

ALLEGAN COUNTY
PROSECUTING ATTORNEY

2023 Annual Report



Myrene K. Koch

Prosecuting Attorney

PROSECUTING ATTORNEY STAFF

Myrene K. Koch, Prosecuting Attorney

Judith Kasson, Chief Assistant Prosecuting Attorney

Assistant Prosecuting Attorneys

Elizabeth Peterson

Molly Schikora

James Rolland

Michael DeYoung

Jeremy Baier

DeVante McCullom

Jacob Celmer

Anne VanderBroek

Victim/Witness Coordinator

Emelda Calanchi-Pope

Angela Brotherton, Irregular Part Time Victim Advocate Specialist

Support Staff

Paige Christman, Legal Administrative Specialist, II

Jewell Raab, Legal Administrative Specialist

Gina Shashaguay, Legal Administrative Specialist

Hilary Anes, Victim's Rights Specialist

Abby Field, Legal Administrative Specialist

Tabitha Neal, Legal Administrative Specialist

Chris Kuhn, Investigator/Electronic Media Specialist

Sierrah Rotman, Legal Administrative Specialist

Brenda Glass, Legal Administrative Specialist

Dianne Yeaman, Irregular Part Time Legal Administrative Specialist

INTRODUCTION

We are pleased to present the 2023 Annual Report for your review. This report was prepared by the Allegan County Prosecuting Attorney, Myrene K. Koch and her staff.

The Michigan Constitution mandates that every county elect a Prosecuting Attorney whose duties are legally defined.

The Prosecuting Attorney administers public justice and is a local office. His or her duties to a large extent are local only in the sense that they are to be performed locally; for they are to be performed on behalf of the state just as much as are the duties of the judge who holds court for his or her county.

The Prosecuting Attorney is responsible for a wide array of legal functions for the County, including:

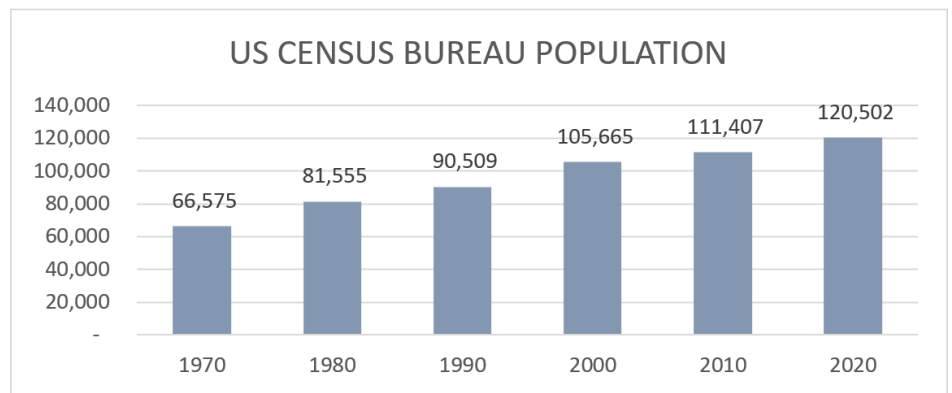
- ◆ Act as the chief law enforcement official in the County.
- ◆ Review, authorize and prosecute violations of felony and misdemeanor criminal laws of the State of Michigan and County ordinances committed inside the County.
- ◆ Authorize and prosecute felony and misdemeanor juvenile delinquency offenses.
- ◆ Represent the County in criminal matters before the District and Circuit Courts; juvenile delinquency, parental neglect and miscellaneous probate matters in the Family Court; and appeals in the Court of Appeals and Michigan Supreme Court.
- ◆ Advise the Michigan Department of Human Services on child abuse and neglect petitions, and actions to terminate parental rights.
- ◆ Attend contested mental health commitment hearings.
- ◆ Advise the County Board of Commissioners and other County departments on legal matters.

POPULATION

Out of the 83 counties in Michigan, Allegan County is one of the top 5 fastest growing counties in the state, and is the 18th largest county by population. The population has increased 33.13 percent in the last 30 years and, an increase of 8.16 percent from 2010 to 2020. As a result we have and will continue to experience the inevitable increased workload with a limited staff.

According to World Population Review’s website (worldpopulationreview.com), it is currently estimated that Allegan County’s population is 122,588. That is an increase of 2,086 in just 4 years. Allegan is the 18th largest county by population in Michigan.

Population by Year		% Increase
1970	66,575	
1980	81,555	22.50
1990	90,509	10.90
2000	105,665	16.70
2010	111,407	5.40
2020	120,502	8.16



CRIMINAL CASE CHARGING DUTY

Under Michigan Law, it is the duty of the Prosecuting Attorney to decide “if” someone will be charged with a crime and the precise nature of that criminal prosecution. Police agencies submit their investigative reports to the Prosecuting Attorney to determine if a factual and legal basis exists to initiate prosecution. The Prosecuting Attorney has a great responsibility to carefully review reports and properly charge suspects. Each investigative report, if it results in a charged crime, could result in a jury trial in District Court, Circuit Court, or Family/Probate Court; and a jury trial could cost Allegan County between \$300.00 and \$800.00 per day of trial. The chart below shows the number of Adult and Juvenile charging requests and Abuse and Neglect petitions

	CASES ENTERED IN ACT/JCT						% of Charging Requests Denied			
	Adult	Denied	Juvenile	Denied	Ab/Neg	Total Rec'd	Total Denied			
2014	4062	633	503	85	147	4712	772	2014	16.91	Anderson/Kengis
2015	4237	496	434	77	146	4817	637	2015	13.63	Anderson/Kengis
2016	4308	512	436	77	151	4895	655	2016	13.80	Anderson/Kengis
2017	4827	496	438	71	76	5341	616	2017	11.69	Kengis/Koch
2018	5096	634	350	84	99	5545	771	2018	14.15	Koch/Kasson *
2019	4705	672	301	60	94	5100	732	2019	14.62	Koch/Kasson
2020	3868	575	276	64	88	4232	639	2020	15.43	Koch/Kasson
2021	3792	551	361	68	81	4234	619	2021	15.19	Koch/Kasson
2022	3537	523	423	82	47	4007	605	2022	15.27	Koch/Kasson
2023	3863	509	531	92	53	4447	601	2023	13.68	Koch/Kasson

* Kengis PA 1/1/18-3/16/18 Koch PA 3/17/18-12/31/18

received by our office since 2014.

