

1. 8:00 A.M. 10-30-19 Packet

Documents:

10-30-19 PACKET.PDF

## **GRAND TRAVERSE COUNTY BOARD OF COMMISSIONERS STUDY SESSION**

Wednesday, October 30, 2019 @ 8:00 a.m.  
Governmental Center, 2<sup>nd</sup> Floor Commission Chambers  
400 Boardman, Traverse City, MI 49684

The Purpose of this Study Session is for continued discussion regarding the 2020 budget.

General Meeting Policies:

- ❖ Please turn off all cell phones or switch them to silent mode.
- ❖ Any person may make a video, audio or other record of this meeting. Standing equipment, cords, or portable microphones must be located so as not to block audience view.

If you need auxiliary aid assistance, contact 231-922-4760.

**CALL TO ORDER:**

1. **OPENING CEREMONIES, EXERCISES, OR INVOCATION** (Brad Jewett)  
(If the opening ceremonies include an invocation, the invocation should precede all other ceremonies, such as the singing of the National Anthem or Pledge of Allegiance, and shall be done in accordance with an invocation policy as adopted by the Board of Commissioners.)
2. **ROLL CALL:**
3. **FIRST PUBLIC COMMENT**

Any person shall be permitted to address a meeting of the Board of Commissioners which is required to be open to the public under the provisions of the Michigan Open Meetings Act. Public Comment shall be carried out in accordance with the following Board Rules and Procedures:

Any person wishing to address the Board shall state his or her name and address.

No person shall be allowed to speak more than once on the same matter, excluding time needed to answer Commissioners' questions, if any. The Chairperson shall control the amount of time each person shall be allowed to speak, which shall not exceed three (3) minutes. The Chairperson may, at his or her discretion, allow an additional opportunity or time to speak if determined germane and necessary to the discussion.

Public comment will be solicited during the two public comment periods noted in Rule 5.4, Order of Business. However, public comment may be received during the meeting when a specific agenda topic is scheduled for discussion by the Board. Prior to the first public comment, the Chairperson will indicate the topics on the agenda for which public comment will be accepted. Members of the public wishing to comment should raise their hand or pass a note to the clerk in order to be recognized, and shall not address the board until called upon by the chairperson. Please be respectful and refrain from personal or political attacks.

4. **RECOMMENDED 2020 BUDGET DISCUSSION:**
  - a) Sheriff's Office Presentation ..... 2
  - b) Prosecuting Attorney's Presentation..... 17
  - c) Family Court Request ..... 41
  - d) Board of Commissioners Budget Information ..... 42
5. **SECOND PUBLIC COMMENT** (Refer to Rules under Public Comment/Input above.)
6. **ADJOURNMENT**

## Action Request



Meeting Date:	10/30/2019		
Department:	Sheriff's Office	Submitted By:	Capt. Chris Clark
Contact E-Mail:	<a href="mailto:cclark@gtsheriff.org">cclark@gtsheriff.org</a>		
Contact Telephone: 231-995-5045			
Agenda Item Title: Sheriff's Office 2020 Budget personnel request			
Estimated Time:	60 (in minutes)	Laptop Presentation: <input checked="" type="radio"/> Yes <input type="radio"/> No	

### Summary of Request:

The Sheriff's Office would like to present to the Board of Commissioners the personnel request for the 2020 Budget. This request was for two positions (Sergeant and Deputy). These two positions along with existing positions would staff a Interdiction Team. This Team was developed in 2016 after the Sheriff's Office noted an increase in Larceny crimes, Drug crimes and Overdose Cases as a responsible preemptive effort to reduce crime, deter crime and arrest criminals. Previous personnel requests addressed the increase in the County population and increase in Sheriff's Office calls for service. This personnel request proactively focuses on Drug crimes, Property crimes and Traffic Crash reduction to improve the quality of life in Grand Traverse County. This Team has been operating on a part-time basis and has been an effective resource for the Sheriff's Office, Townships and residents with troubled areas. Attached is original 2020 Budget request memorandum and Powerpoint.

### Suggested Motion:

Approve funding of the two positions

### Financial Information:

Total Cost:	\$169,792.02	General Fund Cost:	N/A	Included in budget:	<input checked="" type="radio"/> Yes <input type="radio"/> No
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If not included in budget, recommended funding source:

Submitted in Budget request and not included in Recommended Budget

This section for Finance Director, Human Resources Director, Civil Counsel, and Administration USE ONLY:

<b>Reviews:</b>	Signature	Date
Finance Director		
Human Resources Director		
Civil Counsel		
<b>Administration:</b>	<input checked="" type="checkbox"/> Recommended	Date:
<u>Miscellaneous:</u>		

**Attachments:** N/A

Attachment Titles:



# GRAND TRAVERSE COUNTY SHERIFF'S OFFICE

Thomas J. Bensley, Sheriff • Michael Shea, Undersheriff

## *Administration*

851 Woodmere Avenue, Traverse City, MI 49686-3349 • (231) 995-5000 • FAX (231) 995-5010

## *Corrections*

320 Washington Street, Traverse City, MI 49684-2583 • (231) 922-4530 • FAX (231) 922-4415

TO: Finance Committee  
FROM: Captain Chris Clark  
RE: **2020 BUDGET REQUEST FOR FTEs**  
DATE: May 21<sup>st</sup> 2019

In 2017, the Sheriff's Office requested five additional FTEs to meet the increasing demands on law enforcement by the citizens and visitors of Grand Traverse County.

In past budget requests I have requested additional FTEs. In 2018 the Sheriff's Office provided a plan for the request to increase staff with two Deputies in 2018, one in 2019 and two in 2020. That request was denied.

For the 2019 Budget, the Sheriff's Office requested one Sergeant and four Deputy Positions for a fulltime Interdiction Team.

Years prior the Sheriff's Office (Patrol Division) has requested between one and three additional FTEs. Each year the request has been denied.

In **2003** we had **68 sworn** and now in **2019** we have **67 sworn** with Garfield Township contracting for an additional CPO.

As indicated in earlier budgets, the Sheriff's Office calls for service from 2003 to 2018 have almost doubled; however Ms. Lannoye indicated in her September 2016 audit report of the Sheriff's Office that this may not be best or only way to determine work load.

I would like to refer to additional comments made by Ms. Lannoye in her audit in relation to population of the county. Ms. Lannoye refers to using the measurement of 1 officer per 1000 residents. In 2000, the population was 77,654. In 2015, the population increased to 91,636. A 2018 Ticker article indicated there were 3.2 million visitors to Traverse City in 2017.

