

2008 ANNUAL REPORT



Office of the Prosecuting Attorney

Submitted by:
Ronald J. Frantz
Ottawa County Prosecuting Attorney

EXECUTIVE SUMMARY

The 2008 **felony caseload** decreased by 7% from the 2007 level (1281 cases in 2008, compared to 1382 cases in 2007). The trend over the last seven years has generally been downward from a high point of 1536 cases in 2002. Felony crime categories showing significant increases were breaking and entering (up 37%, 109 cases) and robbery (up 18%, 26 cases). Categories showing significant declines were criminal sexual conduct (down 23%, 63 cases), felony drunk driving (down 15%, 100 cases), and weapons offenses (down 8%, 61 cases).

The total **misdemeanor caseload** fell 4% in 2008 (7495 cases). **Juvenile crime**, as represented by petitions filed by our office, also declined significantly by 26% to 1340 delinquency petitions filed. **Total criminal caseload** (combined felony, misdemeanor, and juvenile statistics) indicates an 8% decline in office activity (10,116 cases in 2008).

The most noteworthy statistic for 2008 was the unprecedented increase in **homicides**. Ten people were murdered; four by domestic partners. In three of those cases the perpetrator took his own life as well. We began the year with a Holland Police Officer strangling his wife. In July a Grand Haven jeweler and his customer were shot to death. Finally, during the fall, three Wright Township family members were murdered in their home, along with the girlfriend of one of the victims. Thus far, three defendants have been convicted of first degree murder and we are awaiting trial on the Wright Township case.

Fortunately, the significant increase in **gang violence** seen in 2007 did not carry over at the same level into 2008. Our Gang Task Force, which includes the Holland Police Department, the Ottawa and Allegan County Sheriffs' Departments, WEMET, federal agencies, and the Ottawa County Prosecutor, was effective in investigating and prosecuting many gang offenders. While investigations and prosecutions continue, the outlook for 2009 is much more promising. Once again, we have demonstrated that aggressive law enforcement will dramatically reduce gang violence.

Our **domestic violence caseload** had an unexpected 20% spike in 2008 (486 cases). As noted above, there were four domestic violence murders in 2008. The Lakeshore Alliance Against Domestic and Sexual Violence continues to actively promote prevention efforts and improvements in serving domestic violence victims and offenders. Our court-based domestic violence offender treatment initiative also seeks to reduce recidivism and better serve victims through the court process.

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

The **Children's Advocacy Center** has been providing age-appropriate services for sexually abused children for over ten years. This nationally accredited center conducted 269 interviews of children suspected of being sexual assault victims in 2008 (as compare with 343 interviews in 2007). Our office continues to work directly with investigators and center staff to assist young sexual assault victims in seeking justice in the criminal justice system and restoration of their lives.

Despite the aberrant homicide level, 2008 saw the continuation of relatively low crime levels and generally positive trends in our criminal justice system. The Prosecutor's Office is proud to contribute to the quality of life we enjoy in Ottawa County.

Respectfully submitted,
Ronald J. Frantz, Prosecuting Attorney

MISSION STATEMENT

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

RESPONSIBILITIES OF THE PROSECUTOR

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

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

ADMINISTRATIVE STAFF

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

ATTORNEY STAFF

GREGORY J. BABBITT, Grand Valley State University, B.S.; Thomas M. Cooley Law School, J.D.; 28 years of prosecution experience.

CRAIG E. BUNCE, Western Michigan University, B.S.; Valparaiso University School of Law, J.D.; 18 years of prosecution experience.

KENT D. ENGLE, Taylor University, B.A.; University of Detroit School of Law, J.D.; 21 years of prosecution experience.

LEE F. FISHER, Western Michigan University, B.S.; Thomas M. Cooley Law School, J.D.; 20 years of prosecution experience.

RONALD J. FRANTZ, Kalamazoo College, B.A.; Case Western Reserve University School of Law, J.D.; 32 years of prosecution experience.

JOELLEN HAAS, Indiana University, B.A.; Thomas M. Cooley Law School, J.D.; 6 years of prosecution experience.

DAVID J. KNOLL, Michigan State University, B.A.; University of Texas Law School, J.D.; 11 years of State prosecution experience, plus 30 years of previous legal experience, including ordinance prosecution.

JENNIFER N. KUIPER, University of Michigan, B.A.; University of Toledo College of Law, J.D.; 5 years of prosecution experience.

SARAH F. MATWIEJCZYK, Michigan State University, James Madison College, B.A.; Michigan State University - Detroit College of Law, J.D.; 8 years of prosecution experience.

DOUGLAS L. MESMAN, Calvin College, B.A.; Thomas M. Cooley School of Law, J.D.; 30 years of prosecution experience.

KAREN J. MIEDEMA, Ferris State University, B.S.; Wayne State University Law School, J.D.; 20 years of prosecution experience.

JUDITH K. MULDER, DePauw University, B.S.; Thomas M. Cooley Law School, J.D.; 20 years of prosecution experience.

JOHN R. SCHEUERLE, Michigan State University, B.A.; Detroit College of Law, J.D.; 10 years of prosecution experience.