During the last year, this office reviewed 3863 adult criminal warrant requests, 531 juvenile delinquent petitions and 53 new Abuse and Neglect petitions.

On average, the office received 17.78 requests for adult and juvenile charges each day and 4.4 new Abuse and Neglect cases each month during 2023. The numbers above show how many cases were entered into our Adult Case Tracking (ACT) System and Juvenile Case Tracking (JCT) System. **(PLEASE NOTE:** The number of Adult Cases entered above vs. the number listed on page 20 varies because the number on the chart on the previous page includes Civil and Other cases entered in ACT in which warrant request forms were not submitted to our office by a police agency. Civil and Other cases for 2023 is 246. The 3617 Warrant Requests shown on page 20 added to 246 equals the 3863 listed on the previous page.)

It is important that the Office of Prosecuting Attorney have a sufficient staff of attorneys to not only be available to staff the 8 courtrooms and hearing rooms in the Circuit, District and Family Courts, but to also have attorneys available to review requests for arrest warrants and search warrants, among many other required statutory duties. Due to the serious nature of criminal cases and county civil liability, it is necessary for Assistant Prosecutors to have a sufficient amount of time to review investigative reports and prepare for each hearing.

2013 Felony Charges		2023 Felony Charges	
Controlled Substance	408	Crimes Against Police	341
Assault	239	Assault	303
Crimes Against Police	231	Controlled Substance	288
Larceny/Fraud/Identity Theft	214	Criminal Sexual Conduct	251
Criminal Sexual Conduct	207	Larceny/Fraud/Identity Theft	207
Weapons	92	Weapons	162
B&E/Home Invasion	85	OWI/Op. w/ Pres. of Controlled Substance	78
OWI/Op. w/ Pres. of Controlled Substance	69	B&E/Home Invasion	40
Sex Offender Registry	58	Obstruction of Justice	24
Obstruction of Justice	33	Sex Offender Registry	10
Vehicle Offenses/Sec. of State	12	Vehicle Offenses/Sec. of State	5
Jail/Inmate	7	Arson	5
Crimes Causing Death	6	Jail/Inmate	4
Arson	4	Crimes Causing Death	4
Animal Cruelty	1	Animal Cruelty	4
Human Trafficking	0	Human Trafficking	2
	1666		1728

The types of crimes being committed in Allegan County has shifted somewhat over the years. The charts above help to illustrate that point. In 2013 the top 3 felony level crimes committed were Controlled Substances (408), Assaults (239), and Crimes Against Police (231). In 2023 Crimes Against Police became the #1 most charged crime at 341 charges, which is a **47.6%** increase since 2013, Assaults moved to #2 with 303 charges, which is **26.7%** increase. Controlled Substance moved to #3 at 288 charges.

Also, the laws themselves change regularly due to changes by the Michigan State Legislature. A charge that was once a Civil Infraction, can become a Misdemeanor, and likewise Misdemeanors become Civil Infractions or they may change to a Felony.

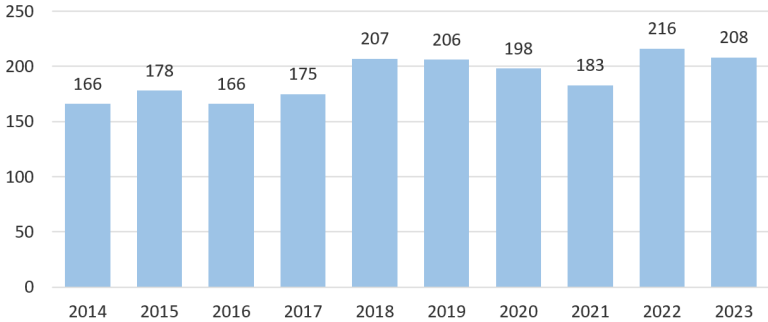
The Prosecuting Attorney and staff have a tremendous impact on how the criminal element is handled in Allegan County. Economic pressures and constraints have been placed upon every segment of our governmental system. However, law enforcement (as well as our educational system) continues to be a vital link in our civilized society and must be protected. I point out to the Board of Commissioners that the Office of the Prosecuting Attorney is a constitutionally mandated office in Michigan County Government and the County must fund the office at a serviceable level.

ON CALL DUTIES

A Prosecuting Attorney is on call twenty-four hours a day. The Prosecutor is required to consult with police agencies, issue arrest warrants even during evenings, weekends and holidays and be available to prepare search warrants.

FORENSIC INTERVIEWS

An interview of a child typically takes one hour to complete, and assistant prosecutors are present for that part of the investigation. Interviews are conducted by a trained forensic interviewer, while the remainder of the multi-disciplinary team views the interview over closed circuit video at the Safe Harbor Children’s Advocacy Center or through the use of poly-com technology from the Prosecutor’s Office. This system was made possible by a grant through Safe Harbor and allows Assistant Prosecutors to be present for the interviews while not leaving the office. The multi-disciplinary team is led by experienced prosecutors and also consists of members of law enforcement and caseworkers with the Department of Health and Human Services, among other agencies.



OTHER ACTIVITIES

The Prosecuting Attorney continues to be active in several different areas related to criminal justice. The involvement includes membership and participation in the following agencies and organizations:

Secretary/Treasurer—Board of Directors Officer of *Prosecuting Attorney Association of Michigan*,
Vice President—Board of Directors of *Safe Harbor Child Advocacy Center*,
Co-Chair—*Allegan County Coordinating Council on Domestic Violence*,
Chair—*Case Review Multi-Disciplinary Team*,
Chair—*Child Advocacy Center Advisory Committee*,
Member—*Allegan County Substance Abuse Prevention Counsel*,
Member—*Child Death Review Committee*,
Chief Chair—*Allegan County Law Enforcement Council (ACLEC)*,
Board Member—*Ascencion-Borgess Hospital Foundation*,
Trainer for *PAAM (Prosecuting Attorney Association of Michigan)*,
Trainer for *CACMI (Children’s Advocacy Centers of Michigan)*,
Member—*Allegan County Safe Schools Committee*,
Member—*Allegan Rotary*.

