

2009 ANNUAL REPORT



Office of the Prosecuting Attorney

Submitted by:
Ronald J. Frantz
Ottawa County Prosecuting Attorney

EXECUTIVE SUMMARY

The 2009 **felony caseload** decreased by 21% from the 2008 level (1023 cases in 2009, compared to 1281 cases in 2008). This number has generally been declining since reaching a high point of 1536 cases in 2002. Felony crime categories showing significant increases were breaking and entering (up 22%, 132 cases) and felony drunk driving (up 22%, 122 cases). Categories showing significant declines were property crimes (down 10%, 235 cases), drug cases (down 6%, 801 cases), and robbery (down 77%, 6 cases).

The total **misdemeanor caseload** fell 5% in 2009 (7159 cases). However, **juvenile crime**, as represented by petitions filed by our office, rose by 2% to 1363 delinquency petitions filed. **Total criminal caseload** (combined felony, misdemeanor, and juvenile statistics) dropped by 6% (9,545 cases in 2009).

Along with the decline in overall caseload the other good news is that no **1st degree murders** occurred or were charged in 2009. This is particularly noteworthy after the unprecedented homicide level in 2008 when ten people were murdered. In 2009 we did try and convict the perpetrator of the 2008 Wright Township massacre of three family members who were murdered in their home, along with the girlfriend of one of the victims.

Gang violence has been declining over the last two years, after a spike in gang activity in 2007. Our Gang Task Force, which includes the Holland Police Department, the Ottawa and Allegan County Sheriffs' Departments, WEMET, federal agencies, and the Ottawa County Prosecutor, has been effective in investigating and prosecuting many gang offenders. While investigations and prosecutions will continue, the outlook for 2010 is promising. Aggressive law enforcement is effective in reducing gang violence.

Our **domestic violence caseload** had a modest 2% rise in 2009 (495 cases). This followed a dramatic 20% increase in 2008. The Lakeshore Alliance Against Domestic and Sexual Violence continues to actively promote prevention efforts and improvements in serving domestic violence victims and offenders. Our court-based domestic violence offender treatment initiative also seeks to reduce recidivism and better serve victims through the court process.

Our District and Circuit **Drug/Sobriety Courts** continue to accept drug and/or alcohol dependent offenders using a treatment court model. The prosecutor is an integral part of the team that selects offenders for the program and monitors their success.

The **Children's Advocacy Center** has been providing age-appropriate services for sexually abused children for over eleven years. This nationally accredited center conducted 304 interviews of children suspected of being sexual assault victims in 2009 (as compare to 269 interviews in 2008). Our office continues to work directly with investigators and center staff to assist young sexual assault victims in seeking justice in the criminal justice system and restoration of their lives.

The 2009 relatively low crime levels represent continuing positive trends in our criminal justice system. The Prosecutor's Office is proud to contribute to the quality of life we enjoy in Ottawa County.

Respectfully submitted,
Ronald J. Frantz, Prosecuting Attorney

MISSION STATEMENT

The mission of the Ottawa County Prosecutor's Office is to preserve and improve the quality of life for Ottawa County residents by promoting lawful conduct and enhancing safety and security through diligent efforts to detect, investigate, and prosecute criminal offenses in Ottawa County.

RESPONSIBILITIES OF THE PROSECUTOR

The prosecuting attorney is the chief law enforcement officer for Ottawa County. The Office was created by the Michigan Constitution. The responsibilities and authority of the Prosecutor are established by common law, statute, court rule, and appellate case law. In recent years changing attitudes in the courts and state legislature have significantly altered the traditional role of the Prosecutor. While adult and juvenile criminal matters still represent the major portion of the prosecution effort, a growing list of additional responsibilities has placed larger demands on prosecution resources. Nevertheless, we provide all mandated services, maximizing our efficiency by offering specialty services to crime victims and law enforcement. These specialties include the Family Court Unit, Domestic Violence Unit, Victims' Rights Unit, an Appellate Specialist, and a Law Enforcement Training Assistant.

Additional duties of the Prosecutor include serving as the chairman of the Concealed Weapons Licensing Board and Community Corrections Advisory Board. The Prosecutor also serves on the boards or oversight committees of the Children's Advocacy Center, Wrap Around Community Team, West Michigan Enforcement Team, Lakeshore Alliance Against Domestic and Sexual Violence, Ottawa Area Law Enforcement Leadership Committee, C.H.O.O.S.E. underage alcohol initiative, Human Services Council of Ottawa County, U. S. Department of Justice Project Safe Neighborhoods Program, Child Death Review Team, and the Prosecuting Attorneys Association of Michigan

ADMINISTRATIVE STAFF

Ronald J. Frantz **Prosecuting Attorney**
Douglas L. Mesman. Chief Assistant Prosecutor
Gregory J. Babbitt. Chief of Appeals Division
Craig E. Bunce Chief of Holland Division
Lee F. Fisher. Chief of West Olive Division
Kent D. Engle Senior Attorney
Karen J. Miedema Chief of Family Court Division
Deanna M. Sears. Office Administrator

ATTORNEY STAFF

GREGORY J. BABBITT, Grand Valley State University, B.S.; Thomas M. Cooley Law School, J.D.; 29 years of prosecution experience.

CRAIG E. BUNCE, Western Michigan University, B.S.; Valparaiso University School of Law, J.D.; 19 years of prosecution experience.

KENT D. ENGLE, Taylor University, B.A.; University of Detroit School of Law, J.D.; 22 years of prosecution experience.

LEE F. FISHER, Western Michigan University, B.S.; Thomas M. Cooley Law School, J.D.; 21 years of prosecution experience.