Counties used as comparables to Grand Traverse County in the past have been Allegan, Bay, Eaton, Lapeer, Lenawee, Midland and VanBuren. These counties are not similar to Grand Traverse County due to the fact that many of these counties have between three and eight additional law enforcement departments within their jurisdiction who provide services to their residents and thereby distributing the calls for service. Grand Traverse County has the Traverse



City Police Department who provide services to the City of Traverse City and the Sheriff's Office who provide services to the County. There is currently no other consistent law enforcement agencies within Grand Traverse County. The Michigan State Police Post is in Cadillac and the State Police that do, on occasion, patrol our area come from Cadillac.

For 2020, instead of requesting additional staff to meet the increasing calls for service and population increase I am providing a request for one Sergeant and one Deputy to proactively address crime (a fulltime Interdiction Team). The Sheriff's Office began an Interdiction Team in 2016 after noticing an increase in Larceny crimes, Drug crimes and Overdoses the previous years.

This Team was a responsible concept in which the Team operated on a call in/overtime basis to deter crime, displace crime and arrest criminals. The Team proactively focuses on Drug Crimes, Property Crimes and Traffic Crash reduction to improve the quality of life in the County. The Team utilizes intelligence gathered from software, citizens and Law Enforcement.

In a 9 & 10 news article on May 14th, 2019, Michigan was ranked #2 in the Nation for having drug problems.

To date the Interdiction Team has **arrested 267 individuals, conducted 1,036 contacts and seized over 857 grams of marijuana, cocaine, crack, meth and heroin.**

The Team has also worked efficiently with the Detective Bureau, Traverse Narcotics Team, MDOC, FBI and ATF. In addition, they are utilized for search warrants so that Patrol Shift strength is not depleted. The Team has also conducted enforcement in high traffic crash areas, Warrant Sweeps and Retail Fraud/Shoplifting Stings.

Grand Traverse County has not invested in additional FTEs for many years. Thankfully, through the township contracts for community police officers, technology, streamlining efficiencies, implementing sound policies and procedures additional work load has been somewhat manageable; however, in order to provide safe, proactive law enforcement services to the citizens and visitors of Grand Traverse County, additional FTEs are necessary.

I look forward to discussing this plan with you in upcoming budget proposal meetings. In addition to this request letter is accompanying graphs and charts.



**NOELLE R. MOEGGENBERG  
PROSECUTING ATTORNEY**

324 COURT STREET  
TRAVERSE CITY, MICHIGAN 49684-9958  
(231) 922-4600 • FAX (231) 922-4698

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October 25, 2019

To Whom It May Concern:

The Grand Traverse County Sheriff's Office Interdiction Team was implemented in 2016. Since that time, it has been critical in providing proactive efforts to reduce crime in areas of our county experiencing increased criminal activity. While the progress that team has made is undeniable, to truly realize the benefits of such a team, it needs to be running full time.

The team focuses on preemptive efforts to reduce crime especially in the areas of drug and property crimes. The Traverse Narcotics Team (TNT), which serves Grand Traverse County, is tasked with covering seven counties. This coverage means that it is not always possible for TNT's response to be immediate. With respect to drug crimes, the Interdiction team can fill the gap between TNT and road patrol officers who do not have the time or expertise to respond to these calls. Stopping the flow of drugs into our county before it is distributed to users should be a priority.

The ability of the team to focus on an area hit by crime, keep residents and their property safe and deter crime is unique and not a task that can be accomplished by road patrol. A full time team would also allow road patrol to focus on traffic, and it would reduce the number of calls to which they must respond. It is not at all uncommon for road patrol to go from call to call. This sometimes means responding to the next call before completing an investigation. In many cases, evidence not immediately collected or witnesses not interviewed at the first response are important aspects of the case that cannot be obtained later. Conducting further investigation at a later date causes more work in the long run and does not produce the same results.

Based on the results that my office has seen since 2016, I am writing in hopes that you will amend the 2020 budget to make a full time Interdiction Team possible.

Sincerely,

A handwritten signature in black ink, appearing to read "Noelle R. Moeggenberg".

Noelle R. Moeggenberg  
Prosecuting Attorney



## Traverse Narcotics Team

218 West 14<sup>th</sup> Street  
Traverse City, MI 49686  
(231) 922-0993 North / (231) 779-6008 South



October 21, 2019

Board of Commissioners  
Grand Traverse County  
400 Boardman Avenue, Suite 305  
Traverse City, Michigan 49684

Dear Commissioners,

As you may be aware, Traverse Narcotics Team (TNT) is a multijurisdictional task force staffed by a combination of state, county, local, and federal law enforcement officers. Our service area covers eight counties of northern lower Michigan, including Grand Traverse County.

With evidence-based information, we develop team strategies and deploy our resources to combat emerging and current threats in the region. Cultivating and using data provided by our team members and our partner agencies allows us to provide very specialized investigative services to communities we serve, and lessen the scourge caused by chemical drug distribution.

We support the Grand Traverse County Sheriff's request to increase to full time their Interdiction Team. This specialized team provides patrol and enforcement in the areas of criminal activity directly correlated to illegal drug trafficking. Team expansion would allow for surveillance work in relation to theft crime investigations, such as larcenies and residential burglaries, and better handling of traffic enforcement issues in areas experiencing increased speed and crash problems.

Expanding this part-time asset to full-time will provide the Grand Traverse area, and its surrounding communities, with an excellent resource to address existing and incoming threats from narcotics and other general crimes. The Interdiction Team has consistently complemented the efforts of TNT by gleaning street-level drug information from its traffic stops and providing it to TNT detectives for enhanced investigative efforts. Our belief is this professional relationship would continue.

Traverse Narcotics Team values our partnership with the Grand Traverse County Sheriff's Office, and we are grateful for their continued willingness to coordinate efforts with their partner agencies in sharing intelligence, best practices, and ensuring public safety. We urge the Board of Commissioners to evaluate the Interdiction Team request on its merits and recognize the urgent needs it addresses.

Sincerely,

Capt. James Bussell  
Board Chairman, Traverse Narcotics Team



## Grand Traverse County Drug Free Coalition

October 23, 2019

Grand Traverse County  
Drug Free Coalition Board

Dear Grand Traverse County Sheriff's Office:

I write on behalf of the Grand Traverse County Drug Free Coalition Board in support of the Grand Traverse County Sheriff's Office plan to request additional staff in order to move the Interdiction Team into full time status.

As a team that has proactively focused on drug crimes, poverty crimes, and traffic crash reduction to improve the quality of life of the citizens and visitors of Grand Traverse County, we support the request for two additional personnel so that the Interdiction Team can turn into a full time asset in our community.