OFFICE UPDATES

Our office received an initial grant of \$184,000 with an additional 3 years of service agreement payments to upgrade our office data retention system from Adult Case Tracking and Juvenile Case Tracking. The new system, Prosecutor by Karpel (PbK), will integrate both adult and juvenile systems and also allow electronic warrant submission. The system will be used statewide and is updated as needed by Karpel and PAAM. This system will also allow electronic evidence submission, creation of legal documents and subpoenas, among a great many other advances. The extent of this system will also make going paperless an easier option.

MISDEMEANOR CASES - DISTRICT COURT

Misdemeanor cases are crimes handled in District Court where punishment results in incarceration in the county jail for up to one year. Allegan County has two District Court Judges and a Hearing Magistrate. All felony cases begin in and have several hearings with the District Court before they are Bound Over to Circuit Court.

These types of cases are large in number and include, assaults (domestic and others), drunk driving, traffic offenses and property crimes. As a matter of policy, this office has sought and received significant jail terms for repeat drunk drivers and domestic assault defendants.

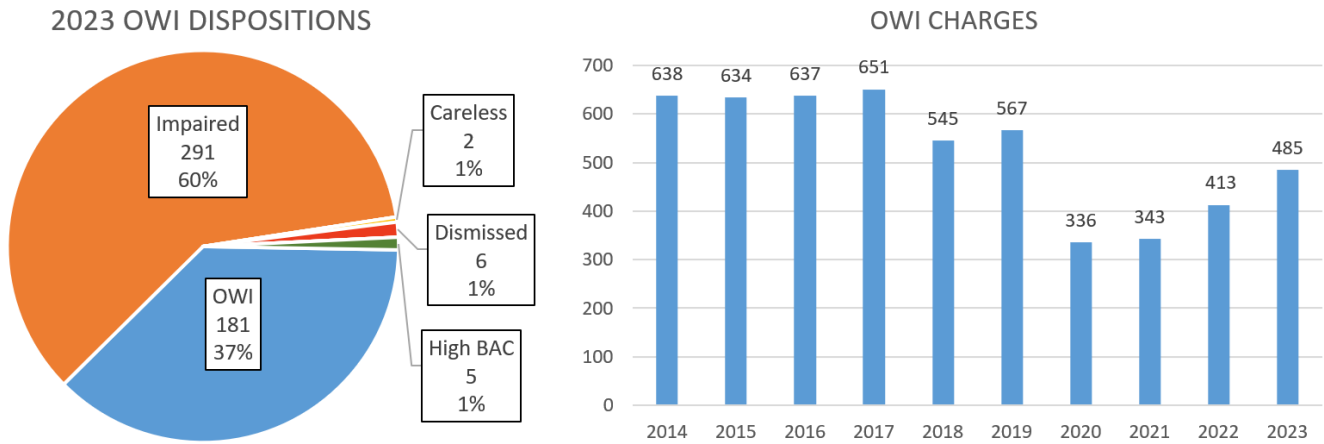
In 2023, authorized Misdemeanor cases and ticket cases were 3247, which is only slightly lower than in 2022 which was 3477

OWI Cases

In 2023, 485 individuals were charged with Drunk Driving. Also, in 2023, 97% (472) of the OWI dispositions were convicted of either Operating While Intoxicated (OWI) or Impaired Driving. The pie chart below shows what the final disposition was on individuals charged with OWI. The graph next to it shows the total number of Drunk Driving Charges authorized from the years 2014 to 2023.

In 2022, there were 67 counts of felony level OWI, 3 counts of OWI Causing Death, 7 counts of OWI Causing Serious Injury, and 3 counts of OWI with an Occupant under the age of 16.

In 2023, there were 65 counts of felony level OWI, 1 count was OWI Causing Death, 8 counts of OWI Causing Serious Injury and 4 counts of OWI with an Occupant under the age of 16.



Moving Violations Causing Serious Injury and Death

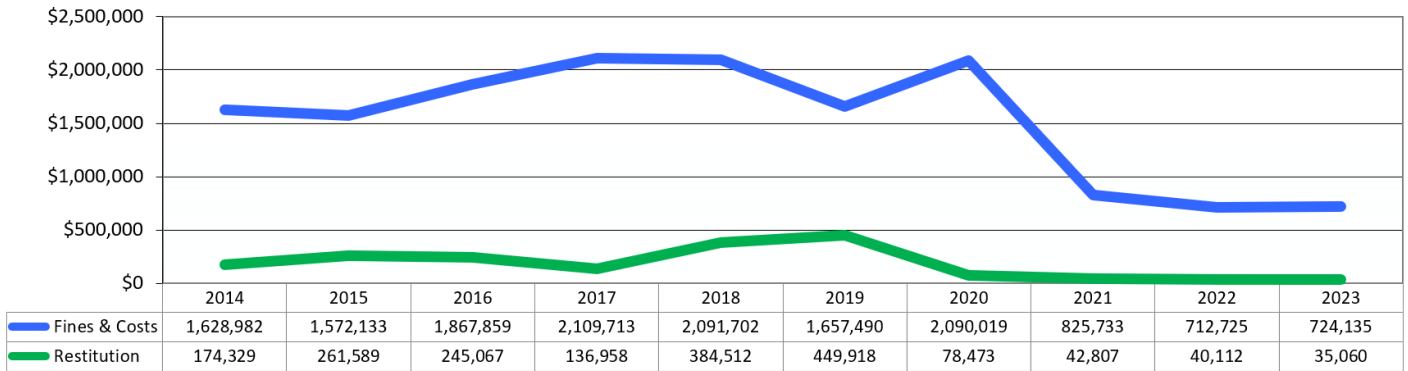
In the past, when a vehicular crash resulted in death, it was called Negligent Homicide. In 2016, this statute was amended to change the charge from a 2 year high court misdemeanor to a 1 year misdemeanor. Moving violation causing serious injury was also amended and is now a 93 day misdemeanor. If a defendant was driving recklessly or under the influence of alcohol and/or controlled substances, felony level charges may be authorized.

These cases take a great deal of time reviewing and analyzing the crash reconstruction data which involves the need for expert witnesses. In addition, the Prosecuting Attorney personally meets with every family to explain the court process and assess the goals the family has for the case.

During 2023, there were 23 such charges. 10 were charged as Misdemeanors and 13 as Felonies.

Fines, Costs & Restitution

The graph below shows what the District Court has ordered in regards to fines, costs, and restitution where this office has actively been involved.