RONALD J. FRANTZ, Kalamazoo College, B.A.; Case Western Reserve University School of Law, J.D.; 33 years of prosecution experience.

JOELLEN HAAS, Indiana University, B.A.; Thomas M. Cooley Law School, J.D.; 7 years of prosecution experience.

JENNIFER N. KUIPER, University of Michigan, B.A.; University of Toledo College of Law, J.D.; 6 years of prosecution experience.

SARAH F. MATWIEJCZYK, Michigan State University, James Madison College, B.A.; Michigan State University - Detroit College of Law, J.D.; 9 years of prosecution experience.

DOUGLAS L. MESMAN, Calvin College, B.A.; Thomas M. Cooley School of Law, J.D.; 31 years of prosecution experience.

KAREN J. MIEDEMA, Ferris State University, B.S.; Wayne State University Law School, J.D.; 21 years of prosecution experience.

JUDITH K. MULDER, DePauw University, B.S.; Thomas M. Cooley Law School, J.D.; 21 years of prosecution experience.

JOHN R. SCHEUERLE, Michigan State University, B.A.; Detroit College of Law, J.D.; 11 years of prosecution experience.

EDUARDO VELAZQUEZ-HERNANDEZ, Carleton College, B.A.; Notre Dame College of Law, J.D.; 11 years of prosecution experience.

SUPPORT STAFF

CRIMINAL DIVISION

Amanda Arismendez Legal Assistant II
Jennifer Bastien. Legal Assistant II
Mallory Beil Legal Clerk
Belinda Coronado-DeValle. Legal Assistant II
Mary Dykstra. Legal Assistant II
Cathy Eidson. Legal Assistant III
Soonja Hixon Legal Assistant I
Angie Rogers Legal Assistant II
Dawn Slater. Legal Assistant III

FAMILY COURT DIVISION

Juvenile & Probate Court

Jane Gardner Legal Assistant II

Child Support Unit

Toni Sleutel. Child Support Investigator
Becky Visser Child Support Investigator

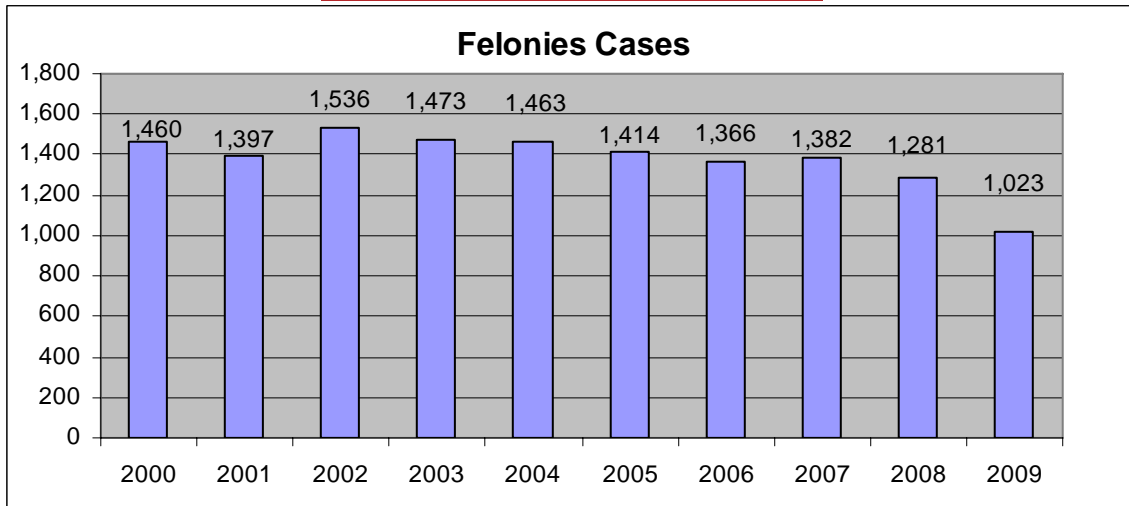
VICTIM ASSISTANCE UNIT

Joan Grillo Victims' Rights Coordinator
Lesley Morano Victim Advocate
Stephanie Stoddard. Victim Advocate

