

2020 ANNUAL REPORT



Ottawa County
Where You Belong.[®]

Office of the Prosecuting Attorney

Submitted by:
Lee F. Fisher
Ottawa County Prosecuting Attorney

EXECUTIVE SUMMARY

The 2020 total **Felony Caseload** decreased by 4% from the 2019 level (1,264 cases in 2019, compared to 1,214 cases in 2020). Major felony crime categories showing significant increases during 2020 were Robbery (up 27.3%), Drug (up 27.2%), and Property (up 17.6%) offenses. Significant decreases were seen in Criminal Sexual Conduct (down 13.8%), Arson (down 87.5%), and Felony Drunk Driving (down 14.0%) offenses.

In 2020 there were three **Homicides** charged by my office. There are currently four pending Homicide cases dating back to 2019 awaiting jury trials. These cases were not able to be tried in 2020 due to significant delays caused by the COVID-19 pandemic.

The total **Misdemeanor Caseload** decreased by 4.3% in 2020 (5,346 cases in 2019, compared to 5,117 in 2020). Misdemeanor Drunk Driving cases decreased by 11.1% in 2020.

The **Domestic Violence Caseload**, unfortunately, increased by 4.9% in 2020 (up to 643 cases, compared to 613 in 2019). Domestic Violence levels spiked in 2018 and continue to rise. I believe these numbers would be much higher if not for the ongoing efforts of the Lakeshore Alliance Against Domestic and Sexual Violence and other groups which actively promote prevention and offer 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.

Juvenile Criminal Caseload, as represented by petitions filed by our office, increased by 13.2% (621 delinquency petitions in 2019, compared to 703 in 2020).

The **Total Criminal Caseload** (combined felony, misdemeanor, and juvenile criminal cases) decreased by 2.7% (7,231 cases in 2019, compared to 7,034 in 2020). The Total Criminal Caseload stayed nearly the same in 2020 as 2019.

As was the case in 2019, **Gang Violence and Organized Gang Activity** continued to be less visible within Ottawa County in 2020.

Our District and Circuit **Sobriety/Recovery Court** programs continue to accept drug and/or alcohol dependent offenders using a treatment court model. Holland also has a **Mental Health Court** that also uses the treatment court concept to address the needs of offenders suffering from mental disorders. My office assigns a Prosecutor to each court as part of a multi-disciplinary team that helps select suitable participants for the program and then monitors their progress by attending bi-weekly case staffing and court sessions.

The **Children's Advocacy Center** has been providing age-appropriate services for sexually abused children for the last twenty-three years. The Center continues to handle near record levels of referrals. Our office has dedicated one full time Assistant Prosecutor to work as part of a multi-disciplinary team at the CAC. The assigned Assistant Prosecutor will personally take these cases from pre-charging evaluation of the cases all the way through trial.

The Prosecutor's Office experienced some very significant **personnel changes** in the past year, not the least of which was the retirement of Ronald J. Frantz on December 31, 2020. Ron had served as the elected Prosecutor for 30 years and for 43 total years in the Prosecutor's Office. Between the fall of 2020 and the end of April 2021, our office will have lost a combined 112 years of prosecutorial experience via retirements and a judicial election. I would like to make special mention concerning the retirement of Gregory J. Babbitt who will be retiring at the end of April 2021. Greg has served as an Assistant Prosecutor and Chief Appellate Attorney for the Prosecutor's Office for the last 39 years. Ron and Greg's vast resources of legal knowledge, wisdom and leadership will be greatly missed.

While the Prosecutor's Office may have lost a great many years of attorney experience in the last year, we have been fortunate to find very capable replacements who are truly committed to careers in prosecution and public service. The office also has a new trained court comfort dog named "Q" to assist vulnerable victims throughout the court process.

Despite the challenges created by these changes and the COVID-19 pandemic for law enforcement and the courts, we in Ottawa County continue to enjoy a relatively low crime rate and benefit from a well-functioning criminal justice system. Thank you for the support you provide to these efforts.

Respectfully submitted,

Lee F. Fisher
Ottawa County 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, Victim's Rights Unit, an Appellate Specialist, and a Law Enforcement Training Assistant.

Additional duties of the Prosecutor include serving as the chairman of the Community Corrections Advisory Board. The Prosecutor also serves on the boards or oversight committees of the Children's Advocacy Center, West Michigan Enforcement Team, Lakeshore Alliance Against Domestic and Sexual Violence, Ottawa Area Law Enforcement Leadership Committee, 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

Lee Fisher **Prosecuting Attorney**
Sarah Matwiejczyk Chief Assistant Prosecutor
Gregory J. Babbitt Senior Attorney, Appeals Division
JoEllen Haas Senior Attorney, Training Division
Paul Kraus Senior Attorney, Family Division
Amy Chidester and Elizabeth Kuechenmeister Office Managers

ATTORNEY STAFF

GREGORY J. BABBITT, Grand Valley State University, B.S.; Thomas M. Cooley Law School, J.D.; 39 years of prosecution experience.

SHAWNA BAUM, Hope College, B.A.; Valparaiso University School of Law, J.D.; 1 year of prosecution experience and 13 years' experience in Child Neglect and Abuse.

JOHN DONALDSON, Florida State University, B.S.; Wayne State University, J.D.; 8 years of prosecuting experience.

LEE F. FISHER, Western Michigan University, B.S.; Thomas M. Cooley Law School, J.D.; 31 years of prosecution experience.

JOELLEN HAAS, Indiana University, B.A.; Thomas M. Cooley Law School, J.D.; 17 years of prosecution experience.

MEGHAN HURLEY, University of Buffalo, B.S.; Thomas M. Cooley Law School, J.D.; 12 years of prosecution experience.

BRITTA GIRMSCHIED, University of Michigan, B.A., Michigan State University, J.D.; 14 years of prosecution experience.

JACOB JENISON, Central Michigan University, B.S.; Thomas M. Cooley Law School, J.D.; 7 years of prosecution experience.