Domestic Violence

Domestic Violence is abuse perpetrated by one or both partners involved within an intimate or family relationship. Domestic Violence is considered to be fairly expansive in nature, due to the fact that it may include a wide range of victims, activities, and vary in severity. The term “Domestic Violence” can include physical assault, property damage, arson, home invasion, weapons charges, telephone misuse, interfering with electronic communication (interrupting a phone call for help), stalking, emotional abuse, unlawful imprisonment, sexual abuse, and homicide.

Domestic Violence can take place within a variety of intimate relationships, including married couples, individuals who are cohabitating, individuals considered to be intimately involved or child/parent relationship. Domestic Violence is not specific to any age, sexual orientation or economic group.

When children are subjected to Domestic Violence it can often result in the perpetuation of violence within the home, at school or in their own dating relationships.

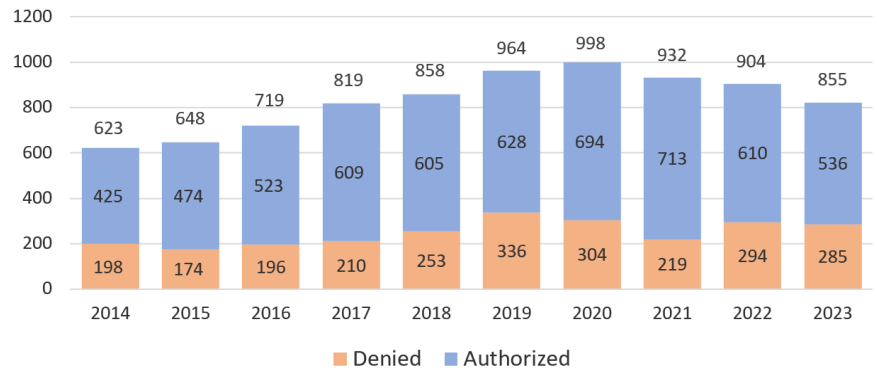
Despite the existence of institutions providing resources, shelter, and assistance through the legal system, it is estimated that only about 50% of Domestic Violence incidents are reported.

The graph on the following page outlines the number of requests we receive each year for charges relating to Domestic Violence. As we see, Domestic Violence was an area that increased during the first year of the pandemic, but has slightly declined each year since covid restrictions eased.

In 1998, the 57th District Court, at the request of this office and the Allegan County Domestic Violence

Task Force, implemented a Domestic Violence Diversion Program where first time offenders are given the opportunity to receive counseling and avoid criminal convictions. The pre-requisites for acceptance into the program are specific, and one cannot qualify if there is aggravated physical injury or a history of Domestic Violence. The goal of the program is to stop the cycle of violence. The statistics from the 57th

DOMESTIC VIOLENCE CHARGING REQUESTS RECEIVED



District Courts Annual Report are extremely encouraging for successful results from this program.

Specialty Courts

It is an important part of our duties to respond to concerns of the community. One example is the participation of this office in the use of the Allegan County Mental Health Court, the Drug Treatment Court, West Michigan Regional Veterans’ Treatment Court and Sobriety Treatment Courts. These programs require assigning an Assistant Prosecuting Attorney to attend program meetings and hearings in court.

Mental Health Treatment Court

On September 14, 2009, Judge Skocelas together with representatives from the Allegan County Sheriff’s Department, Allegan City Police, Allegan County Prosecutor’s Office, Allegan County Community Mental Health, Michigan State Police, local defense attorneys and local substance abuse providers (OAR) to create a Mental Health Treatment Court.

During the year 2023, 21 people applied to the program, 8 people were admitted into the program, and 13 people were rejected. 2 people graduated successfully from the program. One individual withdrew voluntarily and 5 failed and were removed from the program. The number of graduates included participants that were admitted in 2022 as well as 2023.

Veteran’s Court

The West Michigan Regional Veterans’ Treatment Court began operation on February 7, 2014 and Magistrate Daniel Norbeck is the Administrator/Case Manager. The jurisdiction of the Veteran’s Treatment Court is that of both the district and circuit courts of Allegan, Van Buren and Ottawa counties, but also accepts veterans from surrounding counties. It was developed and organized by Judge Baillargeon and the treatment court team to help veteran participants address underlying service related issues.

Partnering with the court from all three counties are county commissioners, judges, prosecutors, probation, law enforcement, mentors, community supervision providers, treatment providers, the Veterans Health Administration, Veterans Benefit Administration, veteran employment representatives and veterans service organization service officers.

During the year 2023, 14 people applied for the program, 11 people were admitted, 3 were rejected. One individual passed away during the program, 2 voluntarily withdrew and one was removed. Five individuals graduated successfully. The number of graduates included participants that were admitted in 2022 as well as 2023.

Sobriety Treatment Court

The Sobriety Court was established in April of 2018 and is presided over by Judge Baillargeon. This was specifically designed to address Operating While Intoxicated (OWI) 2nd Offense. This program has three goals: divert from jail, eliminate substance use among substance abusers and to reduce OWI recidivism.

During the year 2023, 20 people applied to the program, 16 were admitted, 4 were rejected, 1 failed and 7 graduated successfully. The number of graduates included participants that were admitted in 2022 as well as 2023. Sobriety Court has 3 therapy groups with a maximum of 10 people allowed in each group at one time. This is the only Specialty Court that has a limit of how many people can be in at one time.

Drug Treatment Court

The first participant was admitted into the Adult Drug Treatment Court on June 30, 2011 and was presided over by District Court Judge Baillargeon. The Allegan County Drug Treatment Court addressed the revolving-door cycle in which drug and alcohol offenders moved in and out of the justice system. Drug Treatment Court provided a comprehensive, sustained continuum of therapeutic interventions, treatment and other services to increase a participant's periods of abstinence and reduce relapse, re-arrest and subsequently incarceration. During 2021, the program was discontinued.

