allegan County Sheriff

Steven Harper
Wayland City Chief of Police