Sincerely,

*Lauren Reed*

Lauren Reed, MPH  
Coordinator  
Grand Traverse County Drug Free Coalition

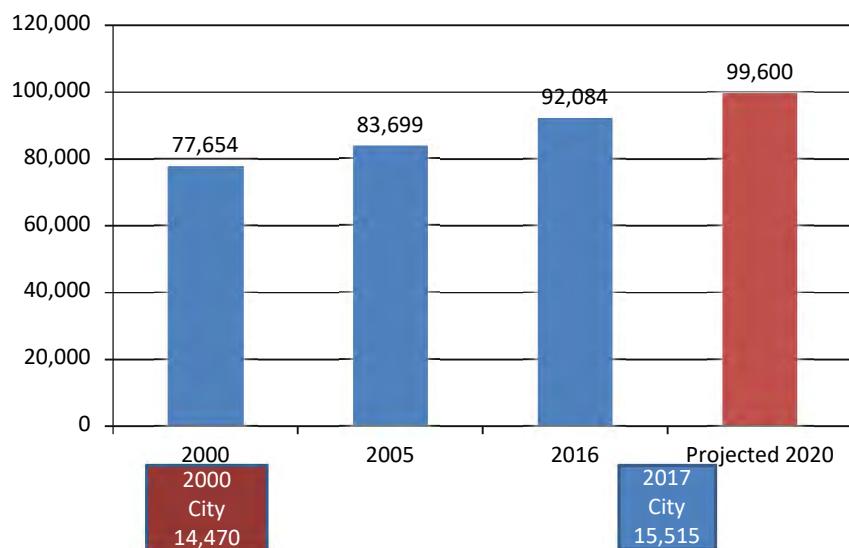
## Sheriff's Office Interdiction Team



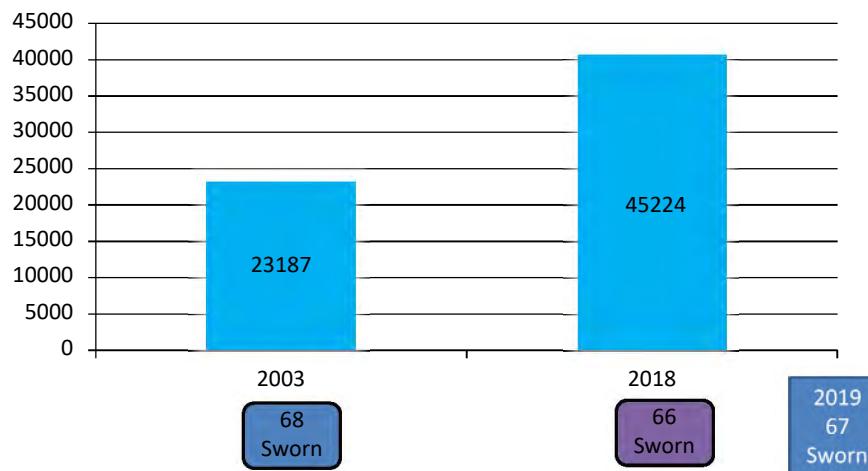
### **Mission Statement Of The Grand Traverse Sheriff's Office**

**The Grand Traverse County Sheriff's Office will provide the highest quality of public service and safety in order to preserve, protect, and defend the rights of the citizens and visitors of Grand Traverse County.**

### **Grand Traverse County Population**



## 2003 to 2018 Calls for Investigation/Service Increase of calls



## Patrol Division Staffing 56 Total

- **34 County Funded**
  - 1 Captain
  - 1 Lieutenant
  - 7 Sergeants
  - 25 Deputies
- **21 Township Funded**
  - 1 Lieutenant
  - 20 Deputies
- 1 Deputy funded by Secondary Roads State Grant

TCPD  
Patrol  
approx.  
22 Sworn

## Law Enforcement Activity Time

- Traffic Patrol
- Criminal Complaints
- Residential Patrol
- Civil Dispute
- Traffic Crash
- Suspicious Situation
- Warrant Attempts
- 2016-58,966 hours
- 2017-62,776 hours
- 2018-64,616 hours

2014 to 2018  
Increase of 300  
Warrants submitted  
to PAO by GTSO

3 year increase of  
Law Enforcement  
Time 5,650 hours

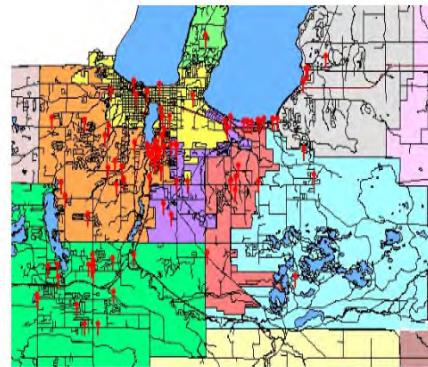
## Interdiction Team

### 1 Sgt. And 3 Deputies

- Team started in 2016 after noting an increase in Larceny, Drug Crimes and Overdose cases as a responsible preemptive effort to reduce crime, deter crime and arrest criminals.
- Team currently operates on a call-in/part time basis. Primarily all responses and details are uniformed.
- Proactively focuses on Drug Crimes, Property Crimes and Traffic Crash reduction to improve the quality of life in the county.
- Effective resource for Residents and Township CPOs with trouble areas.

## Method of Operation

- Team utilizes the following information for proactive enforcement.
- Police reports
- Intelligence Lead Policing
- Tips
- Informants
- Crime Mapping
- T.N.T.



## Training Received

- Criminal Patrol/Drug Interdiction
- Advanced Vehicle Contraband
- Advanced Roadside Interview Techniques
- Street Cops-Modern Policing
- Narcotics Enforcement/Trafficking Investigations
- Drug Interdiction & Complete Traffic Stops
- Live Scan (Mobile Fingerprint)
- Cellphone Use in Drug Trafficking Invest.
- MSP ES-High Risk Traffic Stops
- Tru Narc Drug Analyzer
- MSP Drug Raid
- Broken Window Theory and the Small Police Agency
- What Works to Reduce Crime/Fear of Crime
- Job Shadow-Kent Co. Sheriff's Dept. Interdiction Team

## Statistics 2016-2019(10/14/19)

- Contacts-1,361
- Misdemeanor Arrests-188
- Felony Arrests-114
- K9 Searches associated with Interdiction Team-134
- Assists GTSO Detectives
- Assists to T.N.T
- Assist to M.D.O.C.
- Participated in Shoplifting Detail with local stores
- Assist to A.T.F.
- Work with F.B.I.