EDUARDO VELAZQUEZ-HERNANDEZ, Carleton College, B.A.; Notre Dame College of Law, J.D.; 10 years of prosecution experience.

SUPPORT STAFF

CRIMINAL DIVISION

Amanda ArismendezLegal Assistant II
Belinda Coronado-DeValle. Legal Assistant II
Mary Dykstra. Legal Assistant II
Cathy Eidson.Legal Assistant III
Brad Gamby.Records Processing Clerk II
Jane Gardner. Legal Assistant II
Soonja Hixon Legal Assistant I
Angie RogersLegal Assistant II
Dawn Slater. Legal Assistant III
Stephanie Stoddard. Legal Assistant II

FAMILY COURT DIVISION

Juvenile & Probate Court

Jennifer BastienLegal Assistant II

Child Support Unit

Toni Sleutel.Child Support Investigator
Becky VisserChild Support Investigator

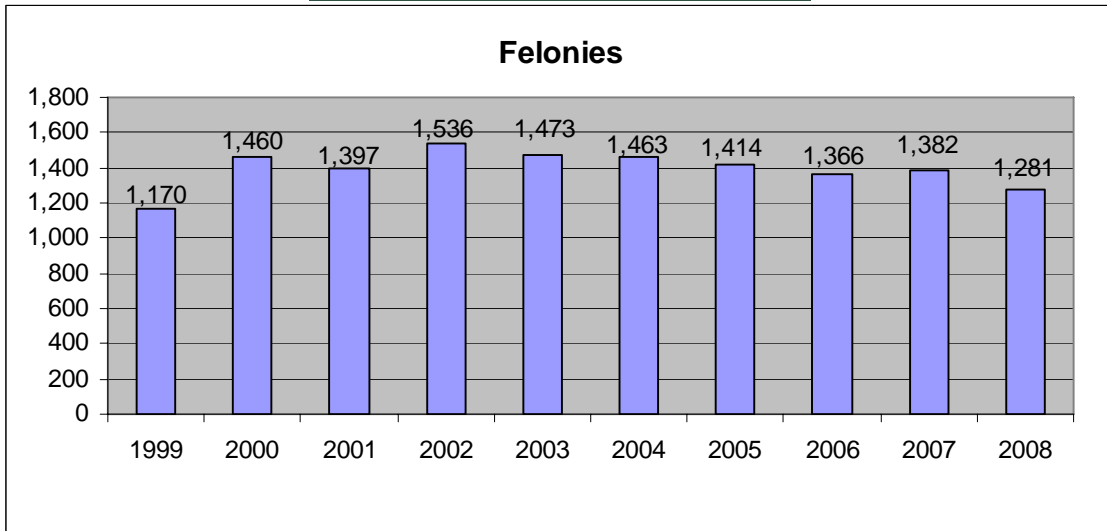
VICTIM ASSISTANCE UNIT

Joan GrilloVictims' Rights Coordinator
Jennifer Bytwerk Victim Advocate
Lesley MoranoVictim Advocate