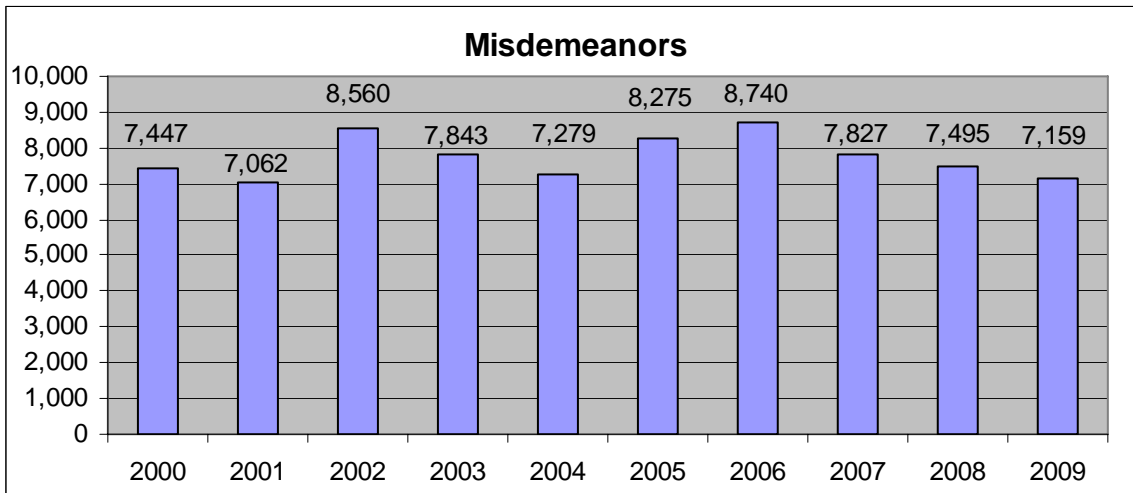
DOMESTIC ASSAULT UNIT

Jennifer Bouwens Violence Intervention Officer

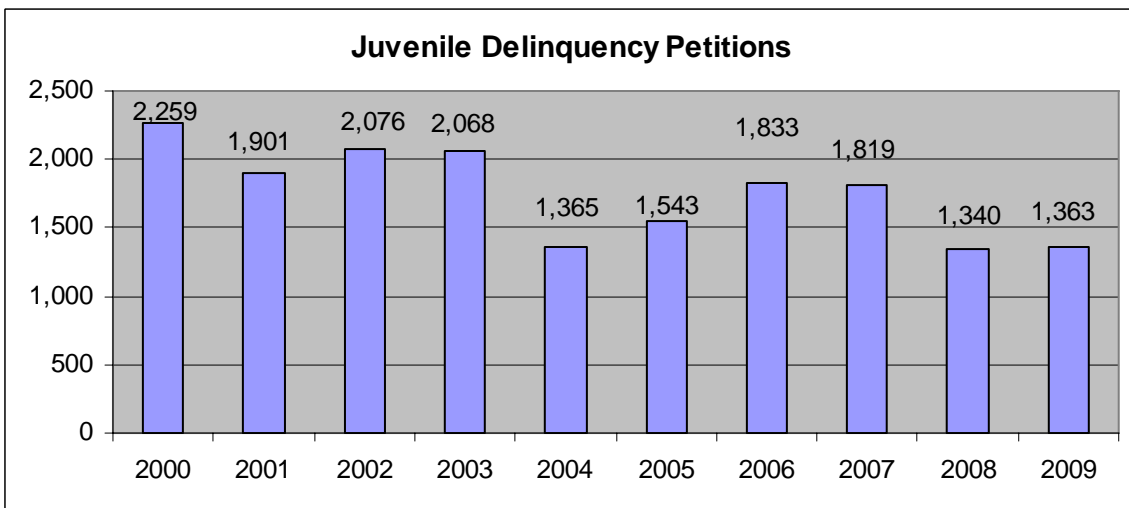
CRIMINAL CASELOAD



Adult Felony Cases: 2008: 1,281 2009: 1,023 21% decrease

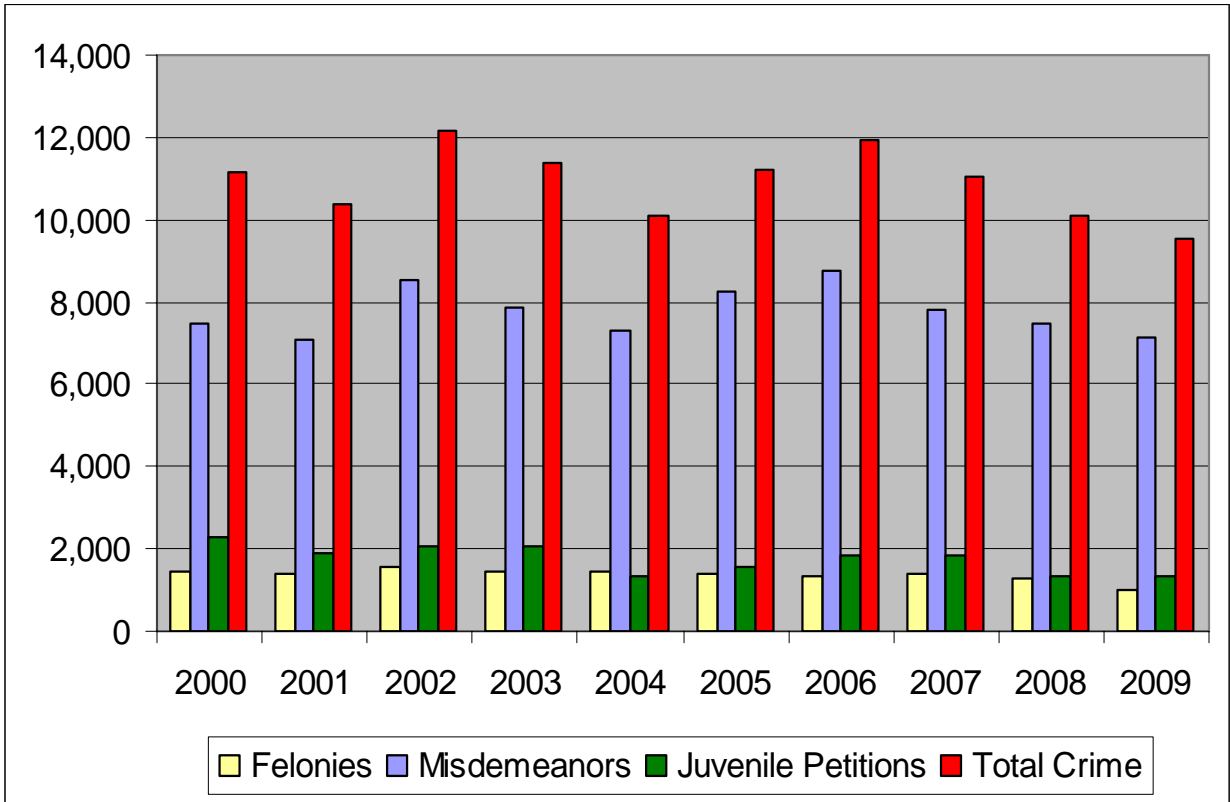


Adult Misdemeanors: 2008: 7,495 2009: 7,159 5% decrease



Juvenile Delinquency: 2008: 1,340 2009: 1,363 2% increase
 Note: 33% reduction from 2003 to 2004 due in part to a change in data collection methodology