## Total Drugs Seized 2016-2019(10/14/19)

- Crystal Meth-**787.47** grams
- One Pot Meth-**2.3** grams
- Heroin-**98.1** grams
- Crack-**121.2** grams
- Cocaine-**84.6** grams
- THC-**435.15** grams



## **Interdiction Detail Hours 2016-2019(10/14/19)**

- 2019-177
- 2018-135
- 2017- 200
- 2016-217.5
- **Total-729.5 hours**

## **Benefits**

- Highly trained cohesive Team
- Proactive and timely response to reduce victims of crimes in Grand Traverse County
- Effective Solution for heavily saturated areas of crime or traffic concern areas in Grand Traverse County

## Requested Personnel Costs

- Sergeant-\$89,191.66
- Deputy-\$80,600.36
- Total-\$169,792.02

- Tentative Start after hiring-June or July 2020

## Supporters of a Full Time Interdiction Team

- Traverse Narcotics Team Board
- Noelle Moeggenberg, Grand Traverse County Prosecutor
- Chief Jeffery O'Brien, Traverse City Police Department
- Captain Mike Caldwell, Michigan State Police
- Grand Traverse County Drug Free Coalition
- Special Agent Garrett Croon, Federal Bureau Investigation

## Supporters of a Full Time Interdiction Team

- Special Agent Bruce Cain, Homeland Security Investigation
- Jason Torrey, Director of Grand Traverse County Central Dispatch
- Tom Chapman, M.D.O.C. Parole/Probation

## Letters of Support

- Traverse Narcotics Team
- Grand Traverse County Drug Free Coalition
- *Interdiction Team listed as resource in recent Grand Traverse County Substance Use Assessment conducted by Northern Michigan Public Health Alliance*

## Questions

Interdiction Team Tipline-231-995-5050





**NOELLE R. MOEGGENBERG  
PROSECUTING ATTORNEY**

324 COURT STREET  
TRAVERSE CITY, MICHIGAN 49684-9958  
(231) 922-4600 • FAX (231) 922-4698

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Memorandum

TO: County Commissioners  
FROM: Noelle Moeggenberg, Prosecuting Attorney  
DATE: October 24, 2019  
RE: Additional Staffing for the Prosecutor's Office

As you are aware I am asking that an additional Assistant Prosecuting Attorney, level I, be added to the staffing plan for the Prosecuting Attorney's Office for 2020. I am aware that the commissioners have requested that budgets be drafted based on current service levels and I want to assure you that this is what I have done.

I am looking for ways to create greater revenue and hope to be able to speak to that on Wednesday, October 30<sup>th</sup>. However, as a public safety office, with statutorily mandated duties, it is not practical or possible that staffing plans be created based on our ability to generate revenue. However, with several experienced attorneys leaving the office, an APA I could be added without increasing the personnel budget from 2019.

There are currently seven attorneys, myself included. This is the same number that the office had in August of 1998 when a seventh attorney was added. We did go down to six attorneys for several years from approximately 2009 to 2013. During part of that time, we had an Assistant Attorney General in our office who worked under a VAWA grant.

Since 1998, the population of the county has increased by more than \$12,000. Additionally, numerous treatment courts have been implemented. With advances in technology, the complexity of cases has increased significantly. Finally, the state is now spending significantly increased amounts on defending the indigent through the Michigan Indigent Defense Commission and we are left to compete without additional funds or staffing.

**TREATMENT COURTS/RESTORATIVE JUSTICE**

The following treatment courts have been implemented over the years.

1. Sobriety Court was implemented in 2001. This Court was expanded in 2010 to include not only OWI 2<sup>nd</sup> cases, but also felony OWI3rds. The Office of the Prosecuting Attorney is the initial gatekeeper for prospective members, participates in team meetings and review hearings and determines whether or not an individual charged with a felony may have the conviction reduced to a misdemeanor.
2. Domestic Violence Court was implemented in 2002. This Court which takes place on Thursday mornings makes the court process more available to victims and allows offenders to receive treatment. The cases require more attention from the APA and victim advocate to see that these goals are met.

3. Drug Court was implemented in 2018 in response to the Opioid crisis. The Prosecutor serves as the initial gatekeeper and works with the multi-disciplinary team to review cases on a weekly basis prior to review hearings.
4. Community Outreach Court, implemented in 2017 is aimed at providing assistance to those whose primary concern is homelessness. This Court occurs every other week and takes place in the community.
5. Probate Behavior Treatment Court which started in 2011 meets twice a month and provides a very intense experience for children who are suffering from a mental illness and for whom typical juvenile probation is not likely to be successful. The program also involves a counseling component for the parents. Review hearings take place twice a month and last approximately an hour.
6. Veteran's Treatment Court: starting unofficially now; will help coordinate Veterans involved in the court system with benefits available through Veteran's Affairs. Each defendant's probationary term must be specifically tailored based on the benefits available, type of case and their substance abuse and /or mental health needs.

While each of these treatment courts offers a significant value to the county as they reduce addiction, recidivism and the jail population as well as lead to an overall healthier population, these courts require additional work from the Prosecuting Attorney's office. Training is also necessary, not only so that we can effectively participate, but so the treatment courts can maintain their accreditation and continue to receive grant funds.

All of these Courts except for Domestic Violence Court are only possible if the Prosecutor's Office signs an MOU and actively participates.

#### **MIDC**

MIDC attorneys now appear at all arraignments. As the arraignment is the time for setting bond and bond conditions, it is therefore important for a prosecutor to be present as well. Depending on the day, this process can take anywhere from one to three hours.

In addition to attending arraignments because defendants are represented, there is now a movement in the state to reduce pretrial incarceration. This is not a bad idea if we can reduce pretrial incarceration while ensuring the safety of the public and the victims. However, when someone with crystal meth and firearms is let out on PR bond, our community is not safe. Our office needs to be present to argue for appropriate bonds and bond conditions like GPS tether in violent offenses, no contact provisions with victims and co-defendants.

This movement toward lower bonds has made it necessary for us to file motions to amend bond. There are numerous examples of individuals charged with serious sexual assault charges or delivery of drug charges where PR or low bonds were given. This has resulted in several defendants failing to appear for Court.

MIDC also allows more liberal spending for defense experts and sets additional standards for defense counsel that often require more work for this office. Additional motions are filed, more experts are consulted and there are more trials. Without an additional APA, it will be extremely difficult, if not impossible, to continue to take part in the restorative justice programs offered by the Court, attend all hearings, and to adequately and appropriately review warrants and prepare cases for court.

While the state is paying for MIDC, prosecutor's offices are expected to react to the additional workload with no additional funding. Several counties throughout Michigan have been given increased budgets by their boards due to MIDC.

**Court coverage:** With two District Court Judges, a Magistrate doing arraignments, a Circuit Judge, Probate Court Judge and one referee all in Court at the same time, we need six attorneys to cover. This means that if one attorney is on vacation or in training, there is no one in the office to review warrants or answer calls that come in from law enforcement or the public.

During the second week of September, we had one attorney on vacation and one in training for the new Veteran's Treatment Court. A Circuit Court trial went a day longer than expected. We literally could not cover all the Court hearings which left Judges sitting on the bench waiting for an APA so court could continue—Judges, probation officers, police officers, witnesses, defendants, recorders, corrections officers, were all at a stand-still. Unfortunately, this is not a rare occurrence.

### **TECHNOLOGY AND CASE COMPLEXITY**

Today, almost every single case we handle involves some form of electronic media evidence.