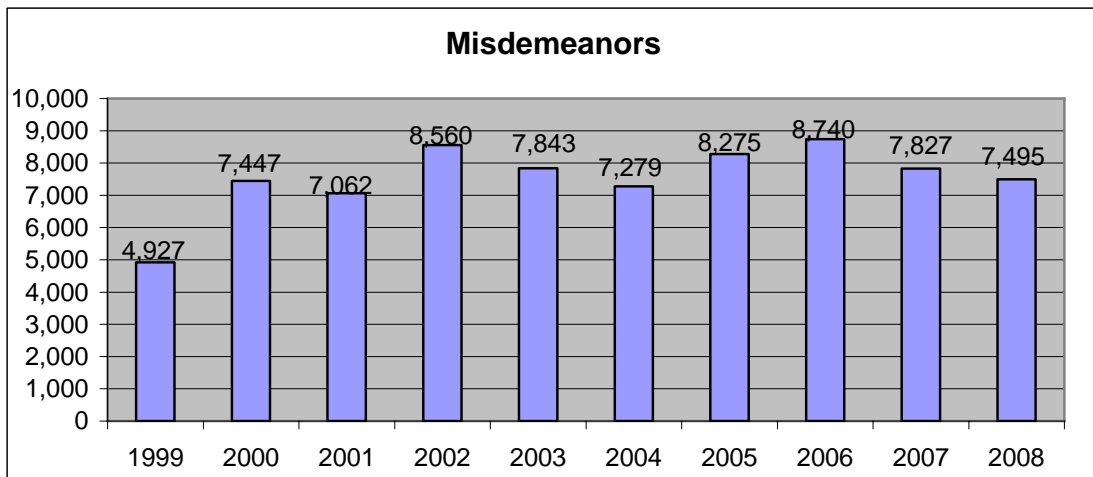
DOMESTIC ASSAULT UNIT

Jennifer BouwensViolence Intervention Officer

CRIMINAL CASELOAD

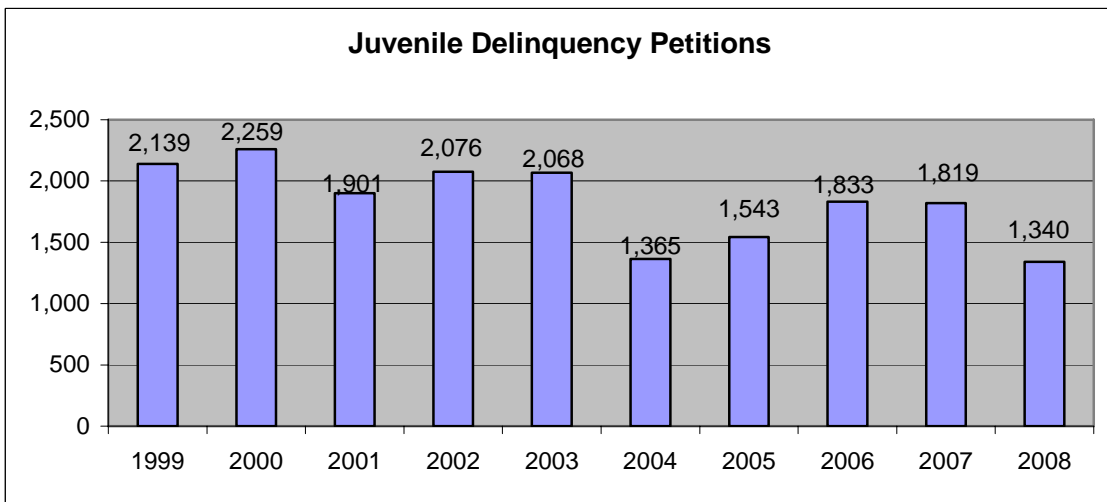


Adult Felony Cases: 2007: 1,382 2008: 1,281 7% decrease



Adult Misdemeanors: 2007: 7,827 2008: 7,495 4% decrease

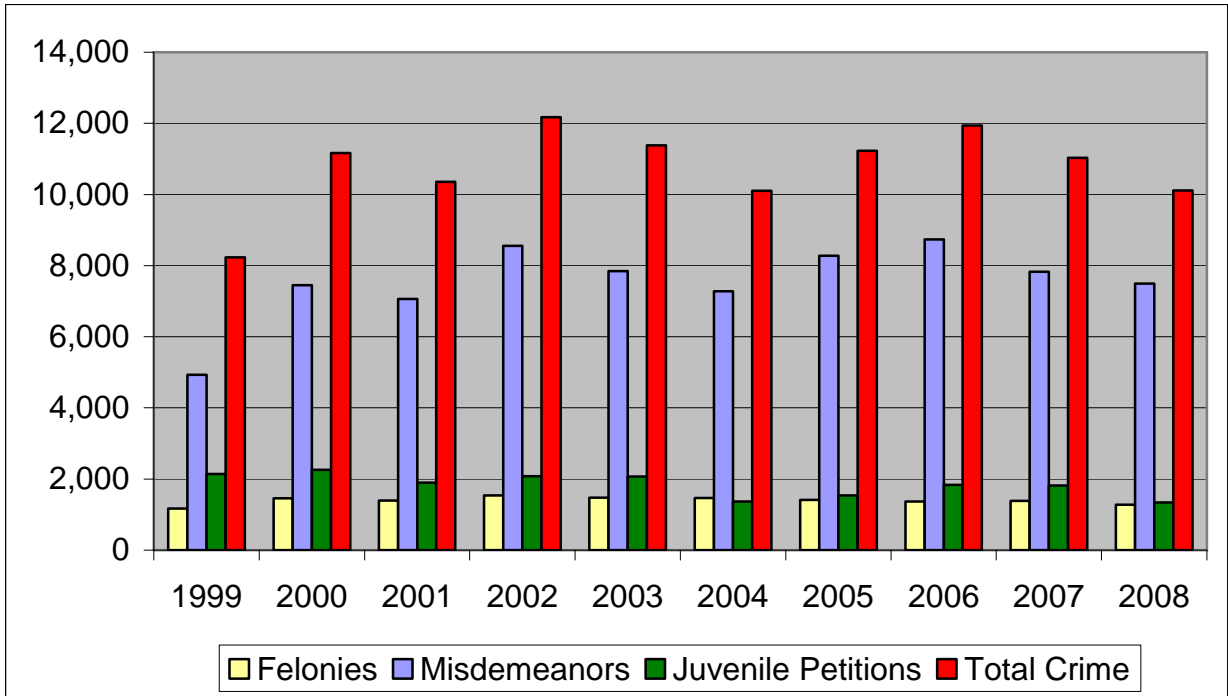
Note: Prior to 2000 the method of tracking statutory misdemeanors did not fully capture ticket offenses



Juvenile Delinquency: 2007: 1,819 2008: 1,340 26% decrease

Note: 33% reduction from 2003 to 2004 due in part to a change in data collection methodology

TOTAL CRIME STATISTICS



Total Crime (combined):