TOTAL CRIME STATISTICS



Total Crime (combined):

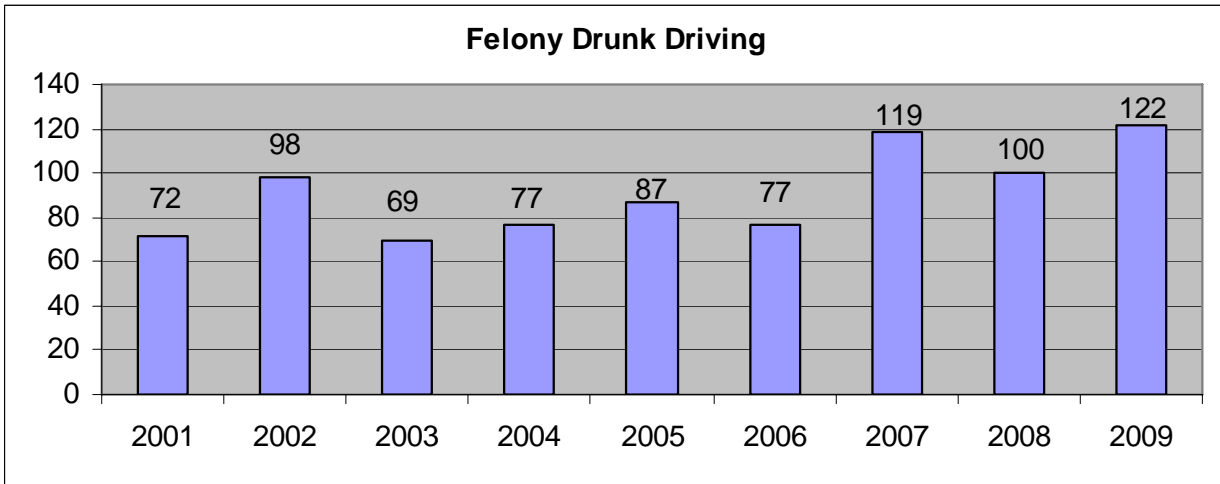
2008: 10,116

2009: 9,545

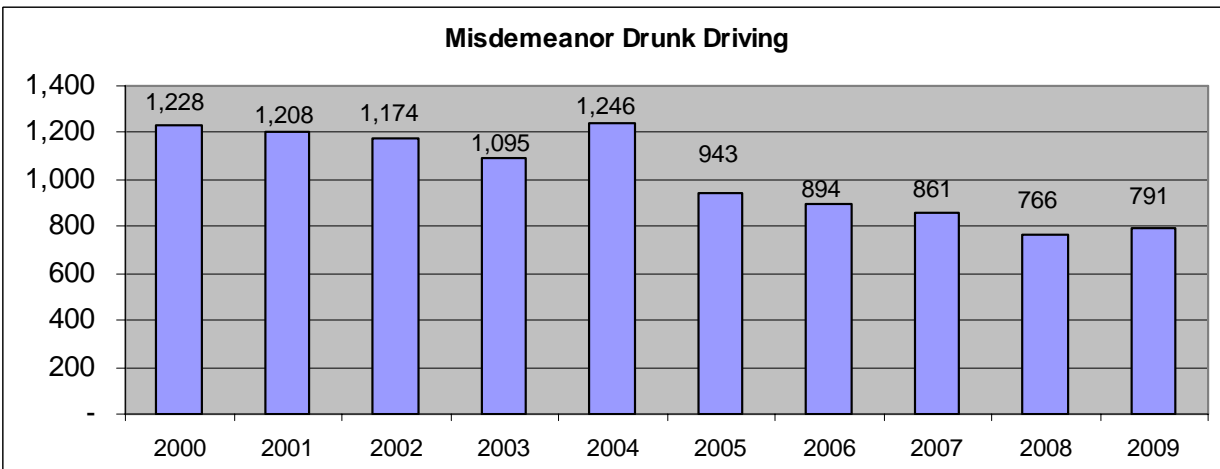
6 % decrease

CRIME CATEGORIES

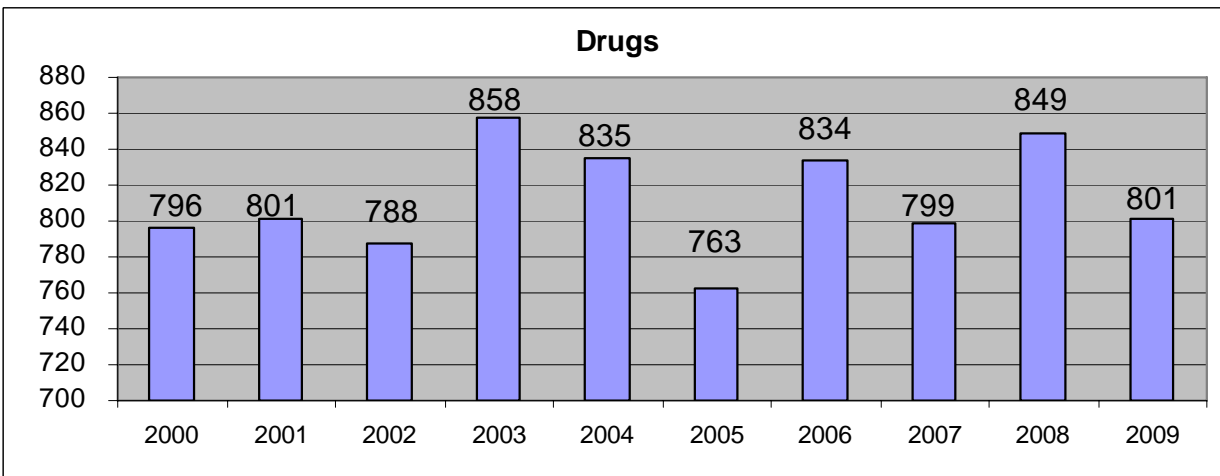
All categories reported for adult crime data only.



