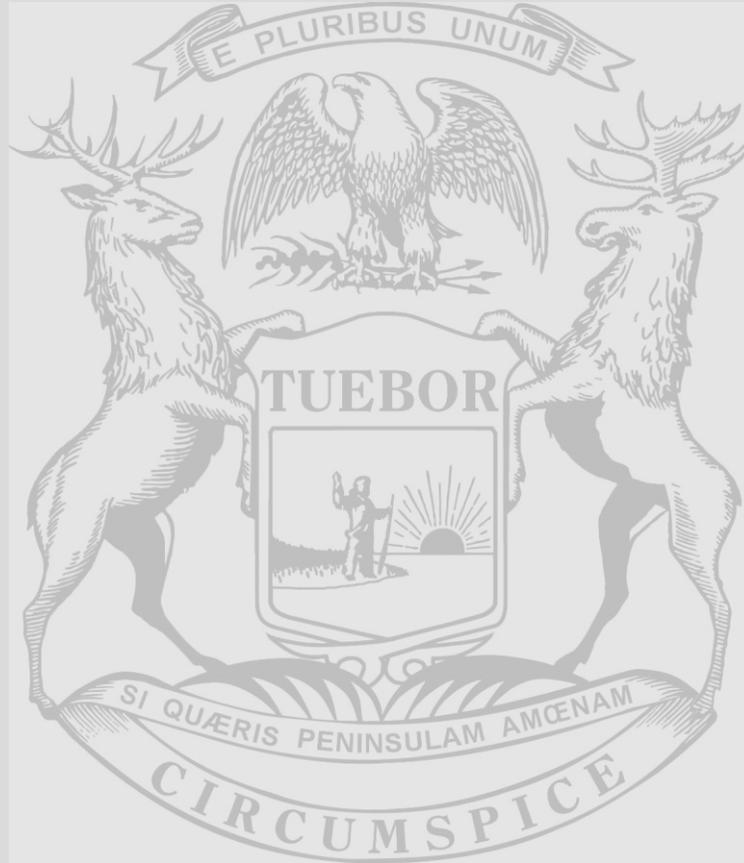


58th District Court



2021 Annual Report

<http://miottawa.org/Courts/58thDistrict>

Honorable Bradley S. Knoll, Chief Judge

Honorable Craig E. Bunce

Honorable Judy K. Mulder

Honorable Juanita F. Bocanegra

The Judges of the 58th District Court



**Honorable Bradley S. Knoll,
Chief Judge, Holland District Court**



**Honorable Craig E. Bunce
Grand Haven District Court**



**Honorable Judy K. Mulder
Hudsonville District Court**



**Honorable Juanita F. Bocanegra
Holland District Court**

58th District Court

OUR VISION

Be sensitive and responsive to the needs of a diverse community.

Develop and maintain the highest level of services to the public and legal community to effectively and efficiently use public resources.

Utilize technology that will assist court personnel to increase citizen access and convenience to the court.

Promote a safe community, identify areas where intervention is necessary, network with other departments and agencies to persuade behavior change.

Recruit and maintain the highest quality staff, provide training, resources and support to meet the needs of internal and external customers.

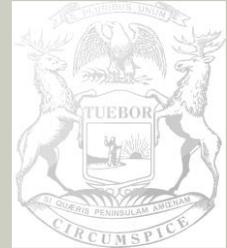
Insure that court procedures and structures best facilitate the expedient and economical resolution of matters before the court.

Share important management information with staff through quality communication.

Refine procedures and facilities that provide a secure environment for public and staff.

Promote innovative ways of resolving problematic issues facing the courts service to the public.

Continue to promote and investigate therapeutic and problem solving techniques for defendants and litigants.



Our Mission

The mission of the 58th District Court is to interpret and apply the law with fairness, equality and integrity and promote public accountability for improved quality of life in Ottawa County.

[OUR COURT]

The 58th District Court Judges and staff are committed to and take pride in serving Ottawa County justly and with sincerity. The District Court is equally committed to continuous improvement through organizational and process review and implementation of innovative ideas. This mission is accomplished through regularly scheduled Judges meetings, staff meetings and leadership team meetings.

Each of our three court locations is staffed by a Chief Clerk, Court Recorders and staff assigned to one of four divisions: Criminal, Traffic, Civil and Probation. Court staff is responsible for daily tasks including processing documents, receipting for and disbursing payments, scheduling hearings, responding to public inquiries, providing oversight and drug testing defendants and managing every case filed in the Court.

District Court also employs one attorney magistrate and two part time magistrates. The magistrates are appointed by the Chief Judge and are authorized under statute to conduct informal hearings on traffic citations, issue search and arrest warrants, conduct arraignments, set bonds, accept some criminal pleas and conduct small claims hearings. Along with all four Judges, the

Court staff opened and processed over 44,000 cases, entered nearly 41,000 dispositions and receipted for nearly \$5.8 million dollars.

magistrates also serve nights and weekends on a rotating basis to authorize after hour search or arrest warrants and perform marriages. In 2021, the Court performed 406 marriages.

The Court would like to express gratitude and appreciation to all of the District Court staff for their dedication and hard work. Without them, the Court would not be able to provide exceptional service to our community.

Our Judges and staff are extremely proud and honored to serve the citizens of Ottawa County in a manner that inspires trust and confidence in the judiciary.

2021 Major Initiatives

◆ *Implemented several major criminal justice legislative reforms including numerous reclassifications of charges from misdemeanors to civil infractions, increasing the issuance of appearance tickets/show cause orders, changes to driver's license suspensions, probation oversight requirements and coming into compliance with the Raise the Age legislation and the Clean Slate Act.*

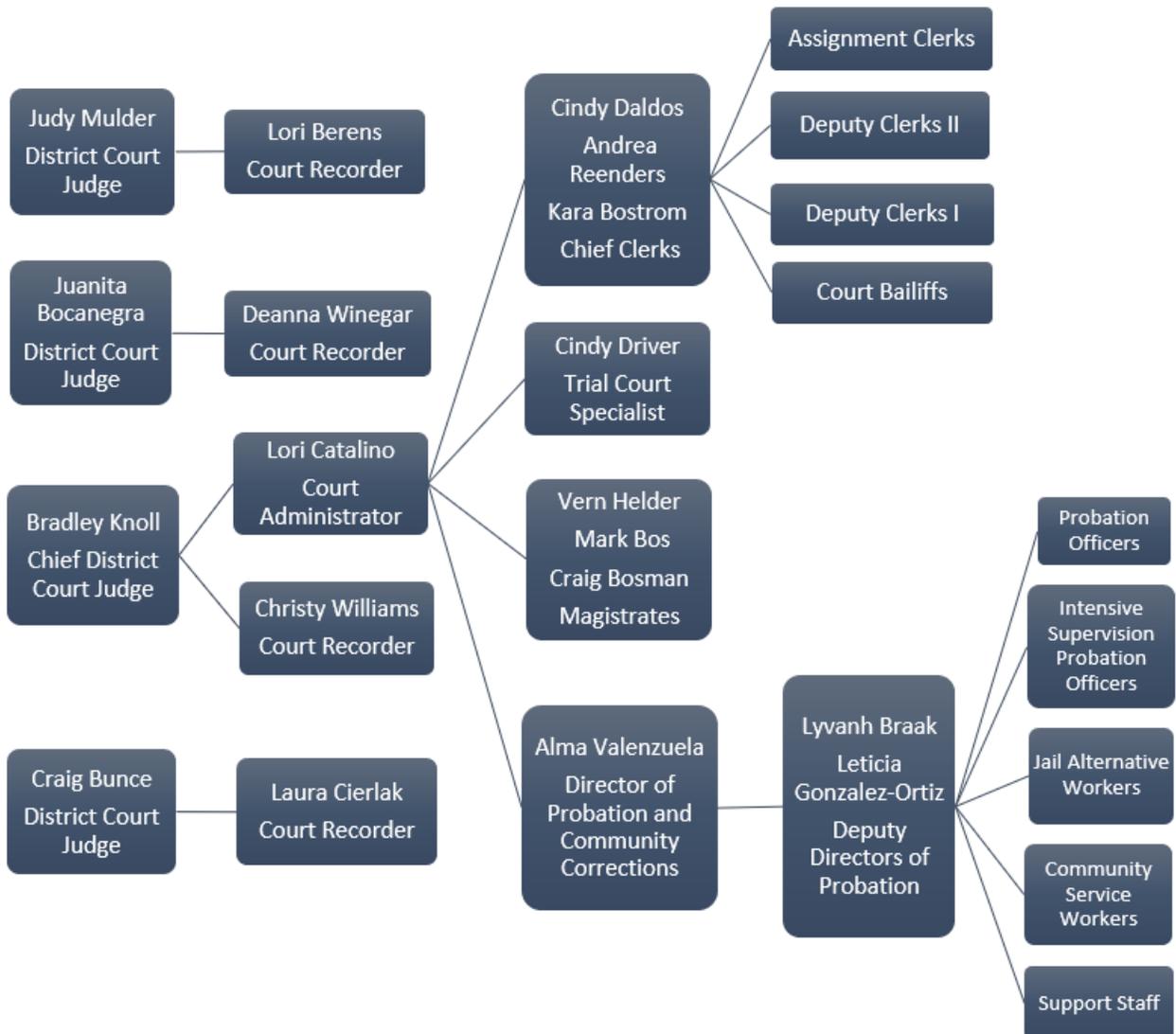
◆ *Continued to monitor, adapt and ensure compliance with all COVID and public health mandates in the Courts.*

◆ *Began the important work of addressing caseload backlogs caused by the pandemic in 2020 including reinstating jury trials with proper COVID protocols in place.*

◆ *Successfully continued with the Eviction Diversion Program.*

◆ *Judge Bocanegra successfully completed her first year of service as a District Court Judge.*

58th District Court Organizational Chart



District Court Venues

The three locations of the 58th District Court operate under a Local Administrative Order (LAO) approved by the State Court Administrative Office. Pursuant to that LAO, cases arising in Ottawa County are filed either in Grand Haven, Holland or Hudsonville based on the city, village or township where the incident occurred or cause of action arose.