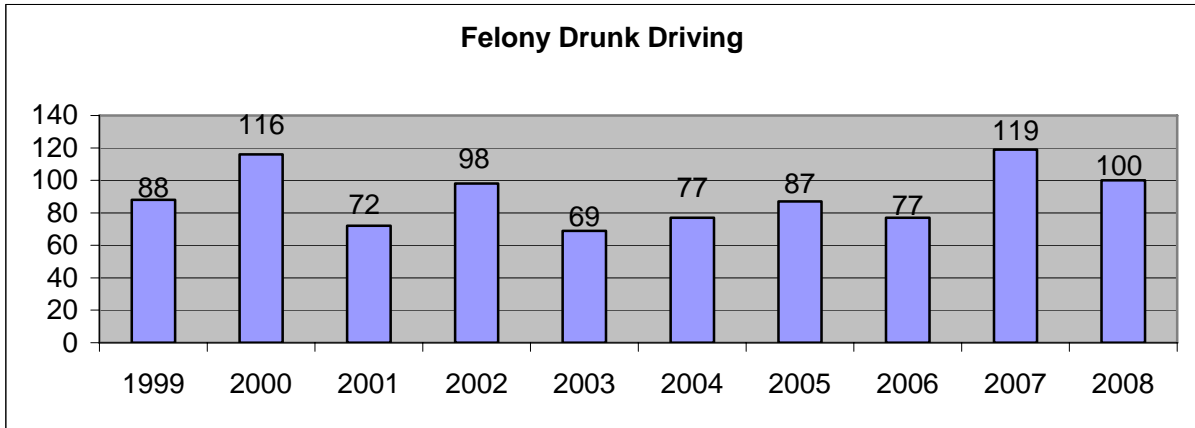
2007: 11,028

2008: 10,116

8 % decrease

CRIME CATEGORIES

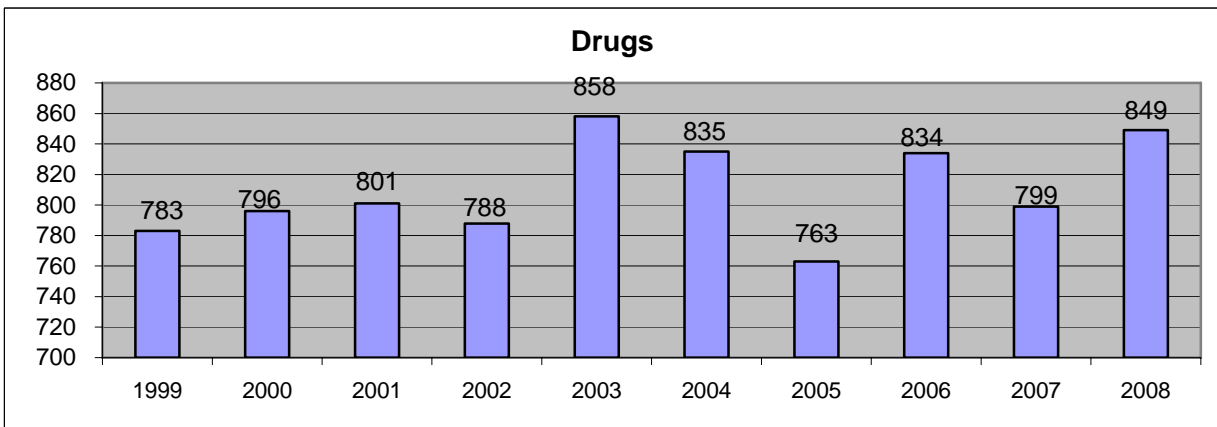
All categories reported for adult crime data only.