PAUL KRAUS, Drake University, B.A. & B.S.E.; The University of Iowa, J.D.; 15 years of prosecution experience.

KATHERINE MATLOCK, Hope College, B.A.; Michigan State University, J.D.; 4 years of prosecution experience.

SARAH F. MATWIEJCZYK, Michigan State University, James Madison College, B.A.; Michigan State University - Detroit College of Law, J.D.; 19 years of prosecution experience.

TYLER MESMAN, Grand Valley State University, B.A.; Valparaiso University, J.D.; 5 years of prosecution experience.

CLINTON ROSEKOPF, Roosevelt University, B.A.; Thomas M Cooley Law School, J.D.; 3 years of prosecution experience.

JAY TUBERGEN, Grand Valley State University, B.S.; Michigan State University - College of Law, J.D.; 9 years of prosecution experience.

CARA WILKINSON, Albion College, B.A.; Wayne State University, J.D.; 12 years of prosecution experience.

SUPPORT STAFF

CRIMINAL DIVISION

Teresa Brolick Legal Clerk
Amanda Fazz Legal Assistant II
Emily Hills Legal Assistant II
Soonja Hixon Legal Assistant II
Mallory Jewell Legal Assistant III
Kurt Kreuzer Legal Assistant II
Brittany Lund Legal Assistant III
Amy McSpadden Legal Assistant I

FAMILY COURT DIVISION

Juvenile & Probate Court

Jennifer Rasch Legal Assistant II

VICTIM ASSISTANCE UNIT

Ashlie BoermaVictim Advocate
Joan Grillo Senior Victim Advocate
Michala Ringquist Victim Rights Assistant
Amber SchusterVictim Advocate
Q Canine Advocate

DOMESTIC ASSAULT UNIT

Jennifer Gustafson.....Violence Intervention Officer

ATTORNEY STAFF DEPARTURES

By the end of April, 2021, the Prosecutor's office will have lost a combined 112 years of prosecution experience with the following attorney staff departures due to retirement and judicial election within the last year.

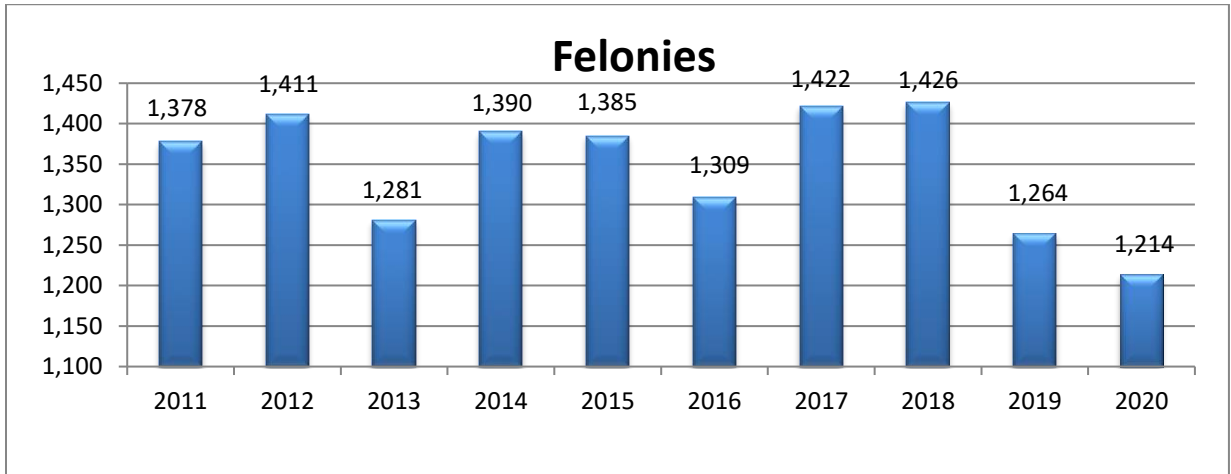
GREGORY J. BABBITT, Grand Valley State University, B.S.; Thomas M. Cooley Law School, J.D.; 39 years of prosecution experience. (Retiring 04/30/2021)

JUANITA F. BOCANEGRA, Grand Valley State University, B.A.; Thomas M. Cooley Law School, J.D.; 9 years of prosecution experience and 3 years civil experience. (Elected District Court Judge 01/01/2021)

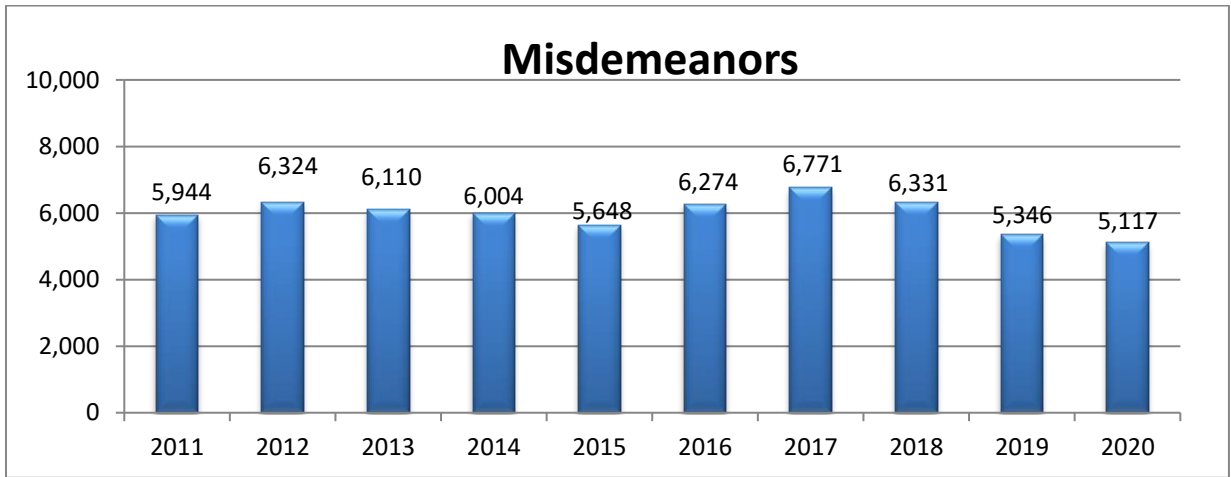
RONALD J. FRANTZ, Kalamazoo College, B.A.; Case Western Reserve University School of Law, J.D.; 43 years of prosecution experience. (Retired 12/31/2020)