OTTAWA COUNTY, MI

*Holland District Court’s venue includes the portion of Holland City located in Allegan County as well. Hudsonville District Court’s venue includes criminal cases from Zeeland Township while Holland District Court’s venue includes civil cases and tickets from Zeeland Township.

OTTAWA
COUNTY
EVICTION
DIVERSION
PROGRAM



The newly created and funded Ottawa County Eviction Diversion Program (EDP) is one example of a positive impact in our community despite the COVID-19 pandemic by affording the Court and our community housing partners an opportunity to offer critical rental assistance on eviction-related cases to help prevent homelessness.

As the pandemic began to unfold in March of 2020 and the ensuing months afterwards, the Court was under various state and federal emergency orders including the federal Coronavirus Aid, Relief and Economic Security Act ("CARES Act") which required a moratorium on eviction proceedings, except in certain circumstances and provided significant structured rental assistance to those in need. In January 2021, the COVID Emergency Rental Assistance (CERA) took effect following the CARES Act to continue providing the critical funds necessary to help tenants facing pandemic-related hardships in order to avoid eviction while also ensuring landlords could recoup owed rent. MSHDA administers CERA through its statewide network of local nonprofit agencies.

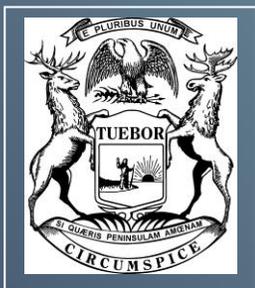
Another significant response to the COVID-19 housing crisis was Michigan Executive Order 2020-134 which required all jurisdictions throughout the state to create an EDP in collaboration with nonprofit homeless service providers, known as Housing Assessment and Resource Agencies (HARAs) and funding provided by the Michigan State Housing Development Authority (MSHDA). Pursuant to this Executive

Order, the Ottawa County Eviction Diversion Taskforce was formed comprising of Good Samaritan Ministries (Ottawa County HARA), Allegan County Community Mental Health's Homeless Assistance Program (Allegan County HARA), Legal Aid of Western Michigan and the 58th District Court. The main goal of Ottawa County's Diversion Taskforce was to establish and implement a successful EDP that conformed with MSHDA's EDP requirements for means-tested rental assistance for past due rent, future rent and utility assistance.

"The Eviction Diversion Program was a remarkable collaboration of state agencies, local non-profit organizations, legal aid and landlords' attorneys and the district courts. In Ottawa County we are especially grateful for the extraordinary efforts of individuals at Good Samaritan Ministries, Legal Aid of Western Michigan and our own 58th District Court staff."

- Hon. Bradley S. Knoll, Chief
Judge of the 58th District Court

OTTAWA COUNTY EVICTION DIVERSION PROGRAM



To date, the Ottawa County EDP has been a great success helping 2,101 adults and children in our community who were facing homelessness. The program has been successful because of the extraordinary efforts of court staff, HARA administrators and especially the attorneys with Legal Aid of Western Michigan. The cooperation of the landlords and their attorneys has also been critical to the success of the program.

It is important to recognize that community rental housing problems will not end when the current public health crisis does. The COVID-19 pandemic will likely be brought under control at some point with an anticipated resurgence of economic activity to follow. This process will naturally result in a diminished housing crisis, however, the inherent problems in the community involving the lack of low-cost housing will persist. Ottawa County residents would be well-served by a permanent EDP. Persons with secure housing are better able to maintain employment and provide for the care of their families. The

As of March 2022, over 2,100 Ottawa County families have been served and have received over \$7.9 million in rental assistance and over \$857,000 in utility assistance. The average assistance received per household in OC is \$5,320.

Source: MSHDA

As Ottawa County continues to grow, proactive housing policies can meet the urgent needs of residents. As stable housing influences social, personal and financial health, potential expenses incurred under a sustained EDP can create communities where even low-income residents have peace of mind and can actively plan for their futures. Housing is a prerequisite for success and policies that provide stability can help residents find their footing, allowing them to access new and better opportunities.

- The Ottawa County Department of Strategic Impact

recent emergency demonstrated the viability of a cooperative and extremely effective EDP which can form the model for a similar program for people whose housing issues are not related to the pandemic. To that end, Chief Judge Knoll is continuing his efforts to advocate and work closely with the Ottawa County Housing Commission to collaborate with key partners and stakeholders to identify additional programmatic needs and obtain sustainable funding necessary to for a permanent Ottawa County EDP.

For Chief Judge Knoll's full report to the Ottawa County Housing Commission titled *Landlord Tenant Procedures in a Time of Pandemic* please see

<https://www.miottawa.org/Courts/58thDistrict/pdf/2021HousingReport.pdf>

2021 continued to challenge the Court to be creative and innovative in coming up with ideas for court ordered community service hours during the ongoing COVID Pandemic. One of these ideas was decorating lunch bags for Kids' Food Basket.



Why I chose Kids Food Basket as my community service project

“I chose Kid’s Food Basket because I have three young kids of my own. The last thing I would

ever want is for them to have to worry where their next meal will come from. It saddens me to know that several children are faced with this obstacle daily. My kids are fortunate enough to walk through the doors after school and grab a snack or sit down at the dinner table for a nutritious meal. However, I know several students in the area are unfortunately unable to do just that. Growing up my family lived in poverty and struggled so I know first-hand the affects it can have on a student. I know that the effects of Covid have also caused a lot of strain of families. It has become even harder to keep cupboards and refrigerators stocked when parents have been laid off from work. When schools were shut down, several students were impacted by hunger. Often breakfast and lunch offered at school would be the only meals some of these students would eat.

I have been trying to put a lot of time and effort into the bags that I create in hopes that I can make some little kids’ day when they see the bright colors and drawings on them. When I sit down at the table to work on the bags, I try to reinforce to my children how fortunate they should feel. I also know that many kids go home and do not eat a balanced diet. Instead, a lot of junk food and unhealthy food options are chosen. I admire the fact that Kids’ Food Basket tries to incorporate healthy food choices and set the tone for healthy living.”



- Written by a defendant who chose this project for his community service

IChallengeU: Collaboration between the Ottawa County Courts and Ottawa Area Intermediate School District

IChallengeU is a summer hands-on learning opportunity for Ottawa Area Intermediate School District (OAISD) students in grades 9 through 12 to engage in real-world work experiences with local businesses or government agencies. The purpose of the program is to give students an opportunity to network with local professionals to solve a real-world business challenge and present their solution to that challenge. This important opportunity boosts the participating students' communication, collaboration and critical thinking skills while also affording them an opportunity to explore future career options.

In July 2021, the Ottawa Courts hosted an IChallengeU team. The students worked for an entire week at the Grand Haven Courthouse interviewing judges and various court personnel to help identify issues that they could then work on solutions for. After conducting several interviews, the students determined that making the Ottawa County Courthouses more accessible was an important issue they could collaborate with the courts on. The students researched accessibility issues in other courthouses around the country, they toured the courthouse to record what they saw from a citizen's perspective and engaged in extensive brainstorming and solution sessions.

At the end of the week, the students presented their solutions to a team of judges and court professionals. Some of their ideas to improve accessibility included improving signage by installing better placed, larger and more noticeable signs in different languages; adding QR codes throughout the courthouses for citizens to scan to help them navigate the building and public services contained in the courthouses; and providing color coded floor maps throughout the buildings to help the public navigate from where they are located to where they need to go. As a result of the student's work, the Ottawa Courts are currently working on implementing several of these excellent improvements to improve courthouse accessibility.



It was an honor to work alongside such bright and talented students. They were professional, actively engaged and offered fresh, insightful solutions to help improve all Ottawa County courthouses. Thanks to their impressive work, we are working on implementing several of their suggestions to improve accessibility to better serve our citizens. We are extremely appreciative of the opportunity to participate in the IChallengeU program and are looking forward to future collaborations.

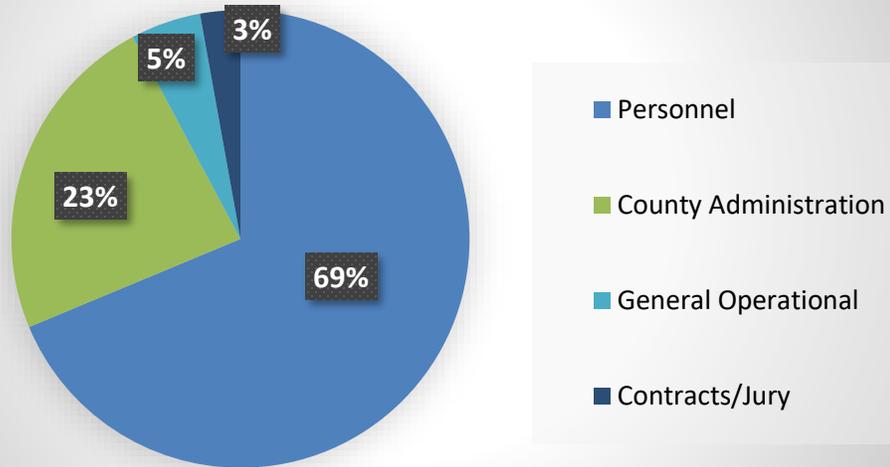
– Lori Catalino, 58th District Court Administrator