Felony Drunk Driving: 2007: 119 2008: 100 15% decrease

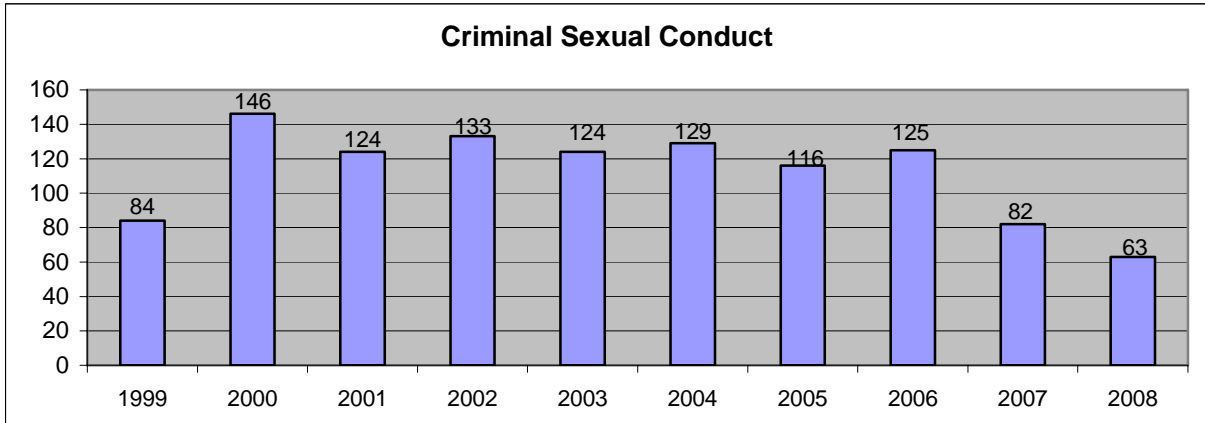


Misdemeanor Drunk Driving: 2007: 861 2008: 766 11% decrease

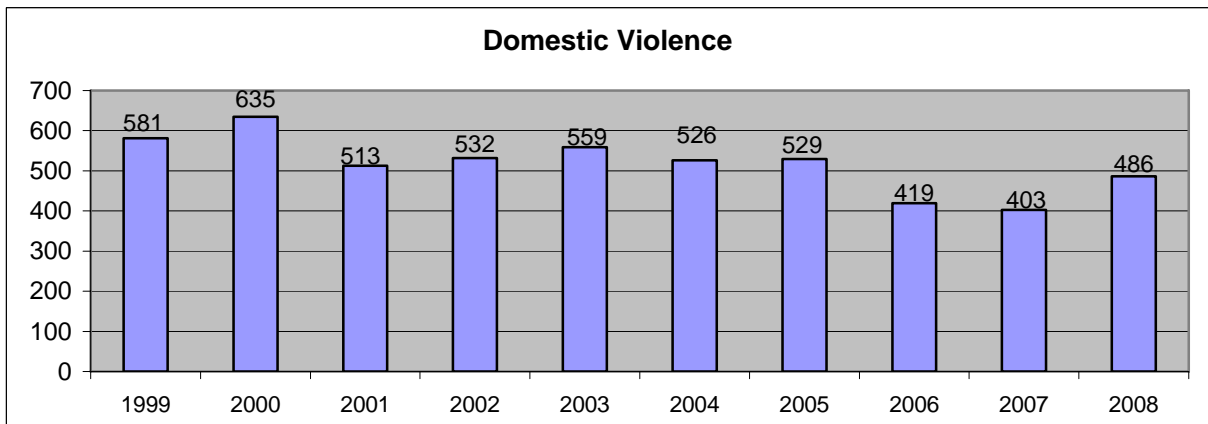


Drug Cases: 2007: 799 2008: 849 6% increase

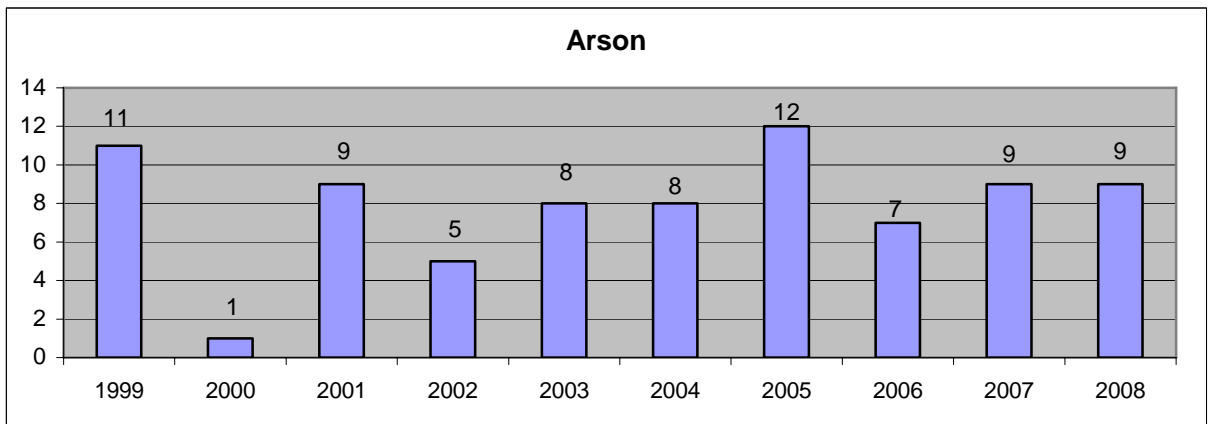
CRIME CATEGORIES CONTINUED



Criminal Sexual Conduct: **2007:** 82 **2008:** 63 23% decrease

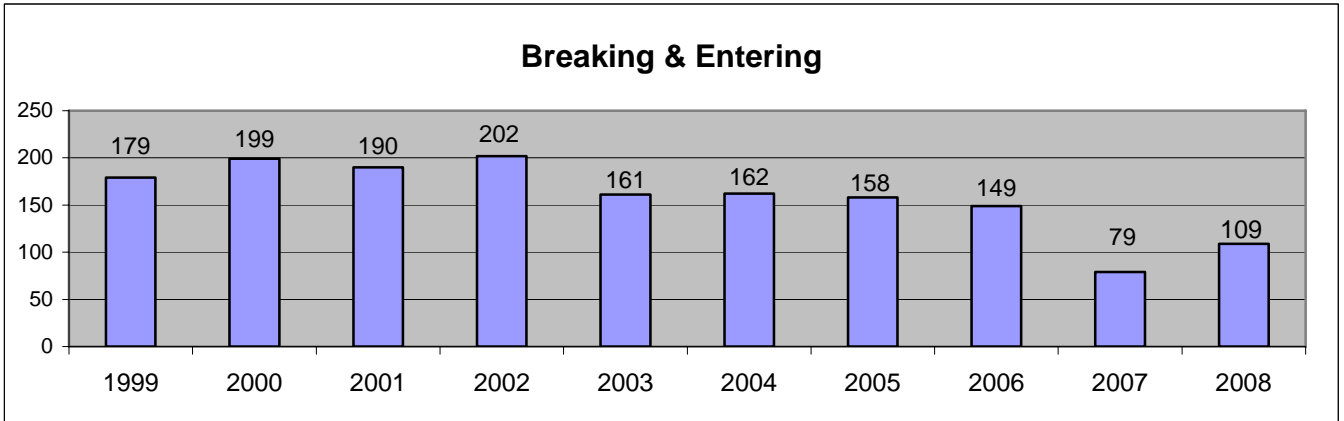