JOHN R. SCHEUERLE, Michigan State University, B.A.; Detroit College of Law, J.D.; 21 years of prosecution experience. (Retired 09/18/2020)

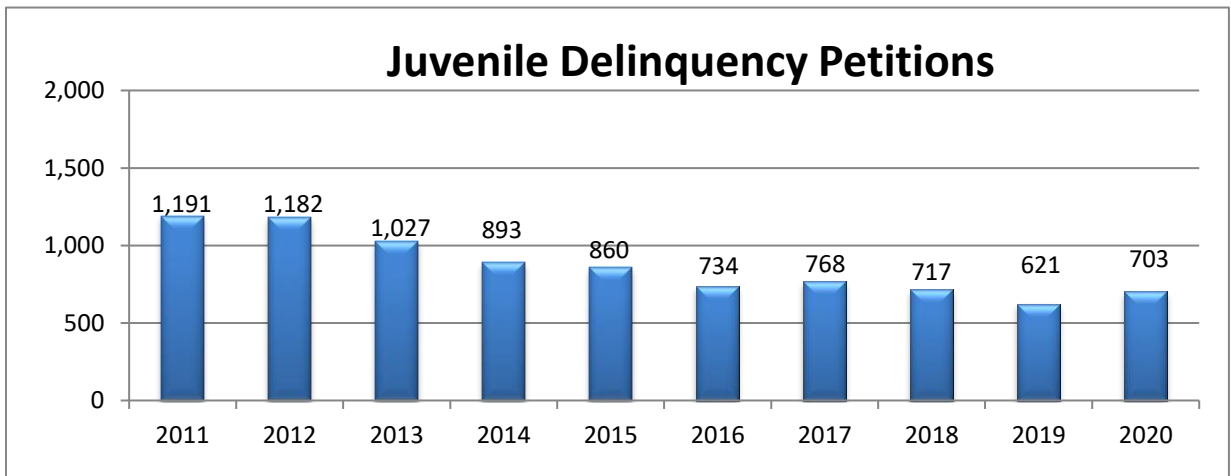
CRIMINAL CASELOAD



Adult Felony Cases: 2019: 1,264 2020: 1,214 4.0% decrease

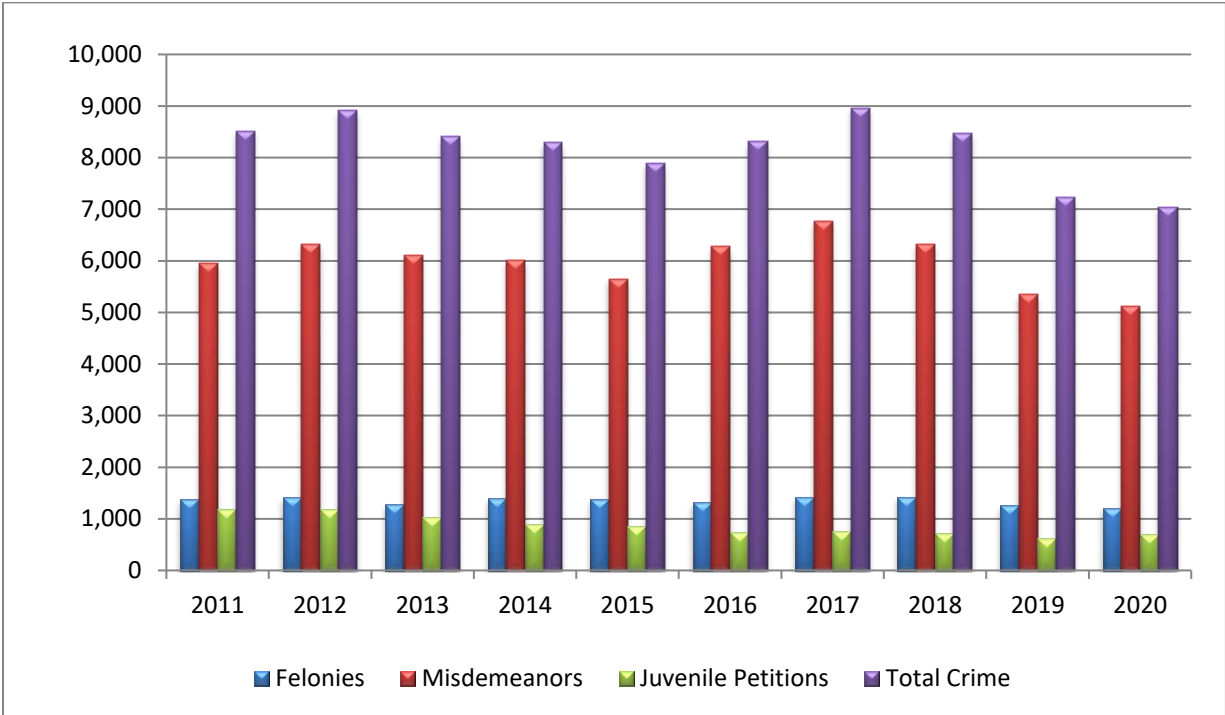


Adult Misdemeanors: 2019: 5,346 2020: 5,117 4.3% decrease