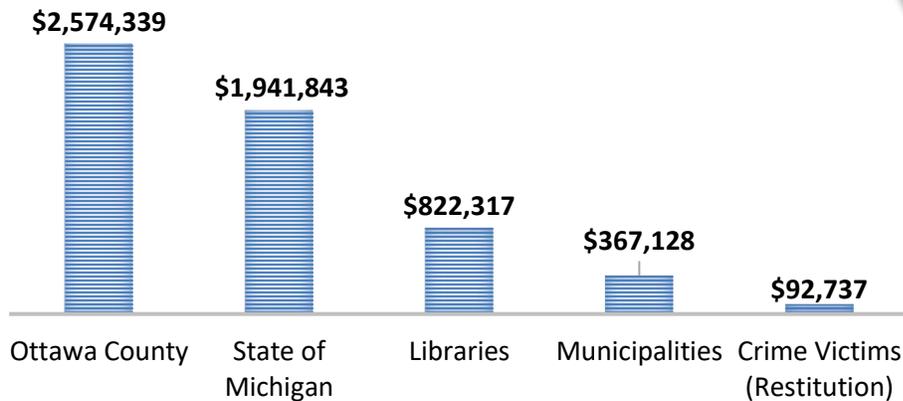
Expenses

FY21 District Court Operating Costs

Total FY21 Expenditures: \$6,595,679



DISTRIBUTION OF REVENUE

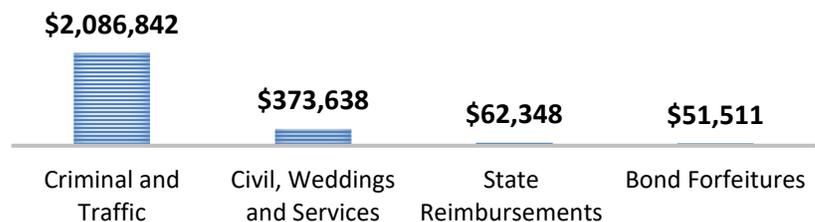


Revenue

In FY21, District Court collected nearly \$5.8 million in revenue.

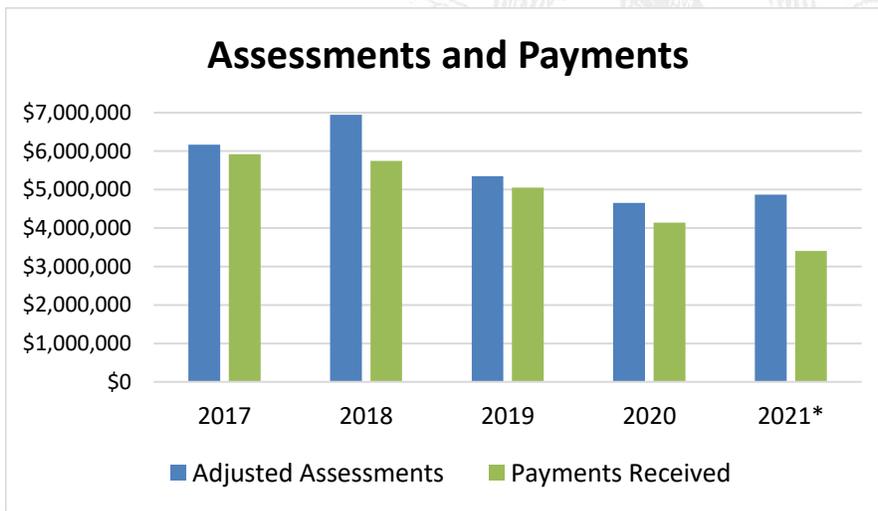
Ottawa County also received state reimbursements of \$761,255 in the Court Equity Fund and an additional \$410,616 in the Judges Standardization Fund in FY21 to help fund the operations of the Ottawa County Courts.

COUNTY GF REVENUE RECEIPTED FOR IN DISTRICT COURT



Assessments and Collections

The 58th District Court takes pride in our efforts to collect assessed fines, costs and restitution and continues to be among the leaders in the state in trial court collection rates. Diligently enforcing the financial sanctions imposed by the Court is vital to maintaining the Court's integrity and credibility by ensuring appropriate compliance with the Court's orders. Moreover, successful collection efforts increase County revenue while also providing restorative justice to victims and increasing citizens' sense of security and public trust in County services and the entire judicial process.



The 58th District Court collections program is closely monitored by the State Court Administrative Office to ensure all the Court's collection efforts are in compliance with all requirements outlined in the court rules, statutes and published performance metrics. The 58th District Court is consistently deemed

to be in compliance as a result of its comprehensive collection program.

*The overall collection rate and outstanding receivables for sanctions imposed in 2021 was 70% as of December 31, 2021. The rate is lower than collection rates from previous years because the debt assessed by the Court in late 2021 will be adjusted and collected within the first few months of 2022.

The Court is required to report our outstanding receivables by revenue code, age of debt and by case type to the State Court Administrative Office for the time period of July 1 through June 30 each year.

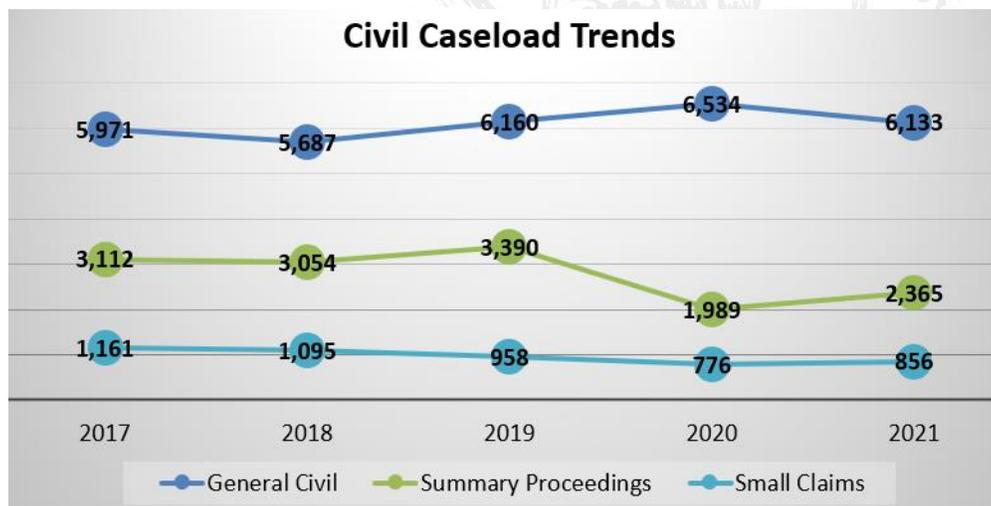
Collection Rates	
Sanctions Assessed	Sanctions Collected as of June 30, 2021
2016	96%
2017	92%
2018	90%
2019	94%
2020	89%

Caseload Trends

CIVIL CASES IN THE 58TH DISTRICT COURT

The District Court’s general civil jurisdiction covers disputes where money judgments are sought in an amount not exceeding \$25,000 for conduct alleged to be tortious, in breach of contract or otherwise in violation of civil law. Parties may also file claim and delivery actions in the District Court seeking to recover personal property.

The District Court’s jurisdiction includes cases brought under the Summary Proceedings Act. These special proceedings provide for the prompt resolution of disputes between landlords and tenants relating to the payment of rent or other terms of the rental agreement. Parties seeking the repossession of real property following mortgage foreclosure or forfeiture of land contracts will also normally employ the expedited procedures set forth in the summary proceedings statutes. The District Court exercises both legal and equitable powers in adjudicating and enforcing the rights of parties to these actions.



Small claims proceedings also fall within the District Court’s exclusive jurisdiction. In civil actions where money judgments are sought for no more than \$6,500 beginning January 1, 2021 (\$7,000 beginning January 1, 2024), the parties may agree to the more informal procedures under the Small Claims Act. Small claims trials may be held before a judge or magistrate. There

is no right to a trial by jury, representation by an attorney or appeal of a judgment entered by the judge. A party sued in small claims court may elect to remove the case to the general civil docket to preserve those rights. A trial in small claims court is a more informal procedure with relaxed rules of pleading and evidence. The goal of the judge or magistrate is to arrive at a prompt decision that provides “substantial justice” for the litigants.

In many civil cases brought in the District Court, one or more parties are not represented by an attorney. The District Court staff is well trained to provide courteous procedural assistance to these unrepresented litigants without giving legal advice. Additionally, small claims and summary proceedings actions require a higher degree of staff time in preparing and processing, summons, arranging for service of process and preparation of judgments than in cases brought in the regular civil docket where more of the responsibilities fall on the parties or their attorneys.

Criminal Cases in the District Court

Search and Arrest Warrants:

All criminal cases originate in the district court in Michigan. Moreover, the district court is often involved early in the criminal investigation process since all search warrants are issued by district court magistrates or judges. Search warrants are commonly issued after business hours to obtain a blood sample from a person suspected of operating under the influence of alcohol or drugs who have refused to voluntarily submit to a chemical test. Thus, assigned judges and magistrates are available on a 24/7 basis, 365 days a year to receive and rule on search warrant requests. All judges and magistrates are equipped to review and issue search warrants electronically from various locations in the county. This procedure avoids the delay and inconvenience of requiring law enforcement personnel to travel to the judge's or magistrate's home to obtain an afterhours warrant. Search warrants are also issued to assist law enforcement in the investigation of drug, sex and other offenses by authorizing the search of homes, vehicles, computers and mobile electronic devices.

Arrest warrants are issued by district court judges and magistrates if authorized by the prosecuting official and upon sworn testimony establishing probable cause. Such warrants may be issued prior to an arrest or following a warrantless arrest by police where the prosecution authorizes the complaint. When issuing an arrest warrant, the judge or magistrate may allow a defendant to post bond and be released prior to his or her first court date. Alternatively, the judge may require that no release take place prior to the initial court appearance.