Domestic Violence: **2007:** 403 **2008:** 486 20% increase

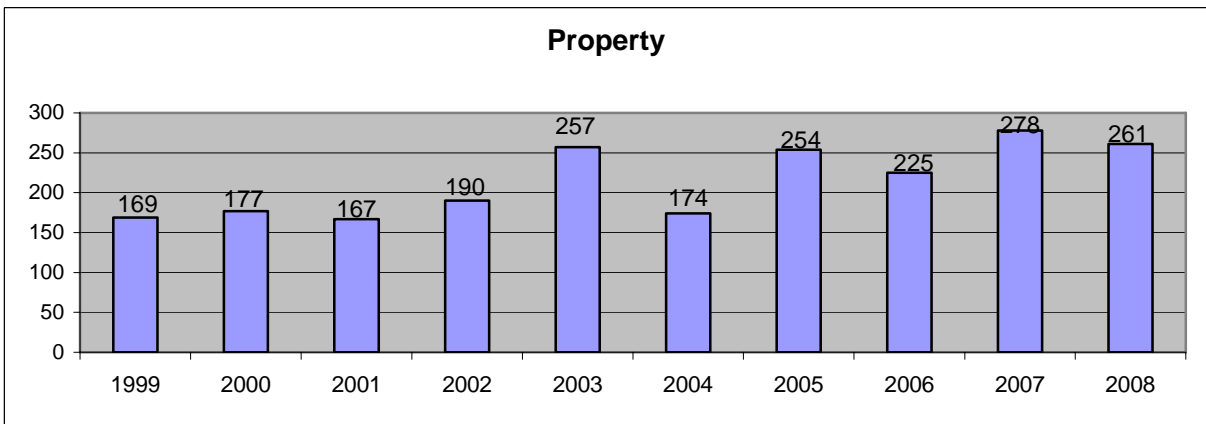


Arson: **2007:** 9 **2008:** 9 no change

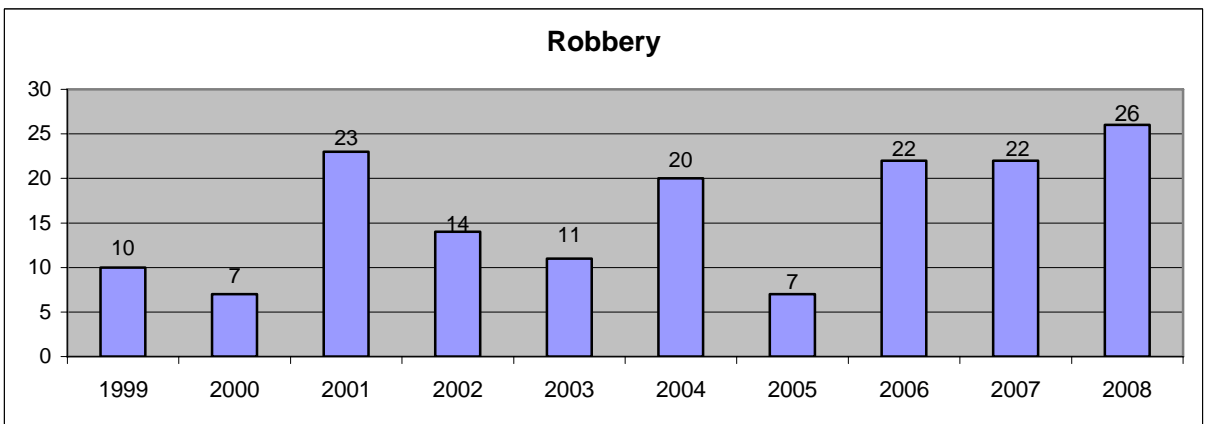
CRIME CATEGORIES CONTINUED



Breaking & Entering: **2007:** 79 **2008:** 109 37% increase

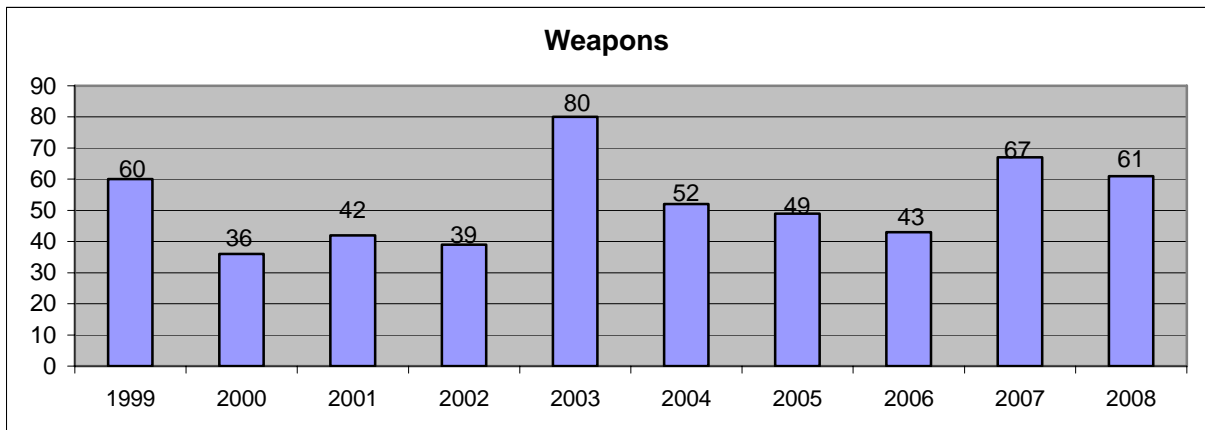


Property: **2007:** 278 **2008:** 261 6% decrease



Robbery: **2007:** 22 **2008:** 26 18% increase

CRIME CATEGORIES CONTINUED



Weapons:

2007: 67

2008: 61

8% decrease

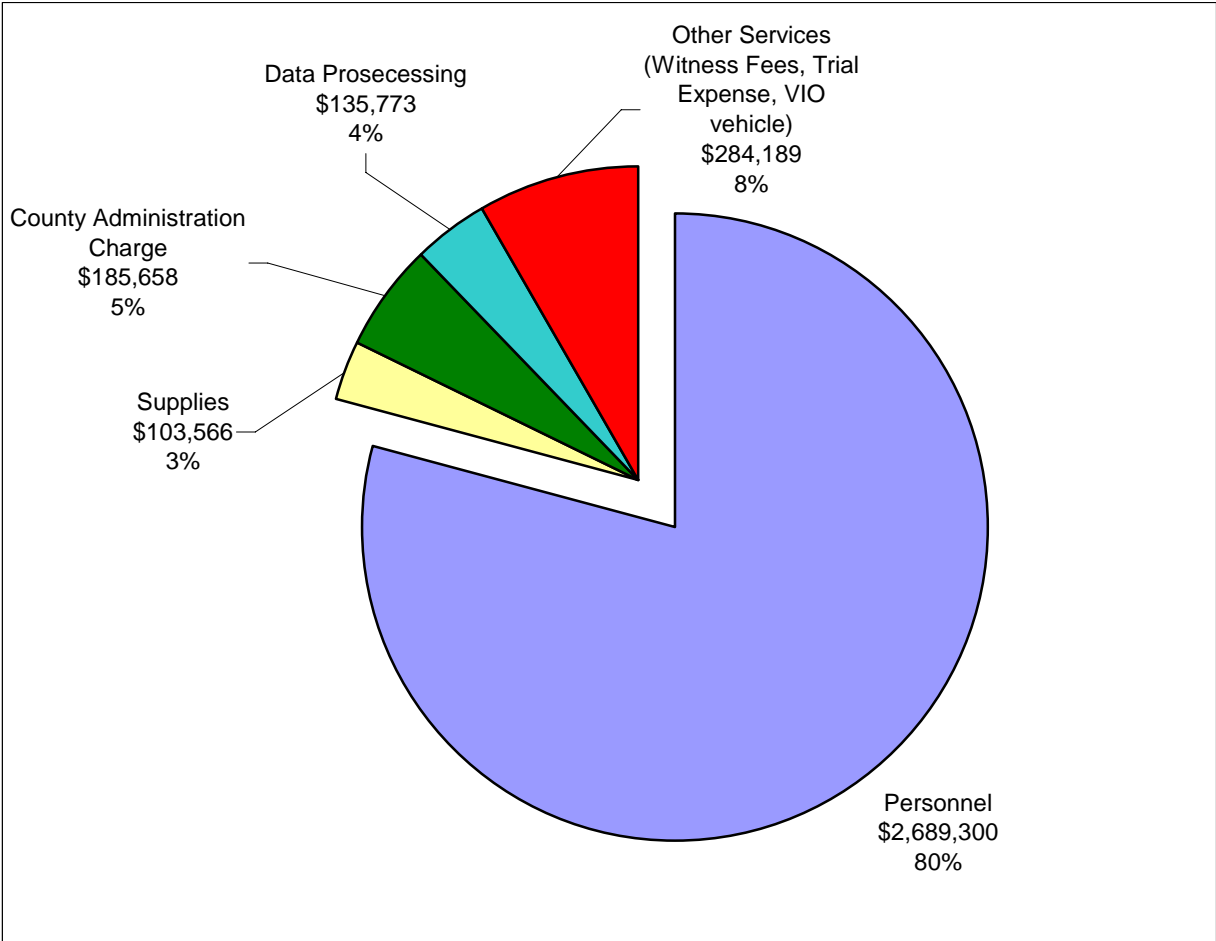
ADDITIONAL STATISTICS

Category	2007	2008	% Change
Felony Trials:			
Jury	31	22	(29 %)
Non-Jury	3	2	(33 %)
Misdemeanor Trials			
Jury	22	15	(32 %)
Non-Jury	26	41	57 %
Civil Infraction Bench Trials	921	896	(3 %)
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Appeals Filed	10	13	30 %
Application for Leave to Appeal	22	22	no change
Appeals Pending Decision	3	11	267 %
Parole Reviews	101	128	27 %
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Child Abuse & Neglect Cases	74	96	30 %
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Child Support Cases			
Paternity	208	213	2 %
Non-Support	412	449	9 %
URESAs: Incoming	17	15	(12 %)
Outgoing	41	18	(56 %)
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Concealed Weapons Board:			
Applicant Interviews	282	471	67 %
Reviews (without applicant)	53	169	219 %
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Crime Victims Rights:			
Felony	902	1,002	11 %
Misdemeanor	670	759	13 %
Juvenile	545	508	(7 %)
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Extraditions (Governor's Warrants)	4	6	50 %