The recording of interviews has become common which means that before trial, sometimes before charging, APAs listen to interviews often in excess of one hour. If this video or audio is going to be played for the jury, it has to be redacted to comply with Court rules. This must be done by an attorney familiar with the rules; a mistake could result in a mistrial.

Almost all felony (and many misdemeanor) cases now include electronic evidence, most often in the form of cell phones. Evidence cannot be specifically extracted from cell phones, so an attorney must look through the entire contents of the phone, these are usually in the 3,000 page range and sometimes up to 10,000.

This digital evidence is often critical to a case. It is not okay for us to have evidence at our fingertips and not use it because we're too busy. It is absolutely not okay for us to have exculpatory evidence and not be aware of it. This is the concern if we do not have appropriate time to prepare cases.

Technological changes affect how we try cases as well. Preparing digital displays for trial, editing videos and audios to comply with court rules take time

We are involved in many activities outside the courtroom:

1. TBCAC—attending forensic interviews, monthly case reviews
2. Core training for LE
3. Train new LE, CPS workers, SANE how to testify
4. WRC volunteer training
5. Child Death Review quarterly
6. Vulnerable Adult task force
7. Speak at conferences
8. Hope not Handcuffs
9. Internships (high school and Law School)
10. Policy review and advise for law enforcement

Without an additional APA, our office will be forced to cut some of the services we now provide to the community in order to focus on continuing to effectively prosecute cases.

District Judges

**ROBERT A. COONEY**  
(231) 922-4543

**MICHAEL S. STEPKA**  
(231) 922-4579



**STATE OF MICHIGAN**  
**86th Judicial District Court**  
GRAND TRAVERSE - LEEFLANAU - ANTRIM COUNTIES

**GRAND TRAVERSE COUNTY**  
280 Washington Street, STE. 121  
Traverse City, Michigan 49684  
(231) 922-4580  
Fax (231) 922-4454  
Probation Fax (231) 922-6889

**LEELANAU COUNTY**  
8527 E. Government Center Dr., STE. 201  
Suttons Bay, Michigan 49682  
(231) 256-8250  
Fax (231) 256-8275

**ANTRIM COUNTY**  
P.O. Box 597  
Bellaire, Michigan 49615  
(231) 533-6441  
Fax (231) 533-6322  
Probation (231) 533-6822

October 21, 2019

**VIA INTEROFFICE MAIL**

Grand Traverse County Commissioners  
400 Boardman Avenue  
Suite 305  
Traverse City, MI 49684

Re: Prosecuting Attorney's Support Letter

Dear Commissioners:

We are writing to express our support of the Prosecuting Attorney's request for an additional assistant prosecuting attorney.

As you are aware, approximately 80% of our docket is criminal cases which involve the prosecuting attorney's office. Therefore, the Prosecutor's role is necessarily wrapped up in the overall workings of the Court, just as we rely upon defense counsel. Having both prosecuting attorneys and defense attorneys available and prepared for court is essential to efficiency and good decision making.

As you are also aware, over the course of the past year, this Court has implemented a number of changes in order to comply with the requirements of the Michigan Indigent Defense Counsel Act. While the intent of that Act is aimed at improving indigent defense representation, the impact of those changes affects the court, the jail, and the prosecuting attorney's office as well in terms of increased staff time and scheduling conflicts. In response, this Court has increased the number of days/times for appearance by MIDC counsel, and submitted a grant request to the State requesting additional funds to help staff a full-time position to deal with MIDC. It is unknown whether that funding will be approved at this time.

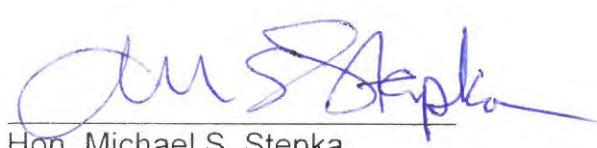
October 21, 2019

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By increasing prosecuting attorney staff, it is this Court's hope that scheduling conflicts will be reduced, such as delaying hearings so that a prosecutor can be available and so that better decisions are made. The benefits would be felt by the defense bar and jail as well.

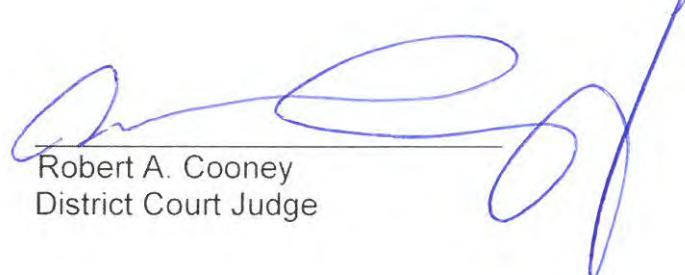
Thank you for your kind consideration of this matter.

Sincerely,



Hon. Michael S. Stepka  
Chief District Court Judge

Sincerely,



Robert A. Cooney  
District Court Judge

RC/tmo



October 24, 2019

Dear Grand Traverse County Board of Commissioners,

The definition of restoration is to return something to a former condition. Restoration is a powerful aspiration in the context of crimes against children. To believe that we might be able to set a child's life back on the unmarred trajectory upon which they were born — one full of hope, possibility, and promise — before someone decided to subvert it through their actions. Restoration is achievable when three equally significant components are delivered: **safety, justice, and healing.**

The Grand Traverse County Prosecuting Attorney's Office, Grand Traverse County Sheriff's Office, Traverse City Police Department, and Grand Traverse Department of Health and Human Services have entered into an agreement to work collaboratively to achieve restoration for the children in our community who have been harmed by abuse. By signing a Memorandum of Understanding, the various state, county, municipal, and private entities, both civil and criminal, that intersect in a case with a child victim have agreed to work in collaboration. In doing so, each entity not only achieves its individual mandate more successfully, but working in contemplation of one another ensures that each of the collective components of restoration are achieved. This collaboration, known formally as the Multi-Disciplinary Team (MDT), is housed under the umbrella of a neutral, nonprofit entity – the Traverse Bay Children's Advocacy Center.

While CACs are often known as service providers delivering a host of investigative, case management, and healing services, the facilitation and coordination of the MDT is the heart and soul of the CAC model. Yes, CACs provide forensic interviews. Yes, CACs have facilities that are welcoming for families. However, the cornerstone of the CAC model is to have a neutral party bring together the various disciplines that impact a child who has been abused to harmonize their work, as dictated by the participant-driven protocols. This allows each entity to stay focused on the nuances and critical work of its agency knowing that all three components of the restoration equation are being achieved.

To responsibly serve the children and families in Grand Traverse County, we must collectively put the MDT component front and center. Prosecutors, law enforcement officers, and child protective service workers **must be present at the time of the forensic interview and at monthly case reviews** in order for the CAC model to work. This approach enables a child to report his or her experience one time, to one person, and yet, an entire team gets their questions asked and answered. This is far less traumatizing to the child and provides sounder evidence for prosecution.