Juvenile Delinquency: 2019: 621 2020: 703 13.2% increase

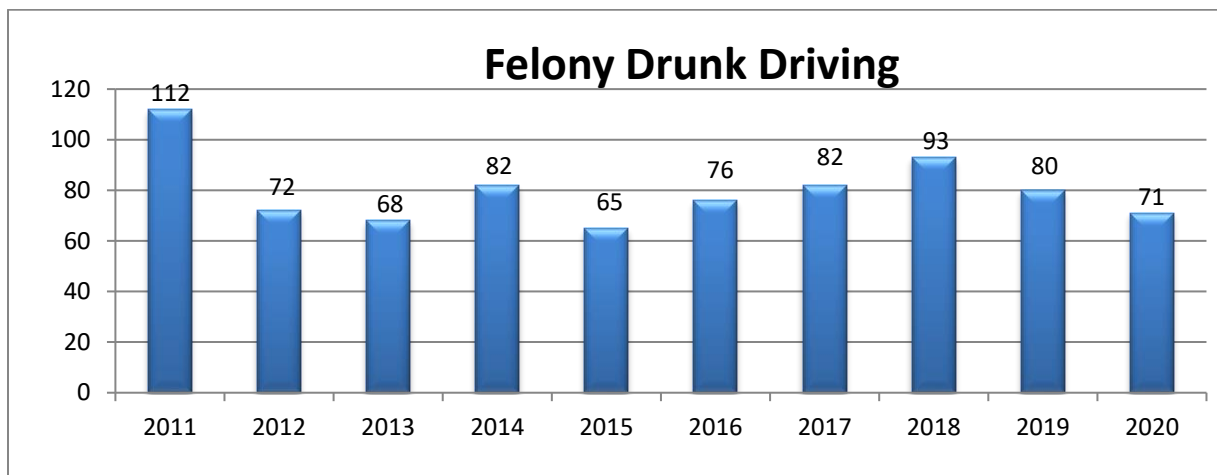
TOTAL CRIME STATISTICS



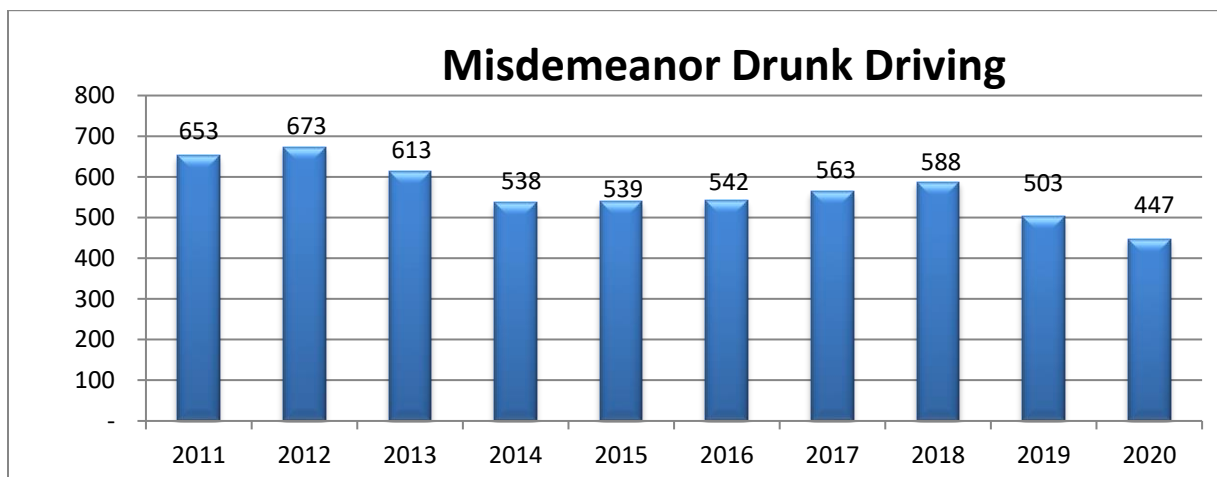
Total Crime (combined): 2019: 7,231 2020: 7,034 2.7% decrease

CRIME CATEGORIES

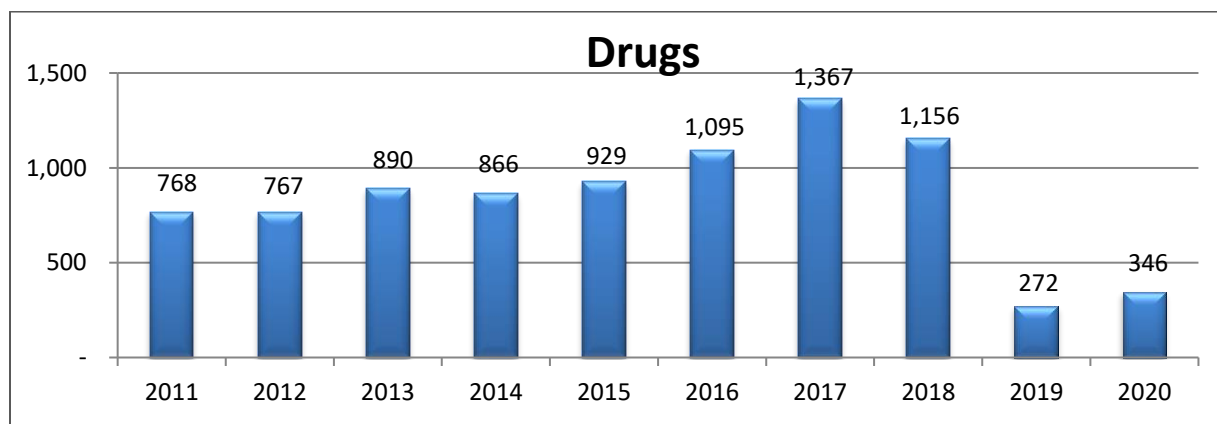
All categories reported for adult crime data only.