Arraignment:

Following a warrantless arrest, a criminal complaint must be filed with the district court after being sworn to by law enforcement and authorized by the prosecutor. The defendant will then be arraigned before a district court judge or magistrate or bond will be set within 24 hours of the arrest. If a warrant is authorized prior to arrest, arraignment is required in the district court following the defendant being taken into custody. In most misdemeanor cases, a criminal charge can also be initiated by law enforcement without a sworn complaint by issuance of a citation to the defendant with instructions to appear in court on the next regularly scheduled arraignment day. In any of these situations, defendants appear in the district court in person or by video for purposes of arraignment where they are notified of the nature of the charges and possible penalty along with their constitutional trial rights. The defendant is also advised of the right to counsel including, where appropriate, the right to a court appointed attorney.

The court will also consider whether a defendant qualifies for pre-trial release and what type of bond or bond conditions may apply. In felony or domestic violence misdemeanor cases, the courts' probation department completes a bond screen for the judges' review before arraignment. The bond screen process provides the court with a detailed history of the defendant including past criminal behavior, employment and family information, mental health and substance abuse history. The judge uses this information to balance the general right of an incarcerated defendant to be free on bail with the risk of flight or risk to public safety if released on bail.

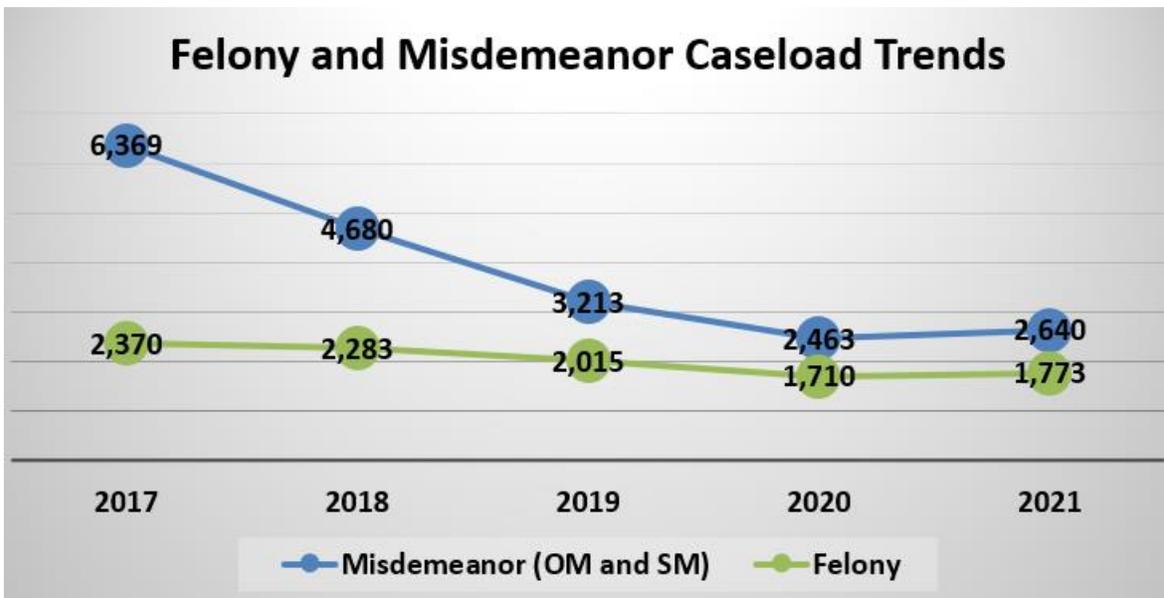
Misdemeanor Cases:

Misdemeanor cases will then proceed to trial or sentencing in the district court following entry of a plea by the defendant. Defendants convicted of misdemeanor charges following trial or guilty plea may be sentenced immediately. However, in many cases constitutionally guaranteed victims' rights will require an adjournment so that the victim will have an opportunity to appear and make a statement at sentence. The court must order restitution to a victim as part of its sentence. Sentencing options include the imposition of jail, fines, court costs, restitution, substance abuse or mental health counseling, community service, vehicle immobilization, driver's license suspension, deferred sentencing and/or participation in a treatment court.

Felony Cases:

The ultimate disposition of any offense that carries a maximum incarceration of more than one year in jail occurs in the circuit court. Prior to such a case being transferred or "bound over" to the circuit court, however, arraignment and preliminary examination are scheduled in the district court. At a preliminary examination the prosecutor is required to submit evidence that convinces a district court judge that "probable cause" exists to believe the defendant has committed a felony before the case will be sent to the circuit court for trial.

Changes enacted by the Michigan Legislature in 2014 added a requirement of a "probable cause conference" prior to the preliminary examination and also broadened the authority of a district court judge to accept felony pleas of guilty before a case is sent to circuit court for sentencing. Both of these procedures were already in place in the 58th District Court but are now mandated on a state basis.

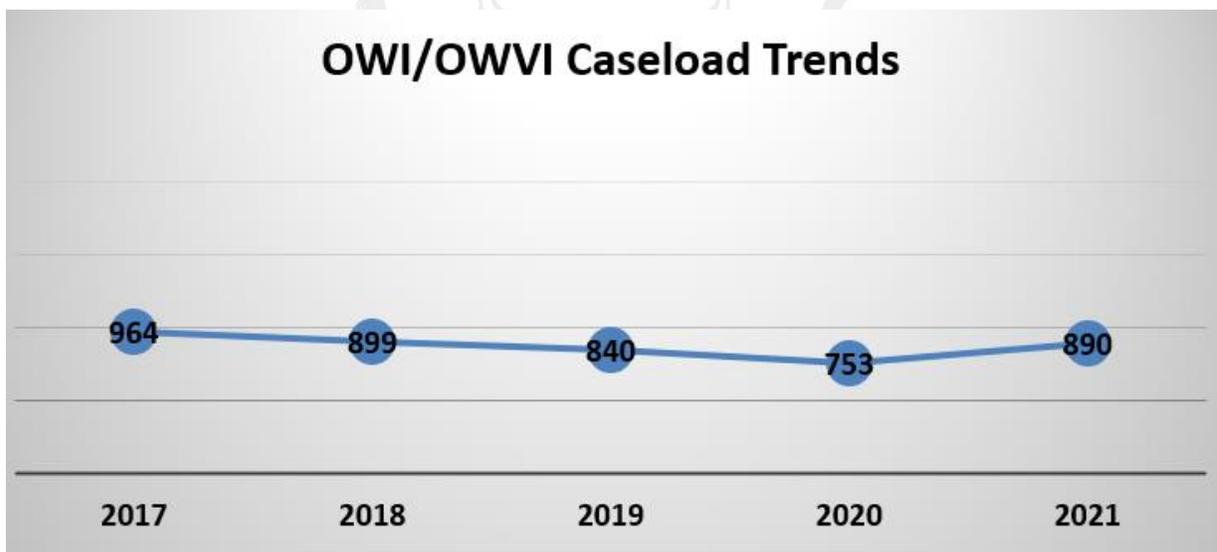


Operating While Intoxicated

Operating while intoxicated offenses involve a broad range of offenses brought under state statutes or municipal ordinances. Traditional charges of “drunk driving” involve allegations that a person has operated a motor vehicle while under the influence of alcohol or while visibly impaired by alcohol. Operating while intoxicated offenses now include charges of operating with an unlawful blood alcohol (.08%), operating with a high blood alcohol level (.17%) or a minor operating with an unlawful blood alcohol level (.02-.07%). The statutes also prohibit operation of a motor vehicle under the influence of a controlled substance, operating while impaired by a controlled substance or operation of a motor vehicle with any level of an illegal (schedule 1 and marijuana) controlled substance in a person’s body. Operating while intoxicated charges may involve aggravating circumstances which include operating with a minor passenger, offenses charged as a second or third offense, or operating while intoxicated causing death or serious injury. Some of these aggravating circumstances may elevate the offense from a misdemeanor to a felony level offense.

Despite the expansion of offenses chargeable as operating while intoxicated, the court has seen a general downward trend in charged offenses over the past three years.

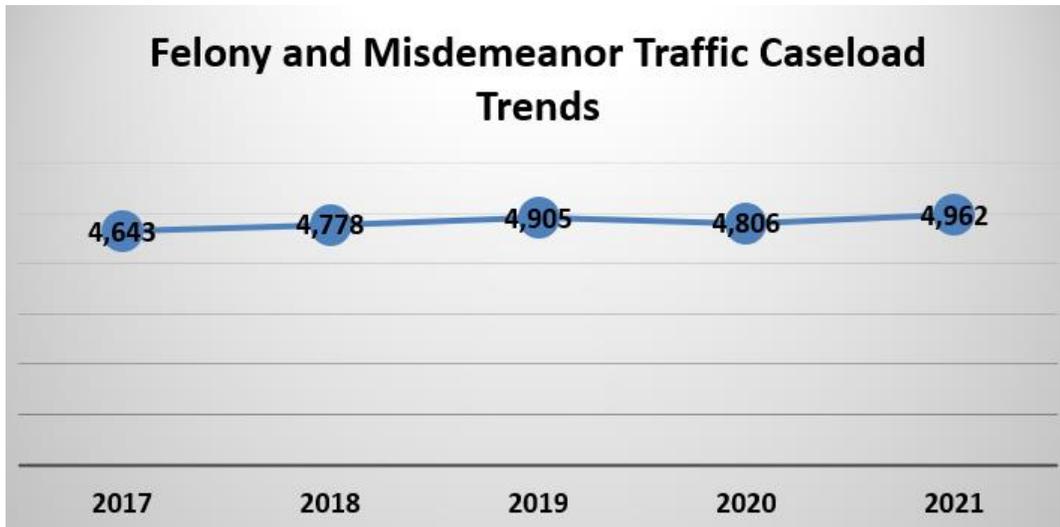
Given the danger to the community posed by persons who operate while intoxicated, the court and probation department diligently monitor these people through various levels of intervention including the Sobriety Treatment Court, Intensive Supervised Probation and use of alcohol detection technology. This technology includes the use of automobile interlock devices, 24 hour alcohol monitoring devices which are used to monitor abstinence along with the traditional techniques involving random home checks and mandatory drug and alcohol testing at the court. The court also oversees referral to substance abuse therapy including 12 step programs. Violations of court mandated abstinence or therapy will result in probation violation complaints with the violator facing jail time and potential revocation of probation.