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Contested Mental Hearings & Guardianship Hearings	37	17	(54 %)
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Statutory Civil Infractions	17,028	15,921	(7 %)
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Violation of Personal Protection Order Hearings	46	49	7 %
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Requests for Warrant Authorization (Returned for more investigation or denied)	1,382	1,436	4 %

FINANCIAL DATA

TOTAL BUDGET:

Annual Expense 2008

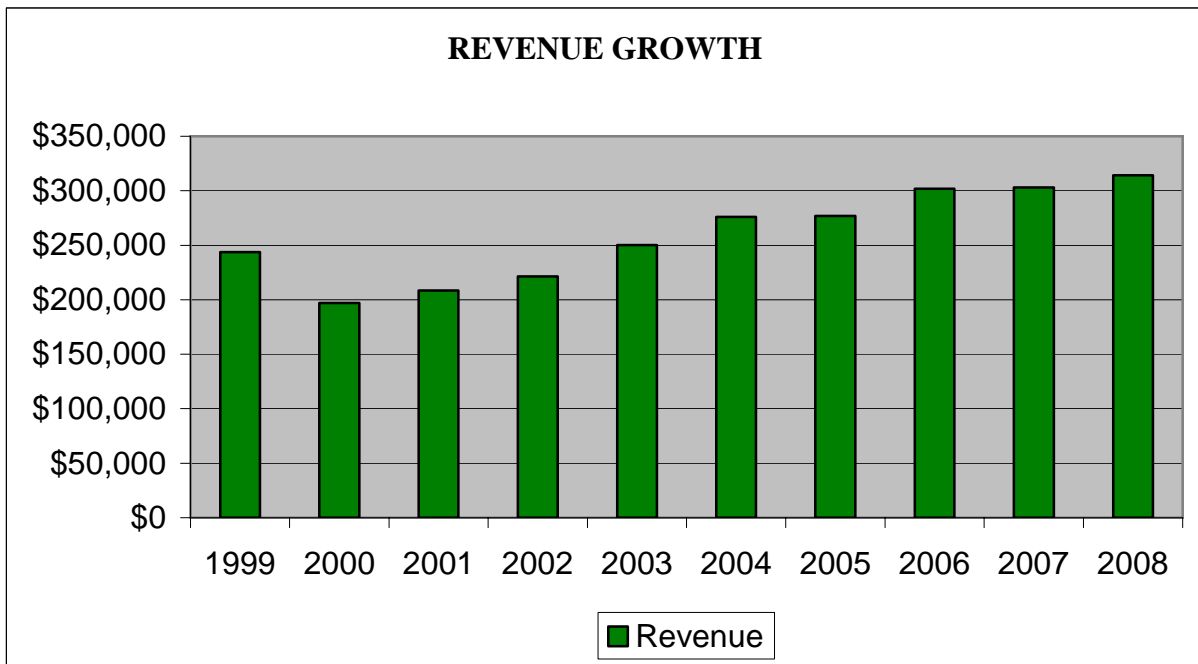


Total Budget:	2007	2008	% change
Annual total:	\$3,210,382	\$3,398,485	6 %

The Prosecutor’s office expenditures include \$66,109 reimbursement for investigative services provided by the Children’s Advocacy Center.

REVENUE

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



31% Increase over ten year period

Revenue:	2007	2008	% change
Annual total:	\$302,987	\$314,242	6 %

2008 Prosecutor Revenue:

Crime Victim's Rights	\$142,155
F.I.A. Contract	8,186
Cooperative Reimbursement	112,040
OWI Reimbursement	20,160
Allegan Reimbursement	18,328
Driver License Hearings	1,508
Food Stamp Fraud	<u>11,865</u>
Total Revenue	\$314,242