The MDT approach produces the totality of information that can be collected through diversity of perspective, approach, expertise, and opinion. Prosecutors are MDT leaders and their engagement deepens and enriches the participation of other child abuse professionals. Grand Traverse County is fortunate to have an exemplary MDT – the direct result of Bob Cooney's unwavering commitment to the CAC model and Noelle Moeggenberg's consistent presence and leadership.

I implore you to adhere to the highest standards of restoration for our children and provide resources to ensure that our Grand Traverse MDT continues to serve as a model for the region.

Sincerely,



Sue Bolde  
Executive Director

# BOARD OF COMMISSIONERS PRESENTATION

Request for Additional Assistant  
Prosecuting Attorney

**2016**

- 2350 misdemeanors
- 560 felonies

**2017**

- 2277 misdemeanors
- 483 felonies

## 2018

- 2050 misdemeanors
- 442 felonies

## 2019

- 1580 misdemeanors
- 414 felonies

Grand Traverse County Population in 1998  
approximately 80,000

Grand Traverse County Population today  
92,000

An increase of 15% and we have the  
same number of attorneys

- ▶ Juvenile Delinquent Cases
- ▶ Child Support and Paternity
- ▶ Abuse and Neglect
- ▶ Allegedly Mentally Ill Petitions
- ▶ County Civil Work

ALL OF THESE AREAS ARE ALSO AFFECTED BY  
POPULATION GROWTH

# Assistant Prosecuting Attorney, Level 1

\$69,235.56

## Revenues:

Formal Grant – Title IV-D	\$91,000
Victim Rights	\$111,773.00
Direct Service	\$5,000
4-E Program	\$93,000
Charges for services (TCPD)	\$2,000
OUIL enforcement fees	\$2,000
FOIA	\$100
Indirect	\$73,7373

## Potentials for Increased Revenue

- Negotiating for higher payments for services rendered
- Increased costs for FOIA requests
- Prosecution costs collected on OWI and DNR cases, deferred and delayed cases



## WHAT HAS CHANGED?

- 1.Treatment Courts
- 2.Complexity of Cases
- 3.Demands based on MIDC Standards

# Treatment Courts



## Behavioral Treatment Court

Probate Behavioral Treatment Court, which started in 2011, meets twice a month and provides a very intense experience for children who are suffering from a mental illness and for whom typical juvenile probation is not likely to be successful. The program also involves a counseling component for the parents. Review hearings take place twice a month and last approximately an hour.

The program focuses on treatment and rehabilitation. Parental involvement is key. The program is built on collaboration between the Judge, probation staff, defense counsel, mental health professionals, and prosecutor.



## SOBRIETY COURT

Sobriety Court was implemented in 2001. This court was expanded in 2010 to include not only OWI 2<sup>nd</sup> cases, but also felony OWI 3<sup>rd</sup>s. The Office of the Prosecuting Attorney is the initial gatekeeper for prospective members, participates in team meetings and review hearings and determines whether or not an individual charged with a felony may have the conviction reduced to a misdemeanor.



## DOMESTIC VIOLENCE COURT

Domestic Violence Court which takes place on Thursday mornings, makes the court process more available to victims and allows offenders to receive treatment. The cases require more attention from the APA and victim advocate to see that these goals are met.



## COMMUNITY OUTREACH COURT

Community Outreach Court, implemented in 2017, is aimed at providing assistance to those whose primary concern is homelessness. This Court occurs every other week and takes place in the community.

## DRUG COURT

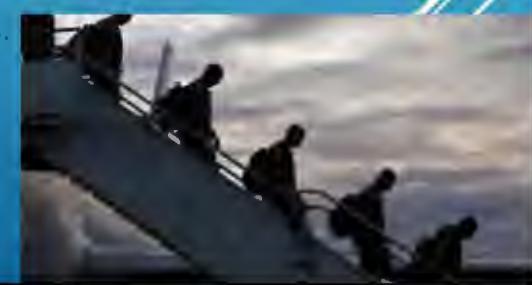


Drug Court was implemented in 2018 in response to the Opioid crisis. The Prosecutor serves as the initial gatekeeper and works with the multi-disciplinary team to review cases on a weekly basis prior to review hearings.



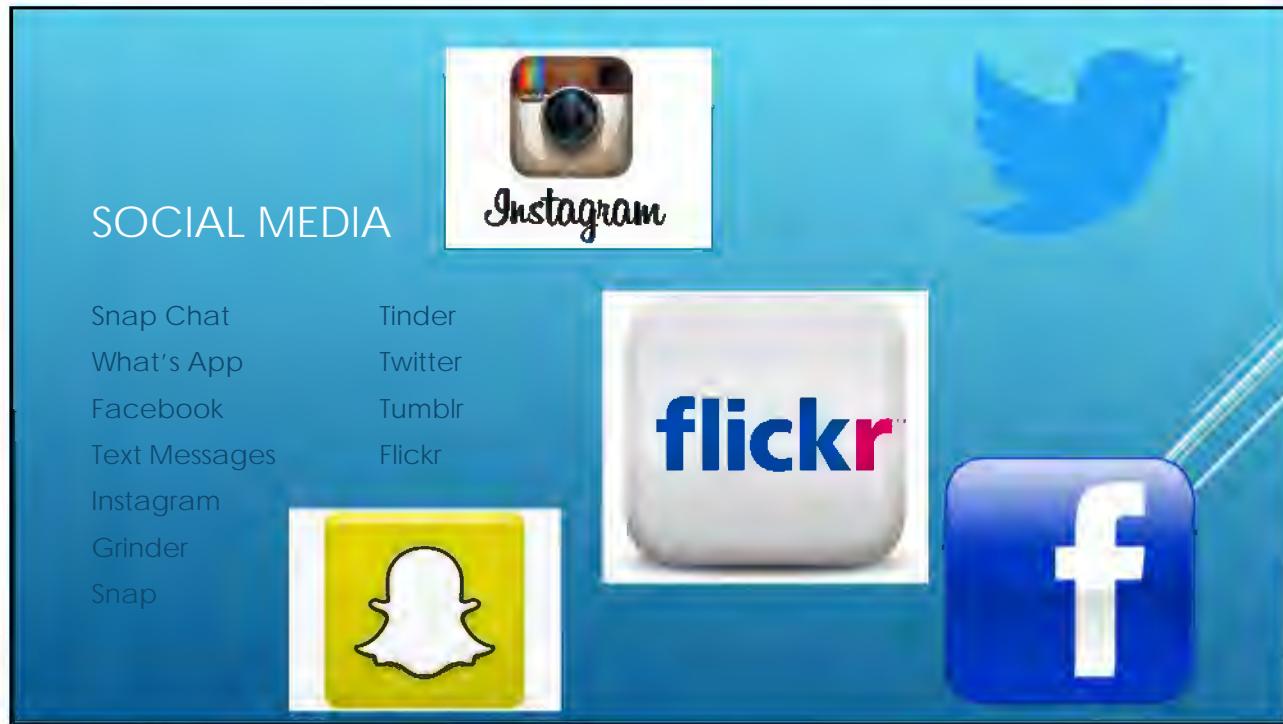
## VETERANS TREATMENT COURT

Veterans Treatment Court is a treatment court for Veterans whose involvement in the Court system is related in some way to their service. Veteran's Affairs is part of the treatment team and will help link Veterans with benefits.