Criminal Traffic Docket

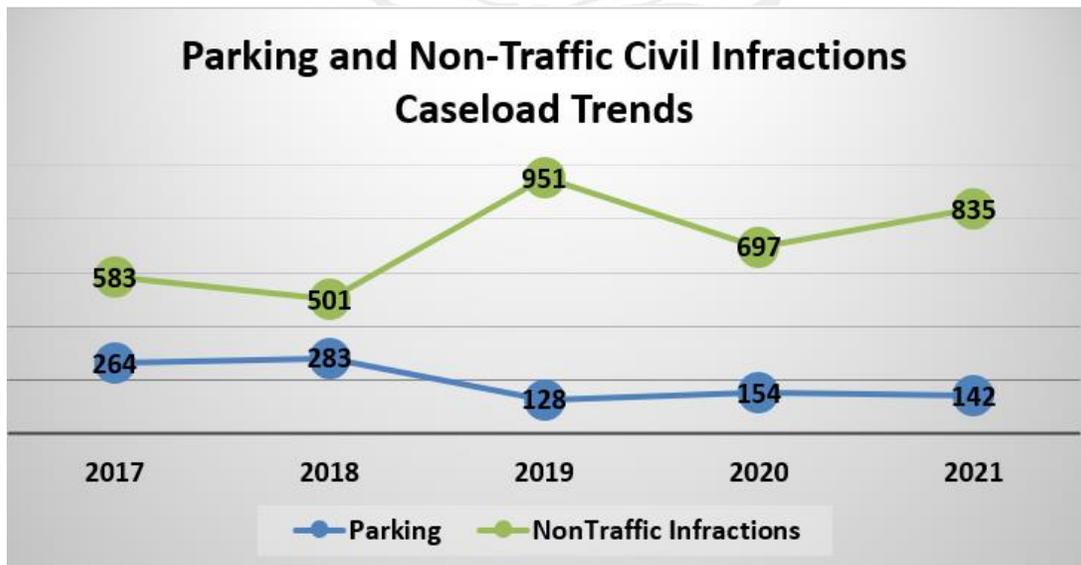
FELONY AND MISDEMEANOR TRAFFIC

Criminal traffic offenses include such offenses as reckless driving, open intoxicants in a motor vehicle, driving while your license is suspended, no insurance, expired plates and failing to stop after involvement in a motor vehicle accident.



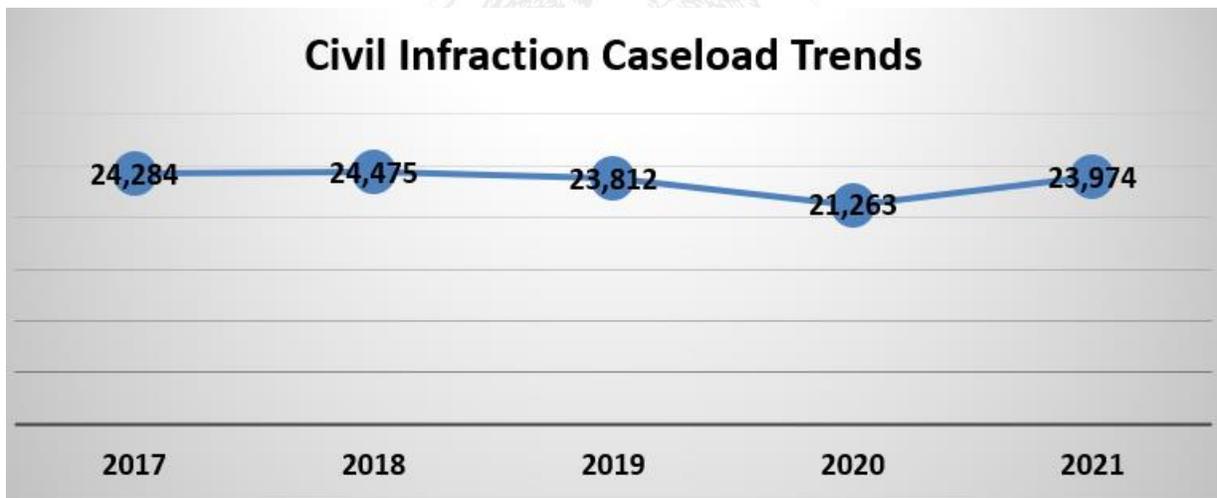
NON TRAFFIC CIVIL INFRACTIONS AND PARKING VIOLATIONS

District Court also processes and receipts for payments on many parking violations and other non-traffic offenses. Some of the most common non-traffic offenses include barking dog, dog at large, property code violations, noise/nuisance violations, watercraft offenses and state park offenses.

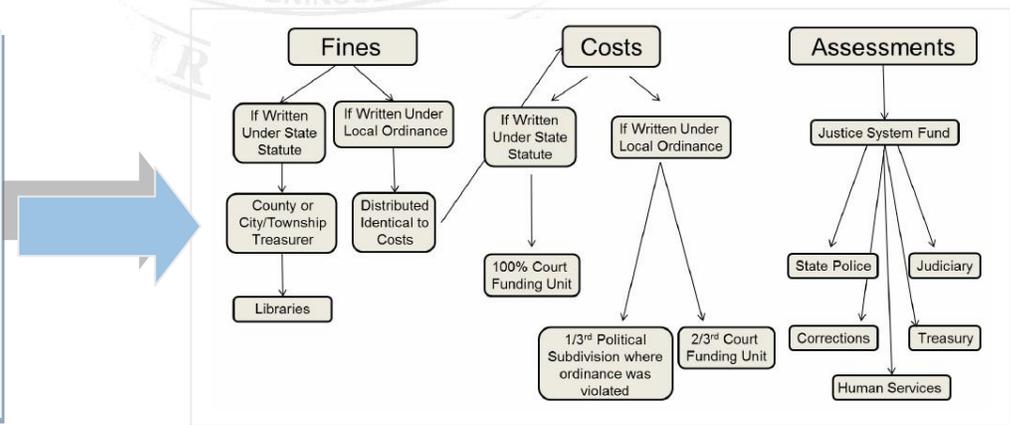


Civil Infraction Violations

Most violations of the Michigan Vehicle Code are civil infractions which generally do not carry a jail penalty, the most commonly cited offense being speeding. A civil infraction can be charged under state statute or a local ordinance by a municipality. A person charged with a civil infraction can admit responsibility for the infraction, pay their fine online or mail their fine to the District Court. A person may request an informal or a formal hearing if they deny responsibility for the infraction. At an informal hearing the evidence is presented to a magistrate without a prosecuting attorney present. At a formal hearing, the evidence is presented by a prosecuting attorney to a district court judge. The defendant may be represented by an attorney to present the defendant's case. A defendant may appeal their case to a formal hearing if they are found responsible at an informal hearing.



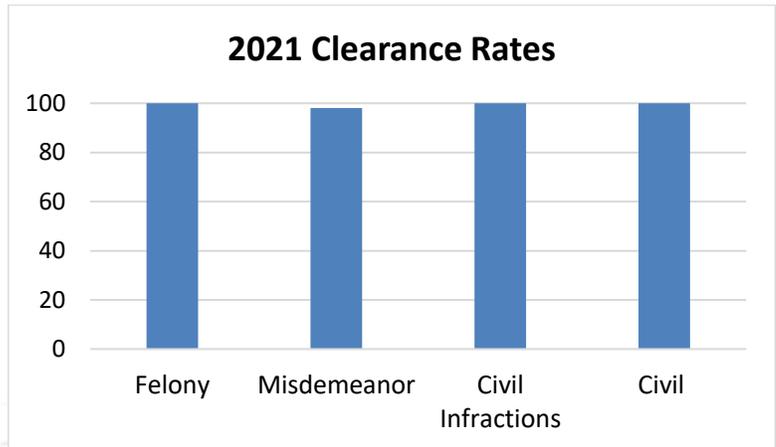
How does revenue from traffic related civil infractions get distributed?



Case Clearance Rates and Case Age

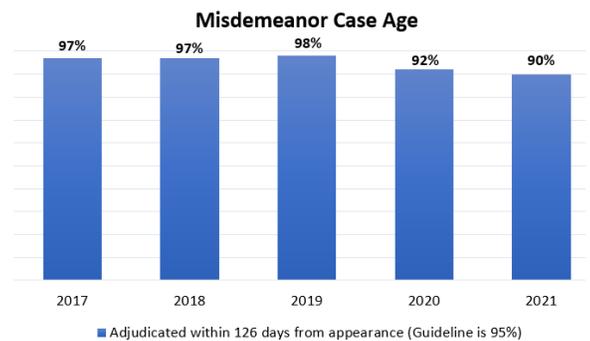
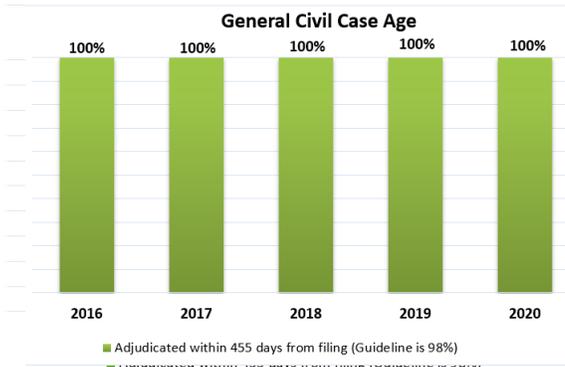
Clearance Rates

Clearance rates compare the number of dispositions and the number of cases filed. Clearance rates naturally fluctuate above and below 100% and represent a key performance measure to gauge whether the Court is keeping up with its caseload. In 2020, the 58th District Court continued to observe excellent clearance rates even amid the COVID-19 pandemic by conducting as many hearings possible through Zoom and reorganizing the dockets to allow in-person hearings where necessary and appropriate while still ensuring all COVID protocols were observed.