Felony Drunk Driving: **2019: 80** **2020: 71** **11.3% decrease**



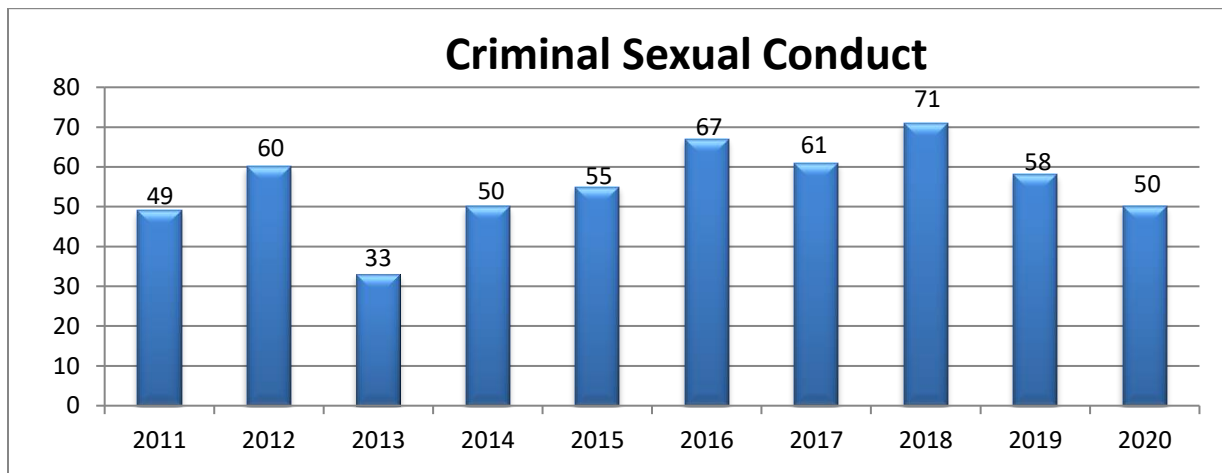
Misdemeanor Drunk Driving: **2019: 503** **2020: 447** **11.1% decrease**



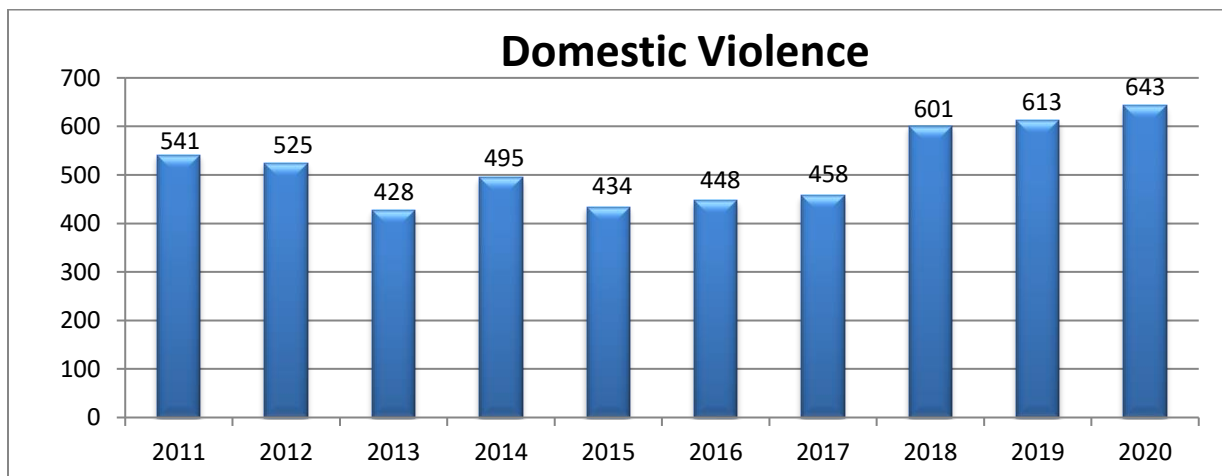
Drug Cases: **2019: 272** **2020: 346** **27.2% increase**

*Marijuana was legalized in Michigan in November 2018.