- ▶ Cell Phone Downloads
- ▶ Forensic Examinations of Computer Hard Drives
- ▶ Recorded Interviews
- ▶ Recorded Phone Conversations

## CASE COMPLEXITY



- ▶ Jurors are accustomed to instantaneous delivery of information using the latest technology



- ▶ POWER POINT
- ▶ CAMTASIA
- ▶ AUDACITY
- ▶ EXHIBIT VIEW

PRESENTATION OF EVIDENCE

## ADVANCED TRAINING

### NATIONAL COMPUTER FORENSIC INSTITUTE PAAM VISUAL TRIAL SCHOOL

As trial attorneys we need to have a working knowledge of the evidence so that we know where to look for it, how to explain it to a jury and how to present it to a jury in a meaningful way that complies with the Michigan Court Rules.

## MICHIGAN INDIGENT DEFENSE COMMISSION

Arraignments  
Increased Motion Practice  
Expert Witnesses  
Investigators

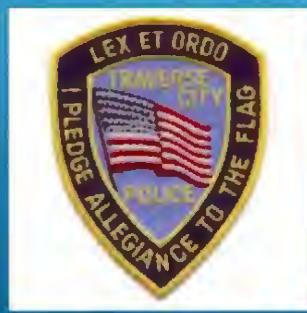
## WHAT WOULD BE GIVEN UP?

- ▶ What are the implications of our office not participating in these services?

Attending interviews &  
monthly case reviews



Core Training for Law  
Enforcement



WRC Volunteer Training  
Training SANE nurses  
Training DHHS workers on  
testifying

## COFERENCES, TRAININGS

Cops in Court:  
MSP/PAAM ARIDE trainings  
State Bar of Michigan Drugged Driving  
High School Career Day  
Michigan District Court Judges Annual Conference and  
Drugged Driving Conference  
CAC Safe Team Trainings  
Vulnerable Adult Scam Prevention

- ▶ Hope Not Handcuffs
- ▶ Drug Free Coalition
- ▶ TNT Board
- ▶ Law Enforcement/Security meetings at Munson
- ▶ Internships/Job Shadows
- ▶ Serve on Interview boards for Law Enforcement
- ▶ Child Death Review Team

### How are we maintaining current service levels to date?

- Working (Average 50+hrs/week)
- PAAM Intern (May – August)
- MIDC arraignments started in April



QUESTIONS?



## REQUEST FOR CHANGE TO STAFFING PLAN

DEPARTMENT NAME Court, Family Division  
 FUND NUMBER 101  
 DEPT. NUMBER 149

- \* All changes to staffing plans must be reviewed by County Administration and the Human Resources Director. If requesting a change to your staffing plan, please be prepared to provide additional information.
- \* Please be mindful of changes to positions covered under the terms of collective bargaining agreements.
- \* Benefits such as PTO, Longevity, Insurance, and Retirement may differ across collective bargaining agreements and employees depending upon position and hire date.

NO CHANGE TO STAFFING PLAN REQUESTED FOR BUDGET YEAR. (Check box)

## 2020 Medical Benefits Estimates:

Single	\$ 4,293
Double	\$ 10,288
Family	\$ 12,895

## SUMMARY OF FINANCIAL IMPACT:

## DELETE Positions for the Department's Staffing Plan:

Title	Grade	Step	FTE	Regular	Hourly Rate	Annual Gross	PTO 5 days assumed	Longevity	FICA (7.65%)	Medical Benefits	STD/LTD	Life Insurance	Retirement (6% assumed)	Workers Comp	Total for Position
				37.5 or 40											
	H	4	0.90	40.00	\$ 24.70	\$ 46,238.40	\$ 988.00		\$ 3,612.82	\$ 11,605.50	\$ 485.50	\$ 138.42	\$ 2,833.58	\$ 72.59	\$ 65,974.82
<i>Enter data, as needed</i>						\$ -	\$ -		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
<i>Enter data, as needed</i>						\$ -	\$ -		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
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<i>Enter data, as needed</i>						\$ -	\$ -		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
<b>TOTAL DELETIONS REQUESTED</b>			<b>0.90</b>			<b>\$ 46,238.40</b>	<b>\$ 988.00</b>		<b>\$ 3,612.82</b>	<b>\$ 11,605.50</b>	<b>\$ 485.50</b>	<b>\$ 138.42</b>	<b>\$ 2,833.58</b>	<b>\$ 72.59</b>	<b>\$ 65,974.82</b>

## ADD Positions for the Department's Staffing Plan:

Title	Grade	Step	FTE	Regular	Hourly Rate	Annual Gross	PTO 5 days assumed	Longevity	FICA (7.65%)	Medical Benefits	STD/LTD	Life Insurance	Retirement (6% assumed)	Workers Comp	Total for Position
				37.5 or 40											
<i>Judicial Assistant</i>	H	4	1.00	40.00	\$ 24.70	\$ 51,376.00	\$ 988.00	n/a	\$ 4,005.85	\$ 12,895.00	\$ 539.45	\$ 153.80	\$ 3,141.84	\$ 80.66	\$ 73,180.59
<i>Enter data, as needed</i>						\$ -	\$ -	n/a	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
<i>Enter data, as needed</i>						\$ -	\$ -	n/a	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
<i>Enter data, as needed</i>						\$ -	\$ -	n/a	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
<i>Enter data, as needed</i>						\$ -	\$ -	n/a	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
<b>TOTAL ADDITIONS REQUESTED</b>			<b>1.00</b>			<b>\$ 51,376.00</b>	<b>\$ 988.00</b>	n/a	<b>\$ 4,005.85</b>	<b>\$ 12,895.00</b>	<b>\$ 539.45</b>	<b>\$ 153.80</b>	<b>\$ 3,141.84</b>	<b>\$ 80.66</b>	<b>\$ 73,180.59</b>

NOTE: When adding new positions, it is important to consider the additional expenses necessitated by adding staff, such as Office Equipment and Furniture, Computers/Software, etc.