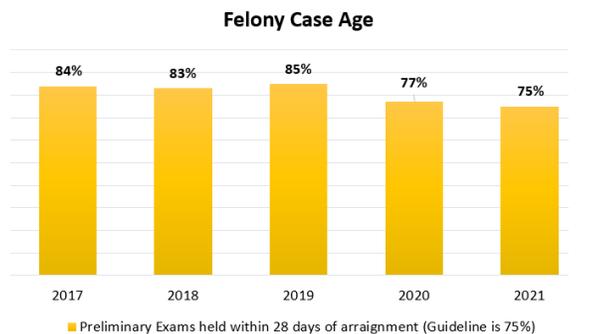
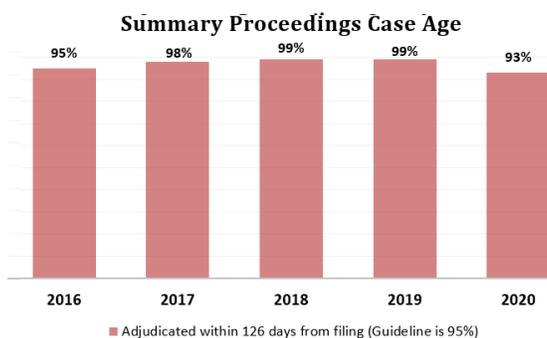


Age of Caseload

Measuring the age of active pending and disposed cases is fundamental to promote access to justice by ensuring the Court is processing and disposing of cases in a timely manner. The 58th District Court continues to meet or exceed the case age guidelines set by the Michigan Supreme Court for each case type category. Our judges, management team and clerks continue to engage in process improvement to help ensure these guidelines are met while also giving appropriate consideration necessary to provide procedural and substantive due process in each individual case.



Case age is a critical performance metric to ensure all cases are scheduled and resolved in a timely manner thereby promoting fundamental access to the Court and ensuring due process.



The mission of the 58th District Court Probation and Community Corrections Department is to enhance public safety by enforcing court orders while holding offenders accountable by utilizing services and resources.

Reports, Screens and Assessments:

Bond screens are conducted to assist the Court in setting bond at the initial court appearance for an offender. This screening provides information to the judge on factors such as the defendant's criminal and substance abuse history, mental health, record of court appearances, the seriousness of the offense and ties to the community.

The bond screen is then considered by the judge to determine the defendant's threat to the community if released as well as their likelihood of returning to Court for future proceedings. The bond screen also provides information to assist this Court in setting bond conditions including whether no contact with the victim should be ordered and/or drug and alcohol monitoring is needed.

Following conviction, the judge may order a pre-sentence investigation. These are face-to-face interviews that a probation officer conducts with the offender, to gain background information. Pre-sentence investigations address the severity of the offense, prior criminal history, the possibility of drug or alcohol abuse, mental health issues and the offender's attitude. Additionally, victims of the offense will be contacted and advised of their right to speak at sentence and to have the Court

determine proper restitution. The probation officer provides a written pre-sentence report to the Judge and defendant prior to sentencing. A substance abuse assessment is a normal component of a presentence report. Completed by a trained probation officer or treatment specialist, it helps to determine the offender's suitability for substance abuse treatment and placement into a specific treatment modality/setting. This evaluation includes gathering information on current and past use/abuse of drugs, criminal history, treatment history, and familial and educational histories.

*IN 2021, DISTRICT COURT
PROBATION OFFICERS
CONDUCTED 43,602
OVERSIGHT APPOINTMENTS
AND ADMINISTERED 36,694
DRUG TESTS.*

Testing and Supervision:

Probation supervision involves either the probationer reporting to their probation officer at the office for a regularly scheduled meeting or submitting to a random drug or alcohol test. Field supervision officers will, however, often visit a probationer's residence to determine if the offender is abiding by their probation order, following curfew and to monitor their home environment. The officer may request that the offender submit to a preliminary breath test to check for alcohol, a search of their person or a search of their residence.

MONITORING COMPLIANCE



Drug Testing Probation uses automated lab quality analyzers in each court location and has eliminated the previous practice of using pre-determined 4-panel drug “dip cards”. Staff subjectively interpreted dip card results in determining

drug use and/or sample adulteration and the 4 panel dip cards did not allow for customized drug testing for the probationer nor did they allow for alcohol testing. The system in place now allows for immediate and accurate results for several drugs while also allowing for EtG (alcohol use) testing on site.

IN 2021, OF THE 36,694 DRUG TESTS ADMINISTERED, 8,054 WERE POSITIVE {OR A 22% POSITIVITY RATE}.

Electronic Monitoring

Continuous Alcohol Monitoring Summary (CAM) units help to ensure sobriety and compliance with probation conditions.

Global Positioning Systems (GPS) aid in monitoring the location of defendants charged with domestic violence and sex related crimes.

Remote Breath Monitoring units help to ensure sobriety and compliance with probation conditions.



ANNUAL
2021

289
TOTAL PARTICIPANTS

220
COMPLETED PARTICIPANTS

23,575
DAYS MONITORED

1,056,305
TOTAL READINGS

68.2%
OVERALL COMPLIANCE



ANNUAL
2021

261
TOTAL PARTICIPANTS

186
COMPLETED PARTICIPANTS

15,642
DAYS MONITORED

67,774
TOTAL TESTS

62,782
COMPLIANT TESTS



ANNUAL
2021

125
TOTAL PARTICIPANTS

92
COMPLETED PARTICIPANTS

11,362
DAYS MONITORED

15.9 MIL
LOCATION POINTS

33%
COMPLIANT PARTICIPANTS

Sobriety Treatment Programs

In May of 2021, the 58th District Court Sobriety Treatment Program in Holland celebrated 17 years of successful operation in changing lives and reuniting families. In 2014, Judge Bunce started a Sobriety Treatment Program in Grand Haven to serve the number of northern Ottawa County residents who were not able to travel to the Holland Sobriety Treatment Program. Both Holland's and Grand Haven's Sobriety Treatment Courts have had numerous successes throughout the years. These successes include supporting and helping participants receive treatment to maintain a drug and alcohol free life, seeing hundreds of participants successfully complete the program and obtain employment while significantly reducing recidivism rates. The Holland program was also designated as a National Academy Court for three years by the National Center for DWI Courts, in conjunction with the National Highway Traffic Safety Administration.



In October 2018, Judge Mulder started a Sobriety Treatment Program in Hudsonville to serve the number of Ottawa County residents who were not able to travel to the Grand Haven or Holland Sobriety Treatment Programs.

“As a new Judge, I decided to start a Sobriety Court. During my short time on the bench, I was surprised by the number of repeat Operating While Intoxicated cases that were presented in my Court. I am passionate about helping those repeat offenders by assisting them to make positive life changes through best practices and thereby making our community safer. Prior to becoming a Judge, I was exposed to Drug/Sobriety Courts as a representative of the team on the 20th Circuit Court. I have personally heard the testimony of many successful participants and their family members of how the program has helped change their lives. Through this experience, I became convinced that these Courts work and already have begun to see the progress in my Sobriety Court participants.” – Honorable Judy Mulder



“Making friends and actually bonding with people in the program is a huge part of it. We are all each other's support group.” - STP Participant

Mental Health Treatment Court

On July 1, 2014, the 58th District Court established a Mental Health Treatment Court (MHTC) with grant funds. The goal of this treatment court is to balance criminal justice goals, due process rights of the offender and mental health treatment and services. This balance is achieved through the use of court and community resources to connect participants with the appropriate and individualized treatment options while maintaining accountability for the crime committed and improving the overall community and public safety.



Section 1090 (Mental Health) Treatment Court

The Mental Health Treatment Court facilitates participant engagement in individualized treatment to culminate in positive legal outcomes while promoting public safety, wellness and recovery through collaboration in a highly structured specialty court setting.

One of the primary reasons for having the Section 1090 Court is to offer more collaborative services and effective alternatives to individuals with mental health needs charged with crime. Without a Section 1090 Court, these individuals face many challenges in the criminal justice system such as having to remain in jail, potentially unable to post even minimal bail while their mental health issues go untreated.