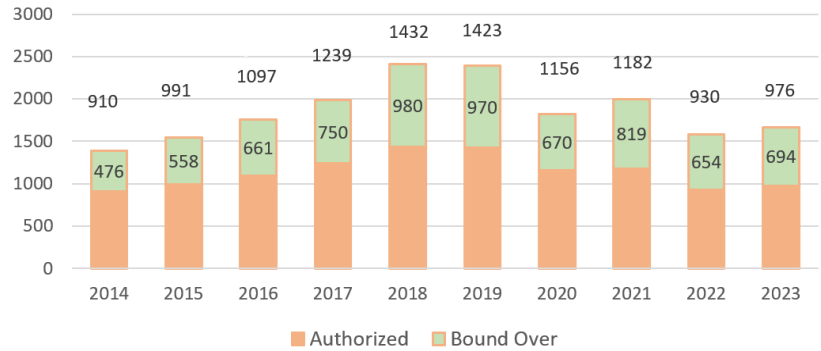
FELONY CASES - CIRCUIT COURT

The Circuit Court docket includes felony cases which are crimes where punishment is incarceration in excess of one year. Allegan County has two Circuit Court Judges.

The chart on the following page shows the number of felony cases authorized each year and how many felonies were bound over to Circuit Court. Felony cases require significant staff time and multiple court appearances such as pre-exam hearings and preliminary examinations in District Court. If the case is bound

over to Circuit Court, the Prosecuting Attorney is responsible for all proceedings at that level including pre-trials, motion hearings, pleas, bench or jury trials, and sentencing. All felony cases have strict time limits both for preliminary examinations (within 14 days) and trials (within 180 days). Allegan County's two Circuit Court Judges are primarily responsible for handling the adult felony cases.

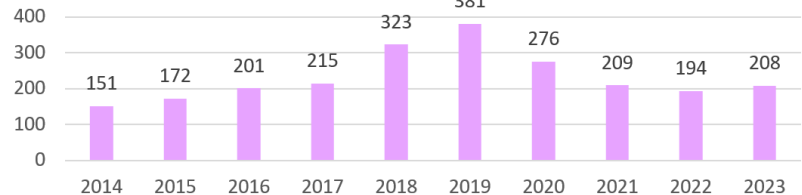
FELONY CASES AUTHORIZED AND BOUND OVER TO CIRCUIT COURT



Controlled Substances

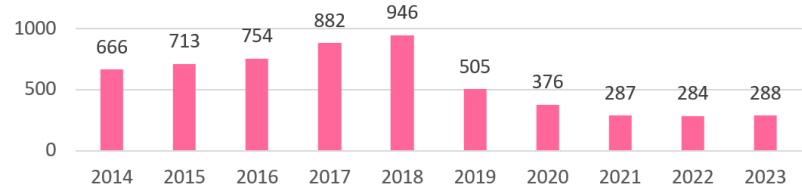
A large portion of our felony case load consists of controlled substance violations. Out of the 288 felony drug charges that were authorized in 2023, 208 or 72.2% involved Methamphetamine. Those charges are: Deliver/Manufacture Methamphetamine (17) and Possession of Methamphetamine (191).

METHAMPHETAMINE CHARGES



There was an increase of other controlled substance cases including fentanyl and cocaine. Often, controlled substances are mixed and charged for the larger component of controlled substance.

ALL DRUG CHARGES

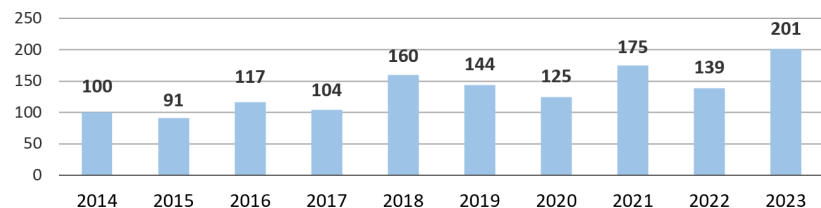


The use of Marihuana was legalized in December 2018. In the years prior to that more than 50% of all drug cases were marihuana related (2017 was 61.9% and 2018 was 53.49%). In 2019 it dropped to 3.76% (19), 2020 had only 9 cases, 2021 there were 13 cases, in 2022 there were 17, and 2023 there were 8 cases related to marihuana.

Criminal Sexual Conduct

Criminal Sexual Conduct (CSC) charges, Child Sexually Abusive Materials and/or Activity (CSAM), and Sexual Assaults are included in the graph on the right. The reduction in cases in 2020 has been linked to victims, particularly children, not having the safe adult to

FELONY CRIMINAL SEXUAL CONDUCT

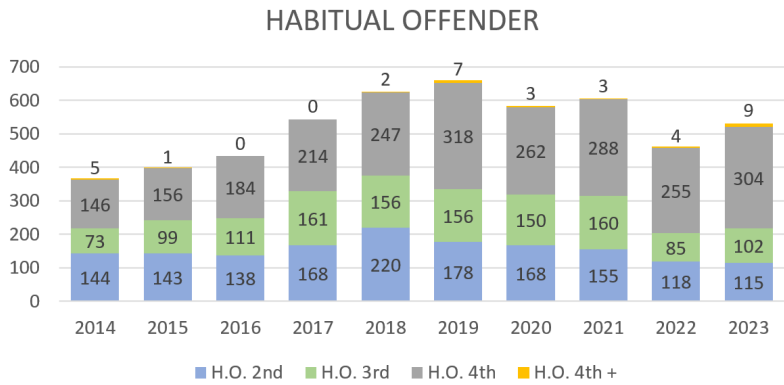


disclose to when schools were shut down to in-person instruction. However in 2021, the reporting of cases significantly increased. These cases often require further investigation before authorization and additional cases are now pending in 2023. There was also a large increase in these cases in 2023. There were more cases involving Child Sexually Abusive Material than in previous years.

Habitual Offenders

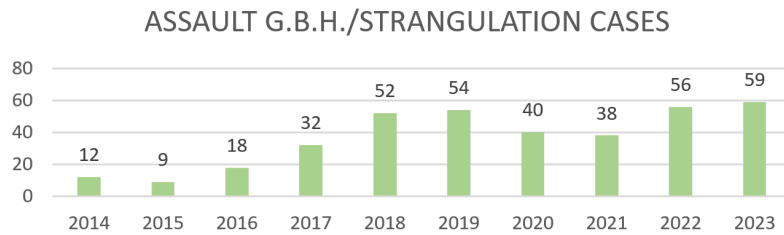
Under Michigan’s current habitual offender law, once an individual has previously been convicted of one or more felonies (or attempts to commit felonies), that person can be sentenced for subsequent felony charges as a “habitual offender.” A habitual offender faces sentencing enhancements ranging from 25 percent, 50 percent, or 100 percent depending on the number of previous felony convictions on top of any sentence they could

receive for an immediate offense for which they are being convicted. The statutory maximum is also increased by this law. The Habitual Offender 4th+ is a statutory mandatory minimum of 25 years in prison for violent offenders who commit new violent crimes.