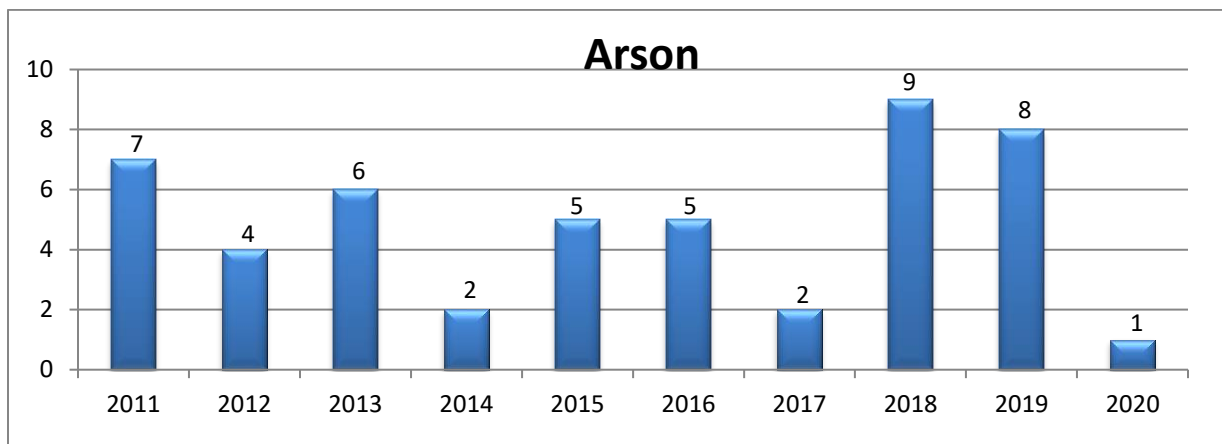
CRIME CATEGORIES CONTINUED



Criminal Sexual Conduct: **2019: 58** **2020: 50** 13.8% decrease

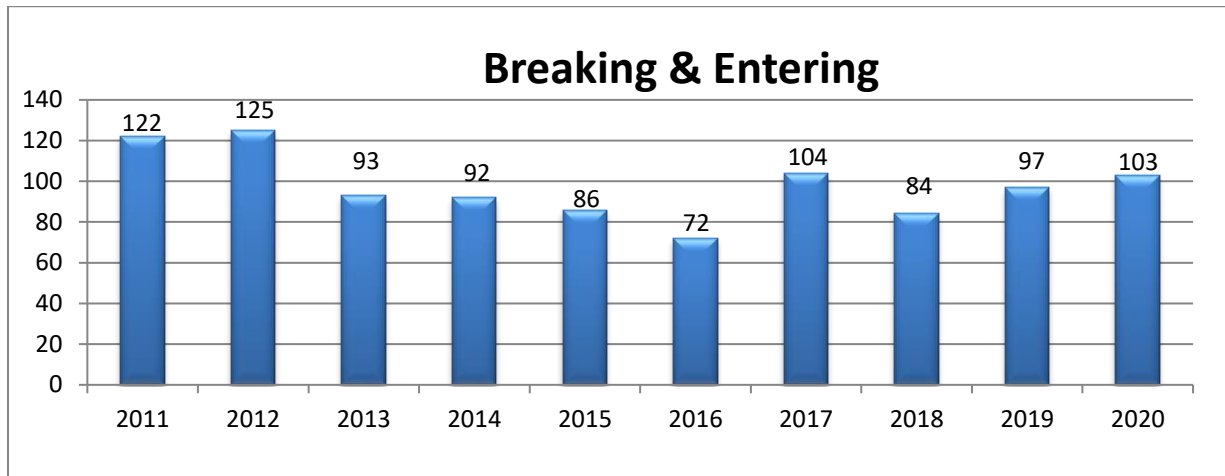


Domestic Violence: **2019: 613** **2020: 643** 4.9% increase

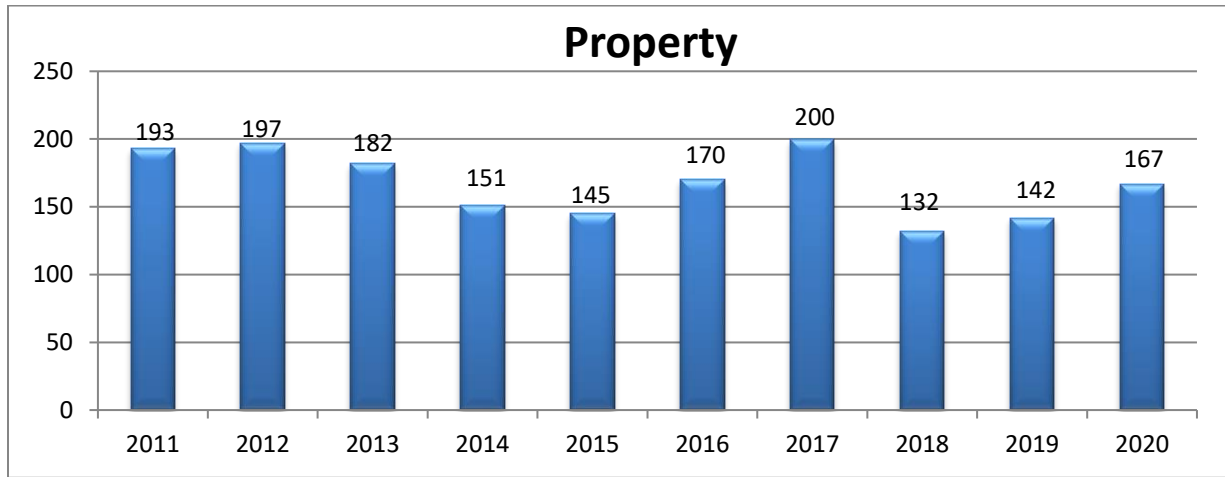


Arson: **2019: 8** **2020: 1** 87.5% decrease

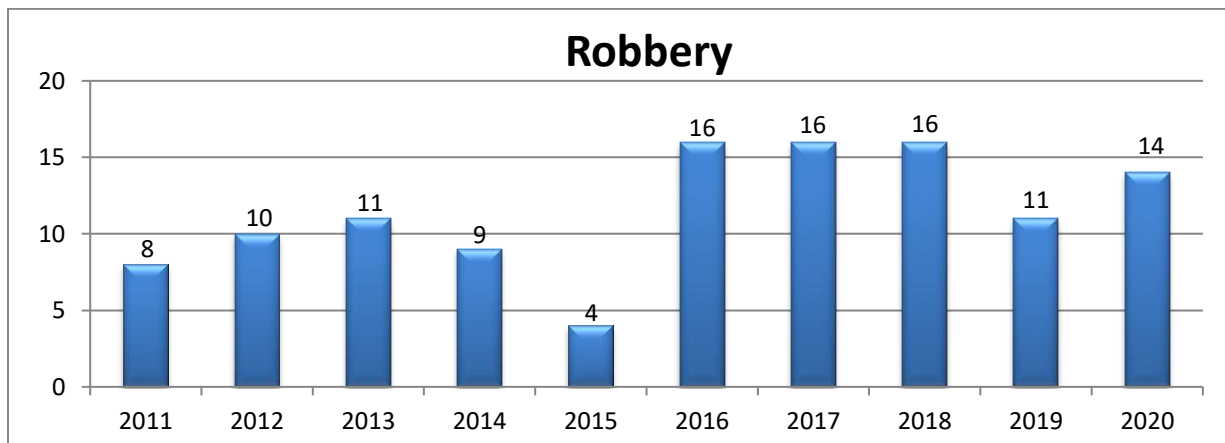