Felony Drunk Driving: 2008: 100 2009: 122 22% increase

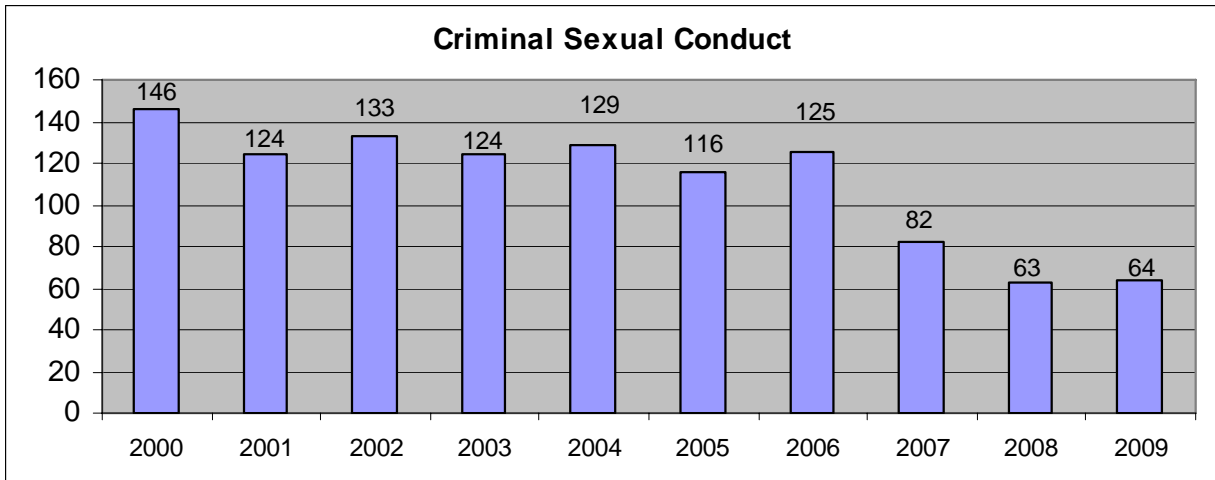


Misdemeanor Drunk Driving: 2008: 766 2009: 791 4% increase

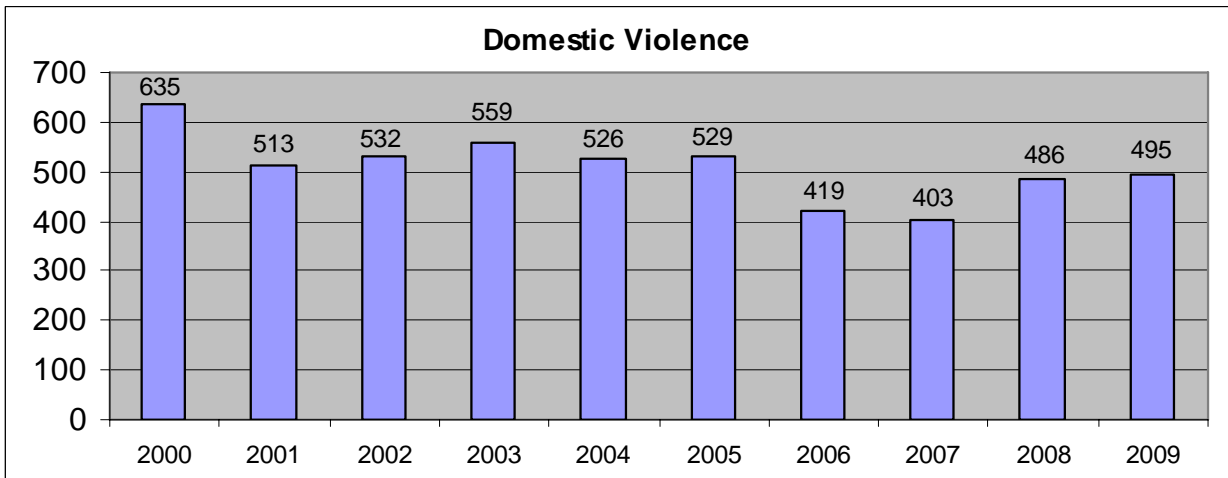


Drug Cases: 2008: 849 2009: 801 6% decrease

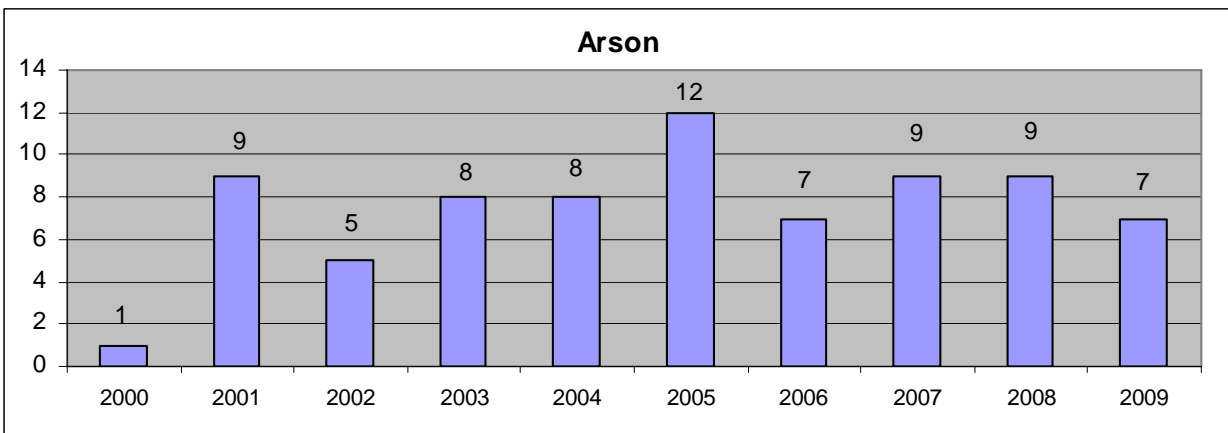
CRIME CATEGORIES CONTINUED



Criminal Sexual Conduct: **2008:** 63 **2009:** 64 2% increase

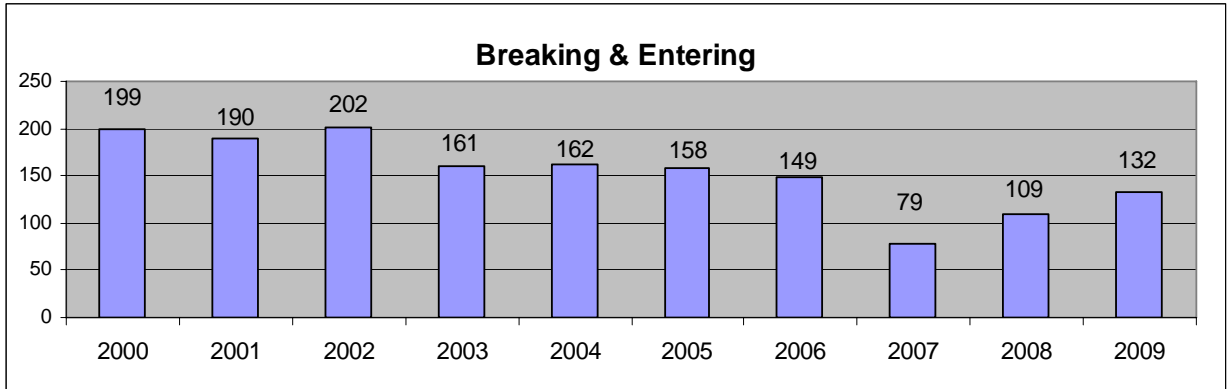