Assault GBH/Strangulation

In 2015, a change in the law made Strangulation a 10 year felony, instead of a 93 day misdemeanor. In 2015 our office charged 9 counts of Assault with Intent to do Great Bodily Harm Less Than Murder (Assault GBH) and 38 counts of Strangulation. In 2016 our office charged 18 counts of Assault GBH and 54 counts of



Strangulation. In 2017, our office charged 32 counts of Assault GBH and 18 counts of Strangulation.

Human Trafficking

In the last few years, Human Trafficking has come to the national forefront. It is defined as modern day slavery and includes recruiting, enticing, harboring, transporting or providing individuals for the purpose of forced labor or services. Traffickers use force, fraud, or coercion to lure their victims and force them into labor or commercial sexual exploitation. The trauma caused by the traffickers can be so great that many may not identify themselves as victims or ask for help, even in highly public settings.

Recognizing key indicators of human trafficking is the first step in identifying victims and can help save a life, and stop an offender.

HUMAN TRAFFICKING / PROSTITUTION		2019	2020	2021	2022	2023
	Human Trafficking (M)	0	0	0	0	0
	(F)	0	0	0	0	0
	Prostitution (M)	0	0	0	0	0
	(F)	0	0	1	0	2

Charges		2019	2020	2021	2022	2023
Felony	Keeping a House of Ill Fame	0	0	0	0	0
	Prostitution/Pandering	0	0	0	0	0
	Prostitution/Accepting Earnings	0	0	0	0	0
	Prostitution/Engage Service of a Minor	0	0	1	0	2
	Prostitution/Transporting Person	0	0	0	0	0
	Human Trafficking-Minor for Commercial Sexual Activity	0	0	0	0	0
Misdemeanor	Prostitution/Engaging Services of Minor	0	0	0	0	0
	Prostitution/Leasing House	0	0	0	0	0
		0	0	1	0	2

Homicides

In 2023, we authorized five cases where individuals were charged with driving offenses causing death. One was Operating While Intoxicated Causing Death. One was charged with Driving While License Suspended causing Death. And, three were charged with Moving Violation Causing Death. These cases are assigned to the Prosecuting Attorney or the Chief Assistant Prosecuting Attorney and a junior attorney. They take a great deal of time to prepare, often involving 50 witnesses or more and a plethora of evidence.

During 2023, there were no charges authorized for Murder. Although, there were Murder cases that were charged in years prior that did not go to trial until 2024. During 2023, we had the People vs. Wilson, the People vs. Rawson and the People vs. King. All three went to trial during 2024 and all were found guilty on all counts. Many hours, weeks and months are spent each week preparing and organizing these cases, reviewing evidence, filing and answering motions, and meeting with witnesses.

In addition, two documentaries featuring the work of Prosecutor Koch and the law enforcement teams were made. The first was on Netflix called “Into The Fire: The Lost Daughter” which was based on the Dennis Bowman cold case homicide. The second will be on the ID (Investigation Discovery) Channel based on the convictions of Allison Martin & Justin Terpstra for the murder of Brandon Silverlight. Our teams were honored to find justice for those victims and their families. And to be their voice in these documentaries.

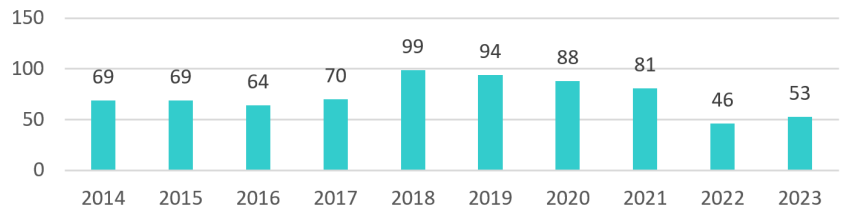
CIRCUIT COURT – FAMILY DIVISION

The Circuit Court – Family Division has one Family Court/Probate Judge, and two Hearing Attorney/Referees. In the Family Court, the Prosecuting Attorney has the responsibility of bringing cases of child neglect or abuse to the court, cases of juvenile delinquency, as well as involuntary Mentally Ill commitments pursuant to the Mental Health Code in Probate Court.

Abuse/Neglect

The chart on the right shows how many new Abuse and Neglect Petitions were authorized since 2014. In 2023 our office authorized 53 new Abuse and Neglect Petitions, which represents 100 children. Also, during 2023 our office filed 15 petitions to Terminate the Parental Rights of one or both parents in Abuse and Neglect cases.

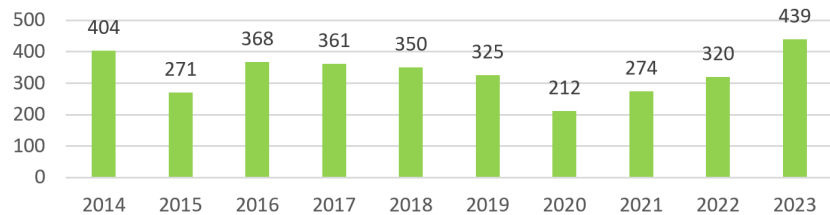
ABUSE AND NEGLECT PETITIONS



Delinquency

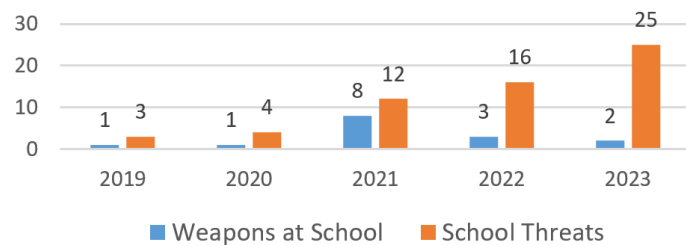
In 2023, this office authorized 439 juvenile delinquency petitions. (This number includes some requests for charges received in 2022.)