Participants who are accepted into the Section 1090 Court have a serious mental illness, serious emotional

disturbance or a developmental disability which significantly impacts their ability to function independently, are over age 17 and are charged with a non-violent offense. Once admitted into

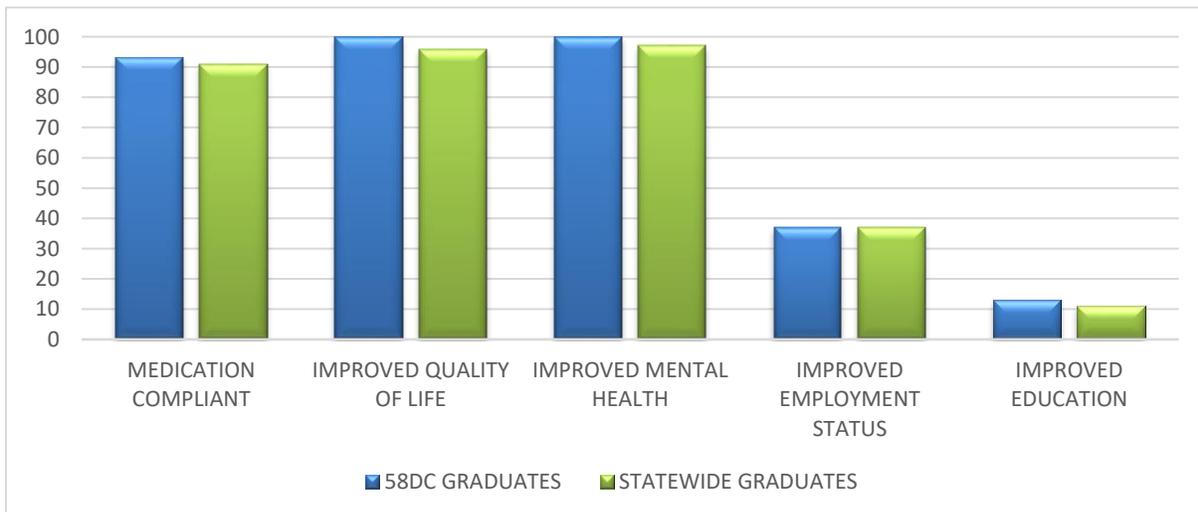
Holland Section 1090 Court Team Members

Hon. Bradley Knoll, Presiding Judge
 Matt Lowe, Case Manager
 Kelly Chapman, Peer Support Specialist
 Vanessa Werle, CMH
 Natalie Martinez, Probation Officer
 Jake Jenison, Prosecutor
 Jane Patterson, Defense Attorney

the program, participants are connected to comprehensive and individualized treatment support and services. Participant progress is closely monitored through active and engaged case management in order to maximize the benefits of being involved in the program. The Section 1090 Court also involves frequent court appearances and support groups as well as

awarding various individualized incentives for compliant behaviors and sanctions when appropriate.

IN 2021, OUR GRADUATE RATE INCREASED FROM 56% TO 68%.



Sobriety Treatment Programs

The Sobriety Treatment Program (STP) is a four phase intervention program for adults who have pled guilty to more than one alcohol offense and who are having difficult staying clean and sober. It is a collaborative effort between the District Court, the Prosecutor's Office, the participant's attorney, community and police agencies, case management and treatment programs. By working together, the team seeks to provide a variety of programs and consistent supervision geared toward supporting and helping the participant maintain a drug and alcohol free life.

2021 Courtwide Program Statistics	
New Enrollments	53 (38 male and 15 female)
Successful Discharges	42 (80% Success Rate)
12% of graduates improved their education level 38% of graduates improved employment status	
Hours of community service performed	1,454
Average days of sobriety	362
Drug of Choice	44 Alcohol 1 Heroin 8 Marijuana

Program alumni serve as peer-to-peer mentors by meeting with new participants for the first few weeks in the program to ensure they feel welcome and encouraged as they work towards program goals and achieving sobriety.

The STP involves frequent court appearances, random drug and alcohol testing as well as group and individual counseling. The Court awards incentives for compliant behaviors and imposes sanctions for negative behavior. Participants who

do not comply with the rules may be placed in short-term custody, have phase advancement delayed or face a variety of other sanctions. The STP Team consists of a defense attorney to protect the rights of the participant, a prosecuting attorney who assists in reviewing the cases for legal eligibility, a case manager who provides direct supervision to the participant, a treatment provider who is responsible for educating and helping the participant and a surveillance officer who conducts home visits.

The mission of the 58th District Court Sobriety Treatment Program is to promote community safety and reduce alcohol and drug abuse through a coordinated program involving intensive supervision, judicial interaction, treatment, incentives, sanctions and accountability.

Holland STP Team Members

Hon. Juanita Bocanegra, Presiding Judge
Alma Valenzuela, Program Director
Leticia Gonzalez-Ortiz, Case Manager
Natalie Martinez, Case Manager
Chad Whitman, Case Manager
Jessica Dozeman, Surveillance Officer
Kaylin Brown, Surveillance Officer
Lee Fisher, Prosecutor
Anna White, Public Defender
Abe Gonzalez, Public Defender
Ken Laakko, West Shore Counseling
Clara Mascorro, Arbor Circle
John Weatherwax, Holland Public Safety

Grand Haven STP Team Members

Hon. Craig Bunce, Presiding Judge
Kendra Sheffield, Case Manager
Alicia Jett, Surveillance Officer
Faith Bodnar, Surveillance Officer
Lee Fisher, Prosecutor
Christine Tober, Defense Attorney
Sheila Day, Counselor
Lt. Lee Adams, Grand Haven Public Safety

Hudsonville STP Team Members

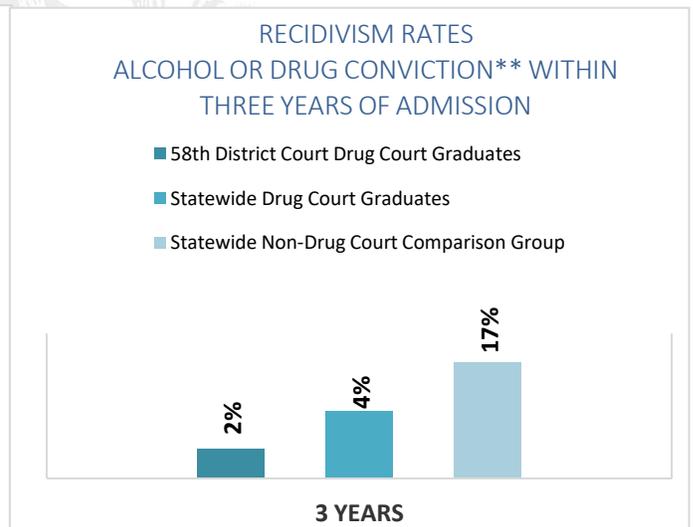
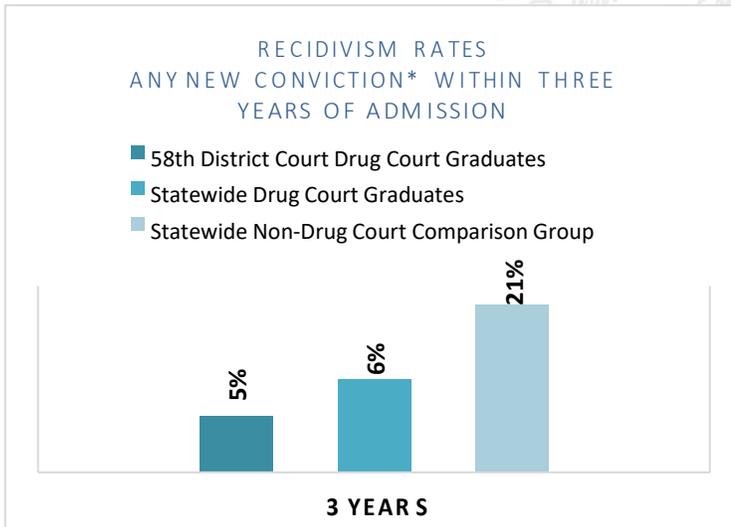
Hon. Judy Mulder, Presiding Judge
Tracey Lehnen, Case Manager
Terry McAlary, Surveillance Officer
Jay Tubergen, Prosecutor
Nichole Derks, Defense Attorney
Sheila Day, Counselor
Sgt. Jeff Steigenga, Sheriff's Department

Sobriety Court Recidivism Rates

In the fall of 2021, the State Court Administrative Office (SCAO), a division of the Michigan Supreme Court, provided 2020 recidivism rates on the 58th District Court Sobriety Treatment Program. Successful graduates of Michigan drug court programs were identified using the Drug Court Case Management Information System (DCCMIS). Comparison members were selected by SCAO using the Judicial Data Warehouse (JDW) and were matched to drug court graduates on all of the following criteria: 1) the criminal offense type that brought the person into drug court; 2) the number of cases in the two years prior to the matching offense; 3) age at the time of the matching offense; 4) gender; 5) county of offense; 6) court of offense; and 7) the year range of the matching offense. To determine recidivism rates, SCAO looked at a three year time frame from when the participant was admitted into the drug court program and defined participant as an individual who was admitted and successfully completed drug court program requirements.

SCAO breaks recidivism into two components:

- 1) Any new conviction* or
- 2) A new drug or alcohol conviction**



“Today was super surreal. I had the privilege of going back to Sobriety Court to share my story and experience. It tripped me out walking back into court today and seeing everything from a “not in trouble” perspective. It blows me away that it was 12 years ago when I was doing whatever I could to get high to now smiling and so overjoyed to see my old judge and probation officer. – Previous STP Graduate

***Any new conviction** measures recidivism within the categories of violent offenses, controlled substance use or possession, controlled substance manufacturing or distribution, other drug offenses driving under the influence of drugs or alcohol first offense, driving under the influence of drugs or alcohol second offense, driving under the influence of drugs or alcohol third offense, other alcohol offenses, property offenses, breaking and entering or home invasion, nonviolent sex offenses, juvenile status offenses of incorrigible, runaway, truancy, or curfew violations, neglect and abuse civil, and neglect and abuse criminal. This definition excludes traffic offenses and offenses that fall outside the above categories.

Ottawa County Community Corrections Advisory Board

The Michigan Community Corrections Act, Public Act 511 (PA 511) was established in 1988 to ease jail and prison overcrowding by improving and increasing rehabilitative

services available to non-violent, adult offenders. Pursuant to PA 511, counties must establish local Community Corrections Advisory Boards (CCABs) to develop and oversee comprehensive corrections plans. These local plans identify and establish local policy framework and practices aimed at initiating and maintaining programs and services that will help achieve measurable goals envisioned by PA 511. This includes identifying linkages with

Michigan Works! agencies, local criminal justice officials, substance abuse coordinating agencies, community health departments and other agencies to help provide cost-effective and non-duplicated services to offenders to reduce recidivism and prison commitment rates. In Ottawa County, the 58th District Court assists the Ottawa County CCAB by overseeing the programs and applying for state grant funding.