Domestic Violence: **2008:** 486 **2009:** 495 2% increase

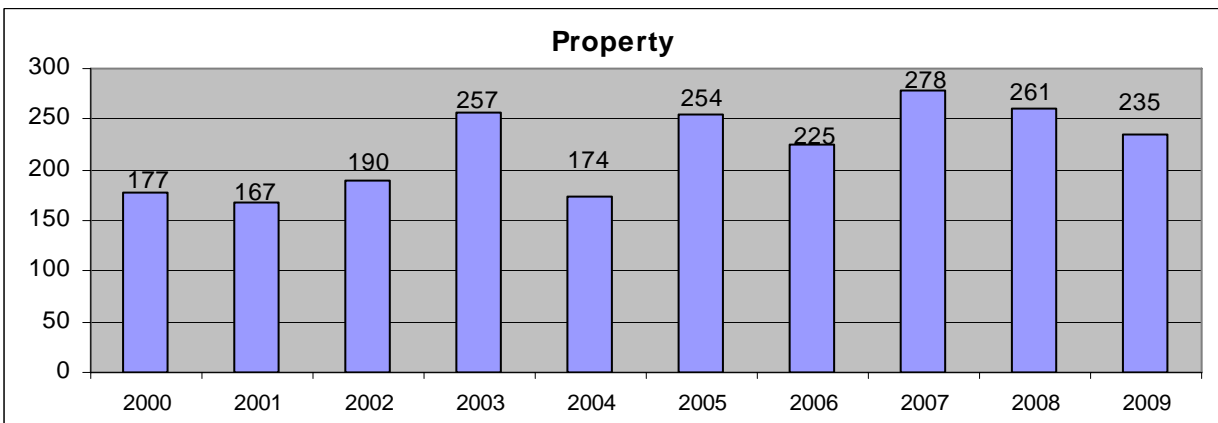


Arson: **2008:** 9 **2009:** 7 23% decrease

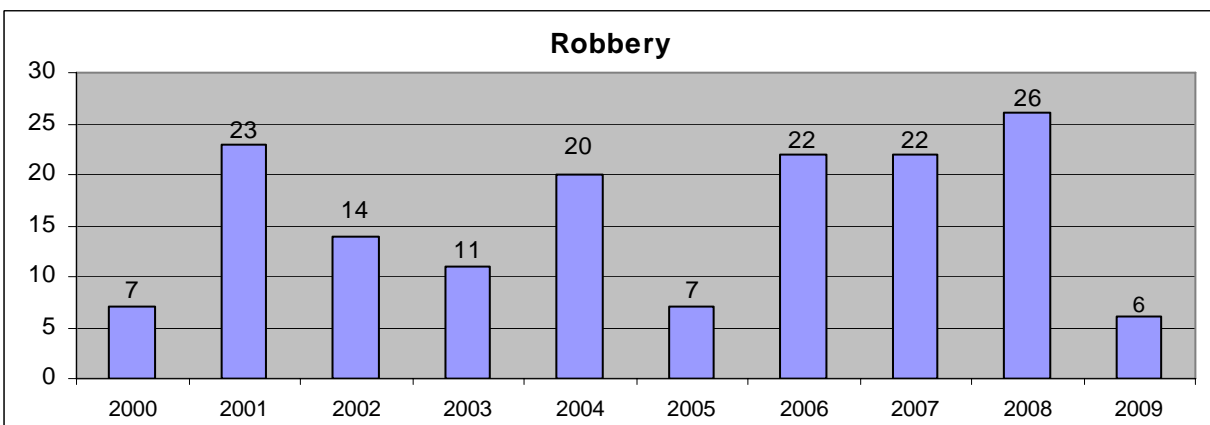
CRIME CATEGORIES CONTINUED



Breaking & Entering: **2008:** 109 **2009:** 132 22% increase

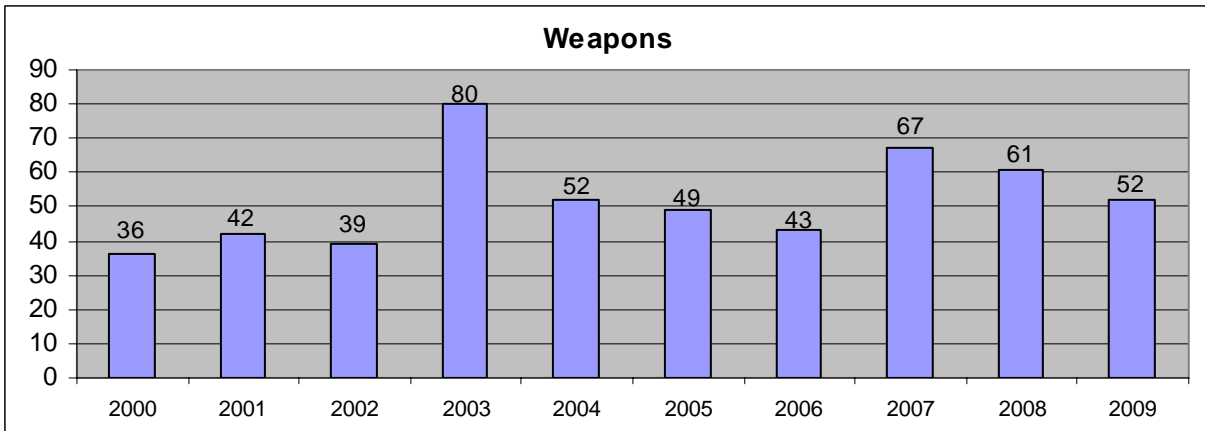


Property: **2008:** 261 **2009:** 235 10% decrease



Robbery: **2008:** 26 **2009:** 6 77% decrease

CRIME CATEGORIES CONTINUED



Weapons:

2008: 61

2009: 52

15% decrease

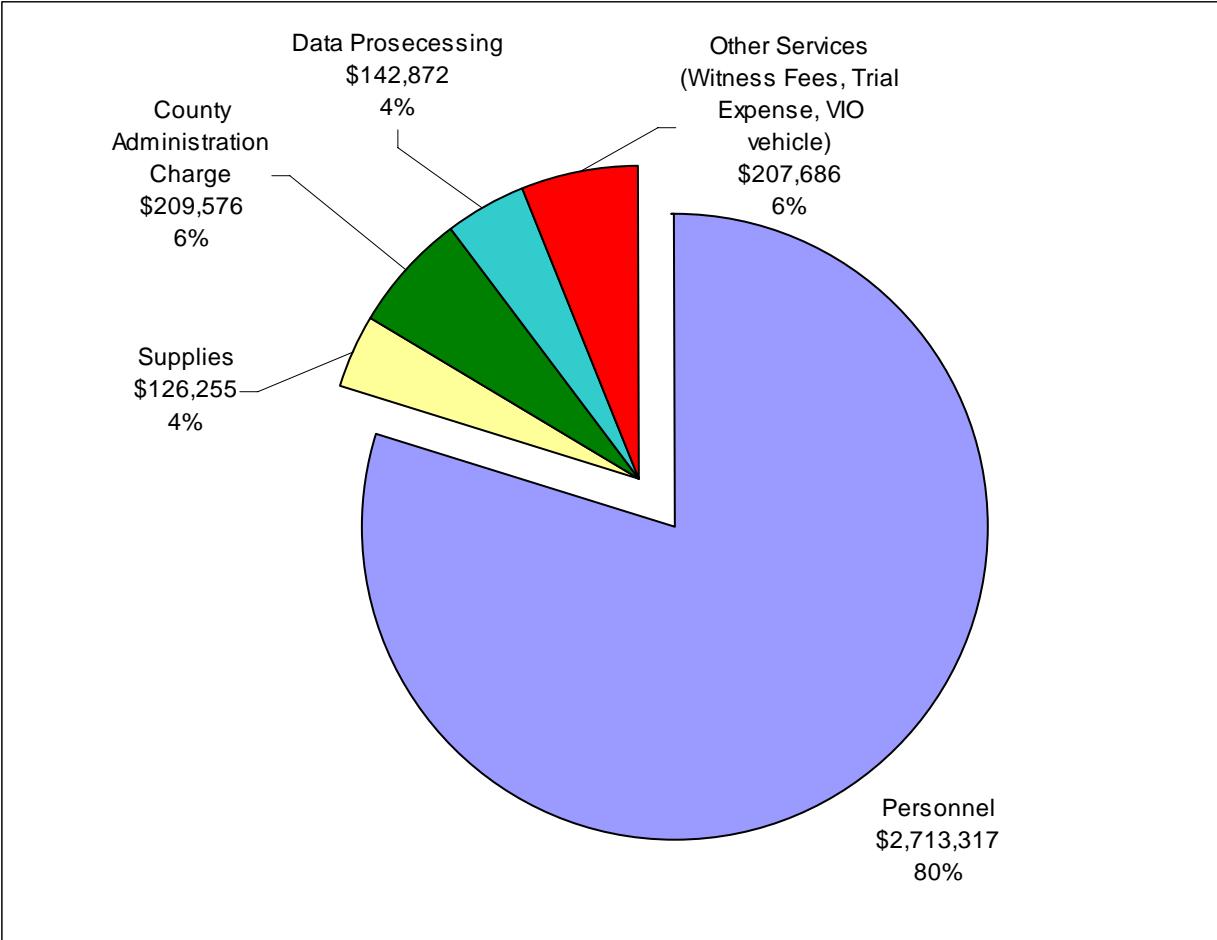
ADDITIONAL STATISTICS

Category	2008	2009	% Change
Felony Trials:			
Jury	22	22	No change
Non-Jury	2	10	400 %
Misdemeanor Trials			
Jury	15	14	(7 %)
Non-Jury	41	31	(25 %)
Civil Infraction Bench Trials	896	945	6 %
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Appeals Filed	13	8	(38 %)
Application for Leave to Appeal	22	33	50 %
Appeals Pending Decision	11	21	91 %
Parole Reviews	128	182	43 %
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Child Abuse & Neglect Cases	96	79	(18 %)
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Child Support Cases			
Paternity	213	176	(18 %)
Non-Support	449	352	(22 %)
URESAs: Incoming	15	18	20 %
Outgoing	18	46	156 %
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Concealed Weapons Board:			
Applicant Interviews	471	1059	125 %
Reviews (without applicant)	169	541	220 %
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Crime Victims Rights:			
Felony	1002	754	(25 %)
Misdemeanor	759	516	(32 %)
Juvenile	508	516	2 %
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Extraditions (Governor's Warrants)	6	4	(34 %)
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Contested Mental Hearings & Guardianship Hearings	17	53	212 %
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Statutory Civil Infractions	15,921	17,058	8%
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Violation of Personal Protection Order Hearings	49	65	33 %