CRIME CATEGORIES CONTINUED



Breaking & Entering: **2019: 97** **2020: 103** 6.2% increase

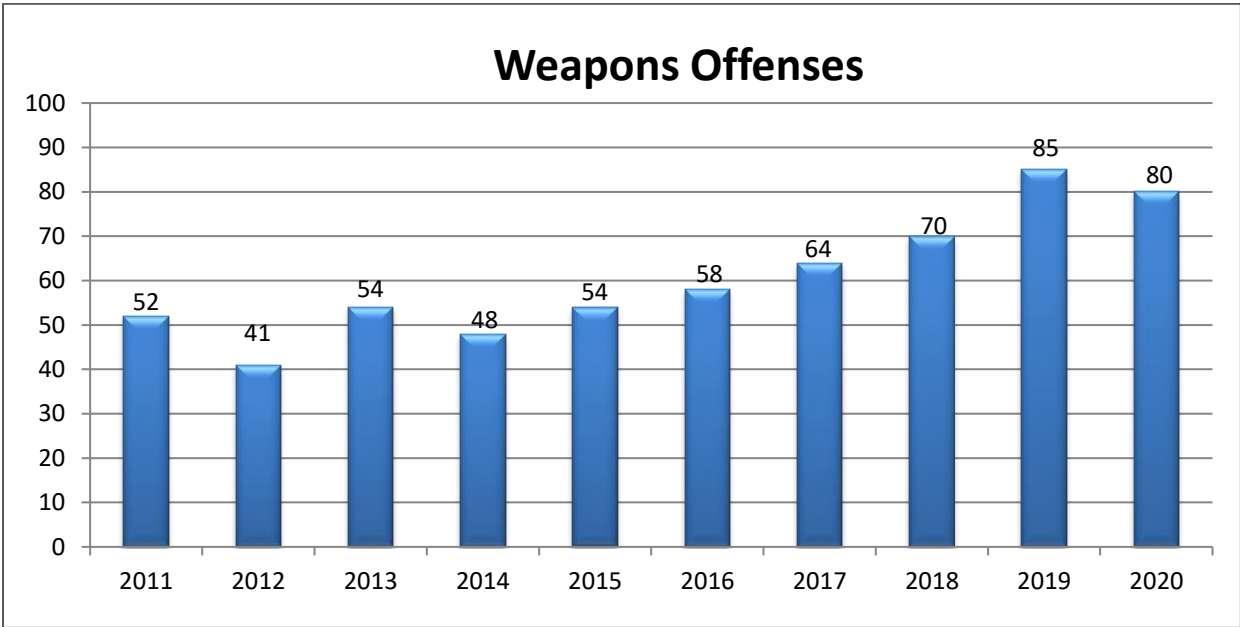


Property: **2019: 142** **2020: 167** 17.6% increase



Robbery: **2019: 11** **2020: 14** 27.3% increase

CRIME CATEGORIES CONTINUED



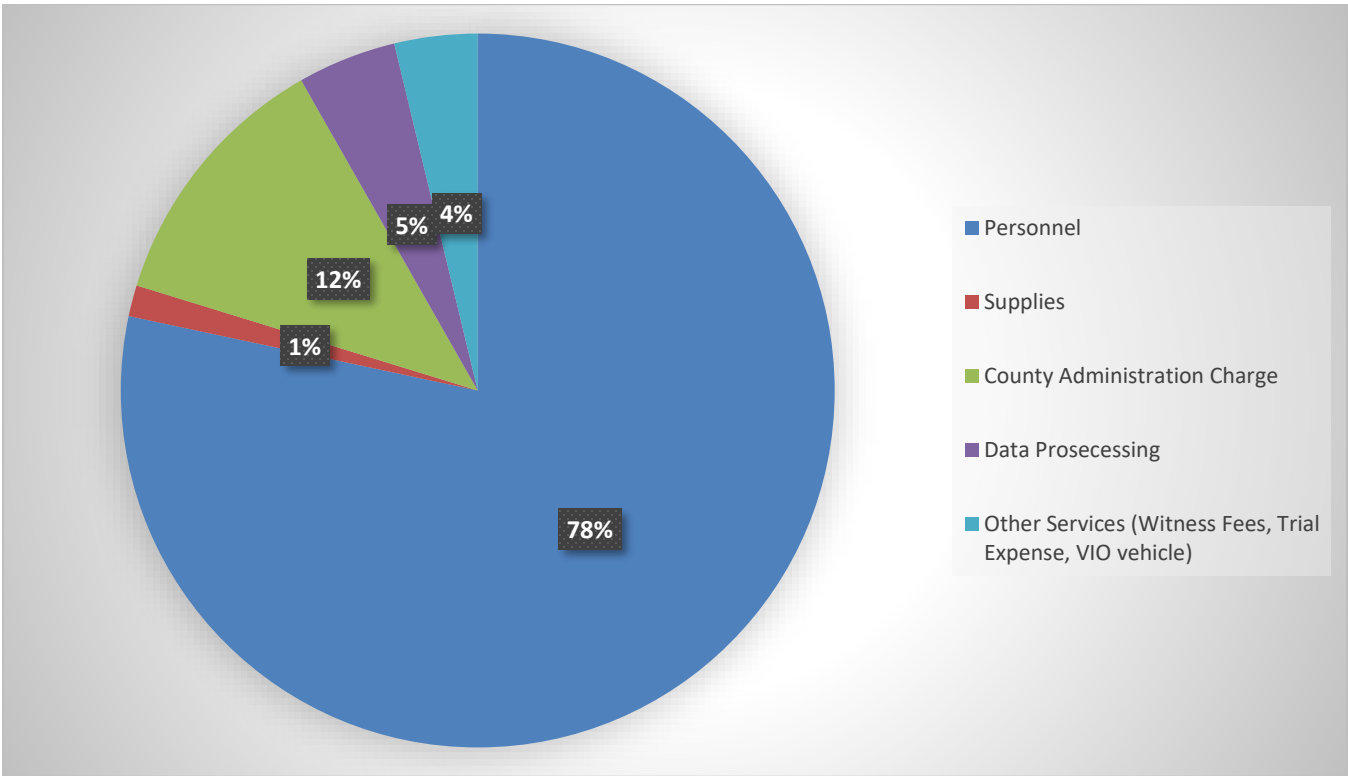
Weapons Offenses: **2019: 85** **2020: 80** 5.9% decrease