Most of the offenders enrolled in treatment-type programs are sentenced felons. Offenders with higher sentencing guideline scores, probation violators and those who have convictions for driving under the influence of drugs or alcohol account for increasing proportions of new enrollees in residential programs. Misdemeanants account for the majority of enrollments in community service programs.

By supporting appropriate use of non-prison sanctions for offenders who might otherwise be committed to prison, local CCABs have helped reduce the state prison commitment rate. The Department of Corrections Statistical Report reflects that the State's prison

commitment rate was 34.7% in 1989, decreased to 25% in the mid 1990's and remained relatively stable since the early 2000's. During 2003, the Department placed a renewed emphasis on the use of community-based sanctions/services for straddle cell offenders, probation violators, and parole violators to control the State's prison growth.

Ottawa County is recognized as a leader in the state with meeting and addressing the goals set forth by PA 511. With appropriate offenders, Ottawa County places an emphasis on treatment and alternative sanctions/sentences, utilizing collaboration of multiple agencies to manage offenders locally. A solid representation of agencies and members of the community prefer to support diverting appropriate offenders from prison and jail. This effort promotes accountability, reduction in criminal/delinquent behavior and supports an environment for change.

The hard work support, and collaboration of the Ottawa County CCAB and community partners establish Ottawa County as a great place to reside. It is a safer community with healthier families.

2021 OTTAWA COUNTY CCAB MEMBERS

Ottawa County Communication Corrections Program

Director: Alma Valenzuela

Ottawa County CCAB Members:

County Commissioner	Roger Bergman
County Prosecutor	Lee Fisher
County Sheriff	Steve Kempker
Chief of Police	Captain Keith Mulder for Chief Matt Messer
District Court Judge	Honorable Craig Bunce
Probate Court Judge	Honorable Mark Feyen
Circuit Court Judge	Honorable Jon Hulsing
Employment & Training	Angie Barksdale
Criminal Defense Bar	Nichole Derks
Circuit/District Probation	Heath White
Business Community	Doug Kamphuis
Mental Health	Matt Lowe
Substance Abuse	Timothy Piers

Community Correction Programs

Ottawa County Community Corrections has a comprehensive plan designed to improve jail utilization, reduce admissions to prison and improve the local criminal justice system. Programs include the following:

- **Cognitive Behavioral Therapy (CBT)** Moral Reconciliation Therapy (MRT) is a cognitive-behavioral counseling program that combines education, group and individual counseling, and structured exercises designed to foster moral development in treatment-resistant clients.
- **Bond Risk Assessment (BRA)** This program includes an evidence based risk assessment of offenders who are incarcerated and charged with a new felony offense. The assessment helps determine appropriate level of bond and pretrial supervision.
- **Substance Abuse Testing (SAT)** This program is for felon on pretrial and post adjudication supervision where a risk assessment suggests a substance use disorder.
- **Offender Assessment and Referral (OAR)** This program provides a thorough assessment of incarcerated probation violators and felony offenders awaiting sentencing. The results are used to develop treatment plans and recommendations for available services.
- **Pre-Trial Supervision (PTS)** Pretrial release decisions balance the due process rights of those accused of crime with maintaining the integrity of the judicial process by securing defendants appearance for trial and protecting the community from danger. The law favors the release of defendants pending adjudication of charges and as such the judge must consider whether to release a defendant on personal recognizance or with bond conditions or detain a defendant in jail at pretrial bond hearings. Deprivation of liberty pending trial can be harsh and subject defendants to economic and psychological hardship, can interfere with their ability to defend themselves and, in many instances, deprives their families of support. Focused pretrial supervision is an excellent way to minimize harm while mitigating risks by monitoring non-violent felony defendants released pending trial. Pretrial supervision focuses on tailoring specific release conditions to each individual defendant's risks and needs related to public safety while also ensuring appearances at future court proceedings. For example, all pretrial released defendants receive text reminders of their next court appearance which has proven to be an extremely effective method to improve appearance rates. Other common pretrial supervision conditions include regular check-ins (home and office), drug and alcohol testing and various other forms of electronic monitoring.

In 2021, there were 527 new felony enrollments in the Pretrial Supervision program, a 29% increase from 2020.

Court Services Division

The Community Service Work (CSW) and the Jail Alternative Work Services (JAWS) programs are utilized by the 20th Circuit Court and 58th District Court as an alternative to incarceration for non-violent felons and misdemeanants, resulting in more effective use of the County jail space. Both programs may also be utilized for the following situations:

- As a sanction to a probation violation of the court order or administrative sanction
- When the Judge feels that offenders should be giving something back to the community
- It is mandatory sentencing for Drunk Driving 3rd Offense, i.e. 360 hours or 60 days
- As an alternative to paying court fines and costs
- As motivation for offenders to find a job
- For Drug and Sobriety Court participant sanctions.

In 2021, despite the COVID shutdown, 12,831 hours of community service and JAWS were safely able to be completed benefitting our community a total of \$126,641 in services.

Jail Alternative Work Services (JAWS)

2021 Program Highlights:

New Enrollees	319
JAWS Crew Worked	51
Days Worked	37
Average Offenders per Crew	10
Hours Provided	3,570
Value of Service (based on minimum wage of \$9.87/hour)	\$35,235
Success Rate (hours ordered versus hours actually worked)	83%



Mulligan's Hollow Ski Bowl weeding and trash pick-up in City of Grand Haven



Graffiti cleanup at Covenant Life Church

Community Service Work (CSW)

2021 Program Highlights:

New Enrollees	184
Worksites	21
Completed Hours	9,261
Full Time Employee Equivalent	4.45
Value of Service (based on minimum wage of \$9.87/hour)	\$91,406
Success Rate (hours ordered versus hours actually worked)	42%

Northern/Western Ottawa County

American Legion ♦ Chamber of Commerce ♦ City of Grand Haven ♦ Coast Guard Office ♦ Conservation District ♦ Covenant Life Church ♦ Family Promise of the Lakeshore ♦ Grand Haven Church of God ♦ Grand Haven Department of Public Works ♦ Grand Haven Township Fire Department ♦ Grand Haven State Park ♦ Harbor Humane Society ♦ Hope Reformed ♦ International Aid ♦ Love In Action ♦ Loutit Library ♦ Ottawa County Facilities/Maintenance ♦ Ottawa County Parks and Recreation ♦ Spring Lake Cemetery ♦ Spring Lake Library ♦ Spring Lake Presbyterian ♦ Spring Lake Wesleyan ♦ St. Mary's Church ♦ St. Patrick's Catholic Church ♦ United Methodist Church of the Dunes ♦ YMCA

Eastern Ottawa County

Allendale Fire Department ♦ Allendale Goodwill ♦ Allendale Township Library ♦ Barnabas Ministries ♦ Berlin Fair ♦ Blendon Township ♦ Blessing Resale ♦ Chester Township ♦ City of Hudsonville ♦ City on a Hill ♦ Coopersville DPW ♦ Coopersville Library ♦ Coopersville VFW ♦ Corpus Christi Catholic Church ♦ Fishers of Men ♦ Georgetown UMC ♦ Grace Bible Fellowship ♦ Jamestown Township ♦ Jenison Goodwill ♦ Indian Trails ♦ Laurels ♦ Love, INC. ♦ Marne Cemetery ♦ Mel Trotter Ministries ♦ Patmos Library ♦ Polkton Township ♦ Sheldon Meadows ♦ St. Vincent de Paul (Formerly Knights of Columbus) ♦ WCET-TB ♦ WTLJ Allendale

Ottawa County Community Service Worksites

Southern/Western Ottawa County

70X7 Life Recovery ♦ Africa's Child ♦ Boys and Girls Club ♦ Building Men for Life ♦ Casa del Rey ♦ Central Wesleyan Church ♦ City of Holland ♦ Community Action House ♦ Community Action House Store ♦ Cornerstone Tabernacle ♦ Eight Day Farm ♦ Evergreen Commons Adult Day Care ♦ Fellowship Reformed Church ♦ First Assembly of God ♦ Fulfilling Life Ministries ♦ Harbor House ♦ Harderwyk Church ♦ Holland Alano Club ♦ Holland City Hall ♦ Holland Civic Center ♦ Holland Community Center ♦ Holland Community Kitchen ♦ Holland Mission ♦ Holland Museum ♦ Holland Recreation Department ♦ Holland State Park ♦ Holland VFW ♦ HOME Roller Rink ♦ Lakeshore Disability Network ♦ Lakeshore Habitat Restore ♦ Laketown Township ♦ Macatawa Resource Center ♦ Maple Avenue ♦ Moran Park ♦ Northpoint Assembly of God ♦ Ottawa County Fairgrounds ♦ Ottawa County Parks ♦ Paradise Bound ♦ Parkview Home ♦ Restoration Center ♦ Ridgepoint Community Church ♦ Rock ♦ Shelby's Place ♦ Shekinah Revival Ministries ♦ St. Francis de Sales ♦ The Bridge (The Mission for Women) ♦ The Critter Barn ♦ The Outdoors Discovery Center ♦ The Rock Escape Ministries ♦

Special Events

Grand Haven Hispanic Heritage Festival ♦ Coast Guard Festival ♦ Grand Haven Art Festival ♦ Holiday Open House ♦ Holland Postal Food Drive ♦ Olive Township Trash Day ♦ Parade of Lights ♦ Recovery Fest ♦ Crockery Township Trash Day



58th District Court
85 West 8th Street
Holland, Michigan 49423
616.392-6991



58th District Court
414 Washington Avenue
Grand Haven, Michigan 49417
616.846-8280



58th District Court
3100 Port Sheldon Road
Hudsonville, Michigan 49426
616.662.3100

58th District Court Contact Information



"Equal Justice Under Law"