DELINQUENCY CASES AUTHORIZED



The bottom chart illustrates charges regarding school threats and possession of weapons at school charges over the last 5 years. The increase in school threats and weapons in school are related to school shootings nation wide and even in the state of Michigan coupled with the increase in media and social media coverage surrounding them. The Allegan County Prosecutor’s Office took each case extremely seriously as each directly impacted the safety of our students and schools.

JUVENILE SCHOOL CHARGES



Mentally Ill

It is necessary to regularly appear for involuntary commitment hearings of the mentally ill. These hearings are held every month at the Kalamazoo Psychiatric Hospital (KPH). Our county is on a rotation schedule with 14 other counties, and in 2023 our office attended 3 times. These Hearings typically require an APA from our office travel to the KPH on the days our Probate Judge and his recorder are scheduled to conduct these hearings. These were changed to Zoom hearings when court resumed during the Covid Restrictions. During 2023, all of these hearings continue to be conducted via Zoom. Occasionally, our Probate Court will conduct hearings on Mentally Ill Petitions for Treatment with Judge Buck. During 2023 there were 25 (there were 26 in 2022) hearings set in the Allegan County Probate Court that our office attended. These cases include many people that are a serious threat to the public or themselves.

CRIME VICTIM ASSISTANCE

Most crime victims experience physical suffering, financial loss, and emotional distress. Physical injuries occur in nearly one-third of all violent crimes. Our Victim Assistance Program provides an extensive notification service to victims to advise them of each court proceeding as their case moves through the court system. In 2023, the Victim Assistance Program provided over 12,333 contacts with victims throughout the year. This is 517 more contacts than in 2022. This is a very important function of this office and is mandated

by the Crime Victims Rights Act. During 2023, our office provided services by way of letter, telephone contact and email, providing support to victims in court and providing appointments with victims of various crimes.



The Victim/Witness Coordinator serves as the primary contact for victims of Domestic Violence, Criminal Sexual Conduct, Homicide/Open Murder, Drunk Driving or Driving Under the Influence of Controlled Substance Causing Death or Serious Injury, as well as other victim related crimes. This contact includes explaining of rights, court procedures, services, shelter alternative and assistance. On every death related case, the Prosecuting Attorney, Assistant Prosecuting Attorney, Detectives and Victim/Witness Coordinator personally meet with the families of the victims multiple times.

Our Victim Assistance Program is funded by a grant of \$171,547. This Grant is used to employ both a full time Victim's Rights Coordinator, full time Victim's Rights Administrative Assistant, and a part time Victim Advocate Specialist, who assists the Victim/Witness Coordinator.

The Allegan County Victim/Witness Coordinator has a Bachelors Degree in Psychology with over thirty-three years of experience working with child and adult victims.

Canine Advocate - Joey

On July 11, 2019, our office received our Canine Advocate, Joey. Joey is a yellow lab and was 18 months old when he came to work in our office. His primary handler is Emelda Calanchi-Pope, our Victim/Witness Coordinator, and his secondary handler is Judith Kasson, our Chief Assistant Prosecutor.

During 2023, Joey assisted 147 children, teens and adult victims prior to prelims and for trial prep and during appointments. This is an increase of 77% over the previous year

He assisted in 6 Preliminary Hearings and 3 Circuit Court Trials which each lasted several days at a time. Even though the victims and witnesses weren't in court every day, Joey stayed with them the whole time they waited in our office as the trial continued.

In February 2023, MSU suffered a horrific school shooting that took the life of three young adults. On April 4th, Joey had the honor of welcoming students and faculty back into the Student Union as they reclaimed their building. Joey received many



hugs, hearty belly rubs and brought smiles to many faces. Joey’s laid back personality was a perfect fit for the day.

In January 2023, Joey celebrated his 5th Birthday. Among many other things, he participated in the Safe Harbor’s Pinwheel Garden Open House in April, attended a Board of Commissioner’s Meeting in September. Joey also participated in Wear Purple Day in October, and dressed up for Halloween.

Joey has his own Facebook page with occasional uplifting posts and Holiday messages.

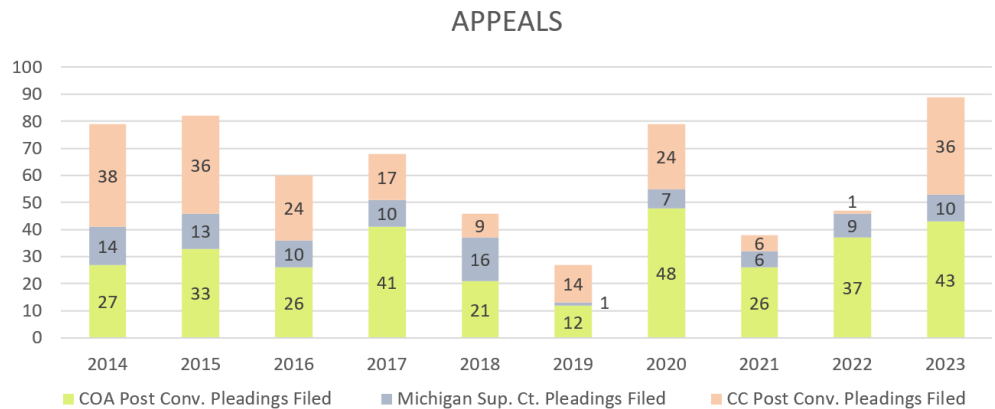
APPEALS

Persons convicted of crimes are entitled to seek appellate review of their conviction, as are parents involved in civil child protection cases, juvenile delinquents, and those subjected to involuntary mental health proceedings. The Prosecuting Attorney prosecutes these appeals. In addition, the Prosecuting Attorney periodically seeks redress in appeals courts. A lack of diligence in defending appeals can result in convictions being overturned and dangerous people being prematurely released from incarceration. In addition, as they say, “Justice delayed is justice denied.” Re-litigating cases that are reversed on appeal causes additional trauma to victims and witnesses and substantial costs. Occasionally, appeals are pursued prior to trial. These also require action by the Office.

As reflected in the graph below, the Prosecuting Attorney received and reviewed 64 pleadings from the Court of Appeals. Our office responded by filing 43 pleadings and our office participated in 10 oral arguments in the Court of Appeals. We received and considered 60 instances of correspondence from the Court of Appeals.