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Requests for Warrant Authorization (Returned for more investigation or denied)	1,436	1,825	27 %

FINANCIAL DATA

TOTAL BUDGET:

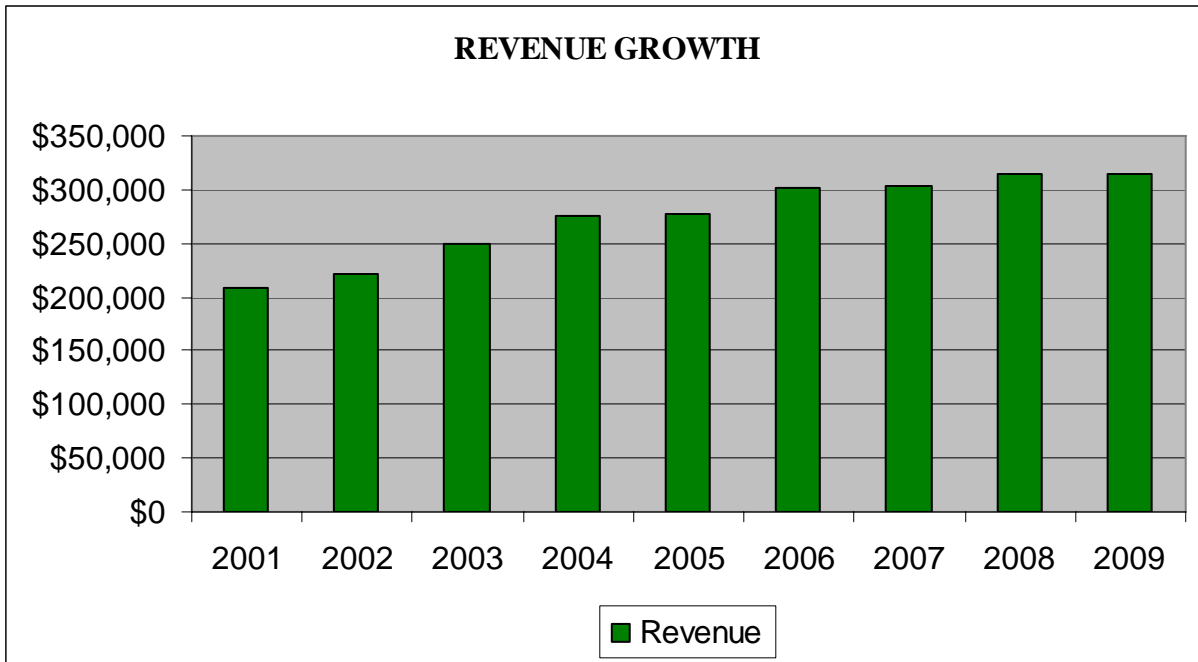
**Annual Expense
2009**



Total Budget:	2008	2009	% change
Annual total:	\$3,398,485	\$3,399,705	.5 %

REVENUE

The Prosecutor's office revenue consists of state funding via grants, contracts and cost reimbursement. Services include Crime Victims' Rights, legal services provided to the Department of Human Service in child abuse and neglect matters, establishment of child support and paternity orders, food stamp fraud prosecution, drivers license hearings for the Secretary of State, and legal services for Allegan County cases pending in the 58th District Court in Holland (venue: Holland City, Allegan County). The County also bills offenders convicted of Operating While Intoxicated and other specified offenses, for reimbursement of prosecution costs pursuant to local ordinance.



50% Increase over ten year period

Revenue:	2008	2009	% change
Annual total:	\$314,242	\$314,665	1 %

2009 Prosecutor Revenue:

Crime Victim's Rights	\$140,733
F.I.A. Contract	16,356
Cooperative Reimbursement	115,911
OWI Reimbursement	18,450
Allegan Reimbursement	13,828
Driver License Hearings	1,456
Food Stamp Fraud	<u>7,931</u>
Total Revenue	\$314,665