ADDITIONAL STATISTICS

Category	2019	2020	% Change:
Criminal Division:			
Felony Trials			
Jury:	9	4	(55.6%)
Non-Jury:	1	0	(100%)
Misdemeanor Trials			
Jury:	17	24	41.2%
Non-Jury:	14	11	(21.4%)
Civil Infraction Non-Jury Trials	778	678	(12.9%)
Family Division:			
Abuse/Neglect			
Jury:	1	1	NC
Non-Jury:	29	46	58.6%
Appeals Filed:			
Applications for Leave to Appeal:			
	11	15	36.4%
Appeals Pending Decision:			
	46	33	(28.3%)
Parole Reviews:			
	21	8	(61.9%)
Child Abuse & Neglect Cases:			
	91	102	12.1%
Crime Victim's Rights			
Felony			
	76	71	(6.6%)
Misdemeanor			
	801	762	(4.9%)
Juvenile			
	948	1,039	9.6%
Extraditions (Governor's Warrants):			
	336	289	(14.0%)
	2	0	100%
Contested Mental Hearings & Guardianship Hearings:			
	30	30	NC
Civil Infractions:			
	10,227	8,764	(14.3%)
Violation of Personal Protection Order Hearings:			
	36	28	(22.2%)
Requests for Warrant Authorization (Returned for more investigation or denied):			
	2,753	2,735	(0.7%)

BUDGET

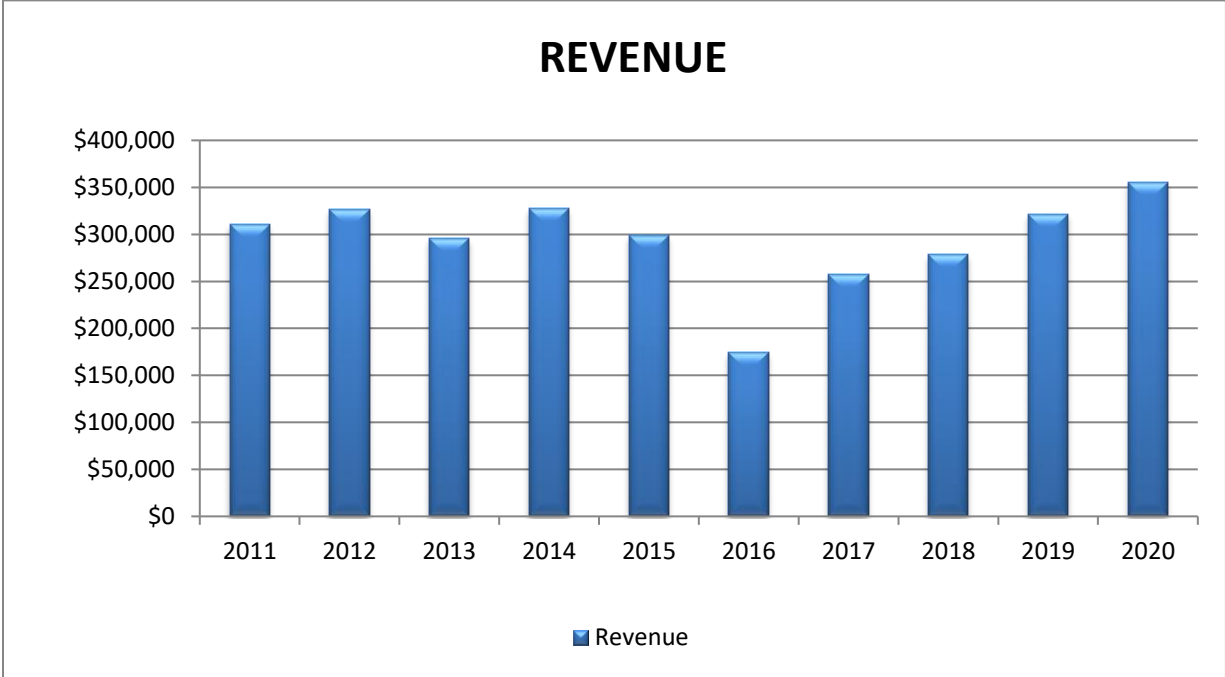
Annual Expenses 2020



Total Budget:	2019	2020	% change
Annual total:	\$3,974,970	\$4,332,648	9.0%

REVENUE

The Prosecutor’s office revenue consists of state funding via grants, contracts, and cost reimbursement. Services include Crime Victim’s Rights, legal services provided to the Department of Human Service in child abuse and neglect matters, food stamp fraud prosecution, driver’s 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 county ordinance.



<u>Revenue:</u>	<u>2019</u>	<u>2020</u>	<u>% change</u>
Annual total:	\$323,801.27	\$355,170.00	9.7%

<u>Prosecutor Revenue:</u>	<u>2019</u>	<u>2020</u>
Crime Victim’s Rights	\$223,613.13	\$250,415.00
DHS Contract	55,979.20	68,378.79
OWI Reimbursement	40,054.44	30,707.46
Allegan Reimbursement	1,643.25	5,668.75
Driver License Hearings	520.00	0.00
Food Stamp Fraud	191.25	0.00
Miscellaneous	<u>1,800.00</u>	<u>0.00</u>
Total Revenue	\$323,801.27	\$355,170.00

The activities and programs of this department are brought to you by the members of the Ottawa County Board of Commissioners.

District 1	Francisco C. Garcia
District 2	Joe Baumann
District 3	Doug R. Zylstra
District 4	Allen Dannenberg
District 5	Randall J. Meppelink
District 6	Kyle J. Terpstra
District 7	James Holtvluwer
District 8	Greg J. DeJong
District 9	Philip D. Kuyers
District 10	Chair Roger A. Bergman
District 11	Vice Chair Matthew Fenske