ESTIMATED GRAND TOTAL OF REQUESTED DELETIONS: \$ 65,974.82

ESTIMATED GRAND TOTAL OF REQUESTED ADDITIONS: \$ 73,180.59

NET INCREASE (COST SAVINGS) FROM STAFFING PLAN CHANGES: \$ 7,205.77

**JUSTIFICATION FOR REQUEST:** (Add rows as needed and forward additional documents directly to Finance that may be useful in reviewing this request. Include in your narrative why the position is necessary, what mandates may prompt this request, what process have been reviewed that have reduced the need for staff, and how the staffing change will further the County's vision and mission and the departments ability to perform.)

*Our judicial assistant is .9 FTE and does not work 40 hours per week. Occassionally, she is not available when court is in session nor when the Judge is writing her orders/opinions. I would like to increase our judicial assistant to 40 hours per week so that she is available when needed.*

GRAND TRAVERSE COUNTY  
EXPENDITURE BUDGET STATUS REPORT AS OF 10/25/2019

PAGE 1

101 GENERAL FUND

101 BOARD OF COMMISSIONERS

	INITIAL BUDGET	BUDGET ADJUSTMENTS	ADJUSTED BUDGET	E X P E N D I T U R E S THIS MONTH	CURRENT ENCUMBRANCES	BUDGET BALANCE	% EXPENDED / REALIZED
701.00 DEPARTMENT HEAD	51126.00	.00	51126.00	3889.60	40840.80	.00	10285.20 79.88
701.01 PER DIEM	37500.00	.00	37500.00	1260.00	16100.00	.00	21400.00 42.93
702.00 FULL TIME & REGULAR PART TIME	48726.00	.00	48726.00	3744.00	38188.80	.00	10537.20 78.37
702.01 LONGEVITY	1250.00	.00	1250.00	.00	.00	1250.00	.00
705.00 PERSONAL LEAVE	1498.00	.00	1498.00	.00	.00	1498.00	.00
715.00 FICA	11484.00	.00	11484.00	561.69	6182.05	.00	5301.95 53.83
716.00 HEALTH, OPTICAL & DENTAL	23412.00	.00	23412.00	1572.74	19380.42	.00	4031.58 82.78
716.02 SHORT & L-T DISABILITY	512.00	.00	512.00	40.56	405.60	.00	106.40 79.22
716.03 PAYMENT IN LIEU OF INSURANCE	10000.00	.00	10000.00	.00	.00	10000.00	.00
717.00 LIFE INSURANCE	695.00	.00	695.00	48.92	308.04	.00	386.96 44.32
718.00 RETIREMENT	.00	.00	.00	.00	.00	.00	N/A
718.01 RETIREMENT DC	10386.00	.00	10386.00	668.34	6866.62	.00	3519.38 66.11
718.05 RETIREMENT - DB UAL	46184.00	.00	46184.00	3457.77	34456.96	.00	11727.04 74.61
719.00 WORKER'S COMP INS	241.00	.00	241.00	13.92	145.57	.00	95.43 60.40
PERSONNEL	243014.00	.00	243014.00	15257.54	162874.86	.00	80139.14 67.02
727.00 OFFICE SUPPLIES	2500.00	.00	2500.00	68.78	1607.32	.00	892.68 64.29
729.00 PRINTING AND BINDING	.00	.00	.00	.00	.00	.00	N/A
729.02 COPY MACHINE USE	2500.00	.00	2500.00	91.78	316.67	.00	2183.33 12.67
730.00 POSTAGE	250.00	.00	250.00	9.36	26.42	.00	223.58 10.57
730.01 U.P.S.	300.00	.00	300.00	.00	.00	300.00	.00
747.00 SMALL TOOLS & SUPPLIES	.00	.00	.00	.00	.00	.00	N/A
748.00 GAS, OIL & GREASE	.00	.00	.00	.00	.00	.00	N/A
COMMODITIES	5550.00	.00	5550.00	169.92	1950.41	.00	3599.59 35.14
805.06 FEES AND PERMITS	.00	.00	.00	.00	.00	.00	N/A
807.00 AUDITING	46000.00	750.00-	45250.00	.00	45250.00	.00	100.00
808.00 ATTORNEY FEES	7500.00	14250.00	21750.00	1830.00	18245.35	.00	3504.65 83.89
810.00 SUBSCRIPTIONS	.00	.00	.00	.00	.00	.00	N/A
810.01 DUES	39000.00	500.00-	38500.00	.00	33989.87	.00	4510.13 88.29
812.00 IT CHARGES	5200.00	.00	5200.00	612.47	4377.23	.00	822.77 84.18
818.00 CONTRACT SERVICES	40000.00	.00	40000.00	236.50	15309.00	.00	24691.00 38.27
818.24 COST ALLOCATION PLAN	7500.00	.00	7500.00	.00	.00	7500.00	.00
818.31 COUNTY NEWSPAPER	.00	.00	.00	.00	.00	.00	N/A
850.00 TELEPHONE	3700.00	.00	3700.00	342.88	3085.92	342.88	271.20 83.40
850.01 TELEPHONE LOCAL & L.D.	45.00	.00	45.00	1.54	43.12	1.79	.09 95.82
850.02 LONG DIST & OTHER PHONE LINE	.00	.00	.00	.00	.00	.00	N/A
850.04 TELE-CELLULAR NETWORK	3600.00	.00	3600.00	302.61	3026.10	.00	573.90 84.06
860.00 TRAVEL	6000.00	.00	6000.00	163.44	3873.33	.00	2126.67 64.56
860.01 CONVENTIONS & CONFERENCES	10000.00	.00	10000.00	45.00	6394.02	.00	3605.98 63.94
860.02 MILEAGE	.00	.00	.00	.00	.00	.00	N/A
CONTRACTUAL SERVICES	168545.00	13000.00	181545.00	3534.44	133593.94	344.67	47606.39 73.59
909.00 ADVERTISING	3500.00	.00	3500.00	926.63	3040.08	.00	459.92 86.86
956.00 EMPLOYEE TRAINING & DEVELOP.	1000.00	.00	1000.00	.00	.00	1000.00	.00
957.00 AWARDS & RECOGNITION	3500.00	.00	3500.00	1001.67	2286.25	.00	1213.75 65.32
963.20 APPROP N.W.M.C.O.G.	.00	.00	.00	.00	.00	.00	N/A
OTHER CHARGES	8000.00	.00	8000.00	1928.30	5326.33	.00	2673.67 66.58
977.00 MACHINERY AND EQUIPMENT	.00	.00	.00	.00	.00	.00	N/A
981.00 BOOKS	.00	.00	.00	.00	.00	.00	N/A
CAPITAL OUTLAYS	.00	.00	.00	.00	.00	.00	N/A
999.00 TRANSFER OUT	.00	.00	.00	.00	.00	.00	N/A
DEBT SERVICE	.00	.00	.00	.00	.00	.00	N/A
TOTALS	425109.00	13000.00	438109.00	20890.20	303745.54	344.67	134018.79
CURRENT ACCUMULATIVE PERFORMANCE	83 %						
PERCENT OF BUDGET EXPENDED	69 %						