Our office received and reviewed 12 pleadings filed in the Michigan Supreme Court and our office responded and filed 10 pleadings. The office received correspondence requiring consideration 11 times from the Supreme Court. And, our office attended one oral argument on Lowe.

The Office received 4 appeals pleading following a conviction for a violation of a Personal Protection Order and filed a response.

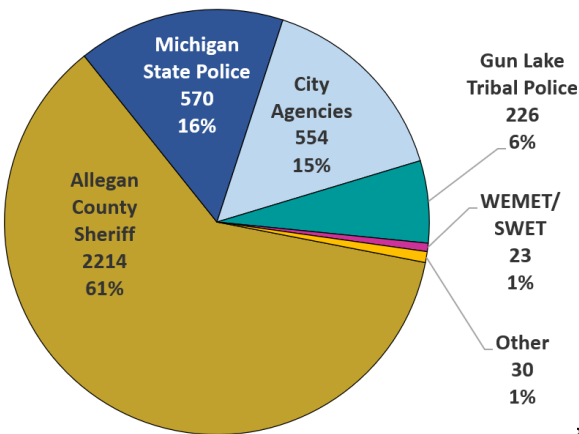


LAW ENFORCEMENT AGENCIES

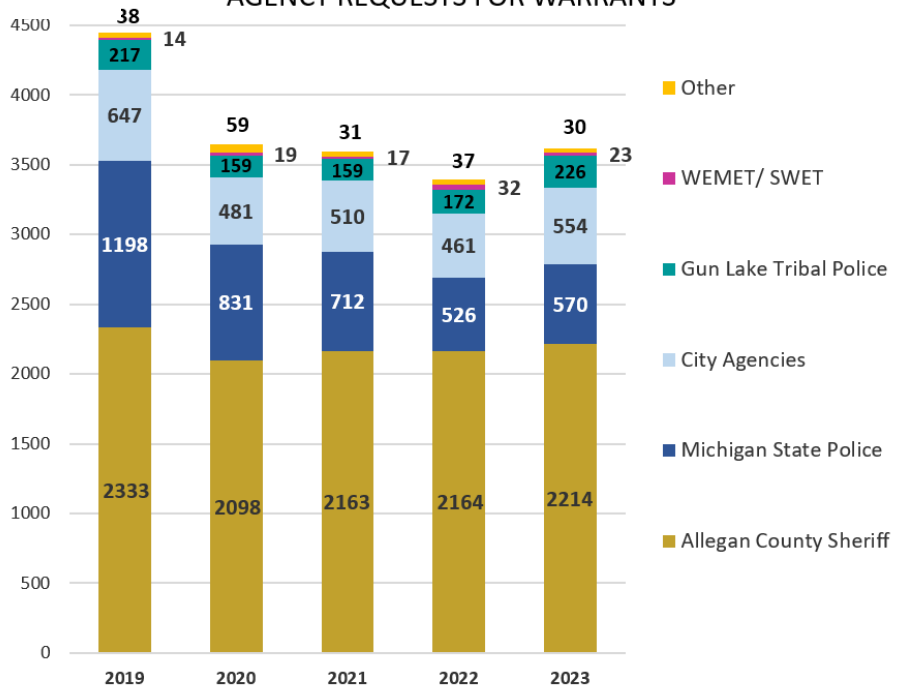
This office serves all the law enforcement agencies in Allegan County including the Sheriff’s Office, the State Police, DNR, and the Cities of Plainwell, Otsego, Wayland, Holland, Allegan, Douglas, Fennville and Gun Lake Tribal Police Department. The Gun Lake Tribal Police was established in 2012.

As the gatekeeper of all criminal activity from the policing agencies to the court system it is critical to our criminal justice system to adequately staff the Office of the Prosecuting Attorney and not compromise the public safety of the citizens of Allegan County. The pie chart below shows of all the charging requests we received in 2023, and what the percentage was from each police agency. Also, below is a graph showing what the different agencies have submitted over the last 5 years, and the one on the following page shows more detail as to all the different agencies that have submitted warrant requests for review the last 10 years.

2023 AGENCY REQUEST FOR CHARGES



AGENCY REQUESTS FOR WARRANTS



	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023
Allegan Co. Sheriff's Dept.	1957	2023	2117	2503	2448	2333	2098	2163	2164	2214
Michigan State Police	933	967	929	1022	1332	1198	831	712	523	570
Gun Lake Tribal Police	122	155	143	204	218	217	159	159	172	226
WEMET/SWET	89	160	198	100	63	14	19	17	32	23

All Local City & Village Agencies:

Allegan PD	185	155	176	167	199	223	147	120	137	123
Fennville PD	10	8	17	15	19	10	29	43	6	1
Hopkins PD	8	1	1	1	-	-	-	-	-	-
Holland PD	19	22	18	11	7	34	27	37	22	29
Otsego PD	97	106	85	106	116	120	79	126	124	135
Plainwell DPS	124	123	100	129	123	100	70	80	76	68
Saugatuck/Douglas PD	126	127	120	126	-	-	-	-	-	-
Douglas PD (2018)	-	-	-	-	31	60	23	20	26	57
Wayland PD	184	184	157	189	170	99	106	84	70	141
Total City/Village	754	729	675	745	956	646	481	510	461	554

All Other Agencies:

Dept of Nat. Resources	14	21	4	5	14	27	44	26	32	26
Office of Insp. General	57	2	4	5	5	6	3	-	1	-
SCAR	-	4	3	1	1	2	5	-	3	3
Dept. Environ. Quality	1	1	-	-	-	-	-	-	-	-
Alpena Co.	-	-	-	-	1	-	-	-	-	-
Barry Co.	1	-	-	-	-	1	-	-	-	-
Berrien Co.	1	-	-	-	-	-	-	1	-	-
Kalamazoo Co.	-	-	-	-	-	-	-	-	1	-
Kent Co.	-	-	-	-	-	-	-	1	-	-
Ottawa Co	1	-	4	-	1	2	7	3	-	-
Van Buren Co.	-	-	-	-	-	-	-	-	-	-
Kalamazoo City PD	-	1	-	-	-	-	-	-	-	-
Grand Haven City PD	-	1	-	-	-	-	-	-	-	-
South Haven City PD	1	-	-	-	-	-	-	-	-	-
Hastings City PD	-	-	1	1	-	1	-	-	-	-
Portage City PD	-	-	-	-	-	-	-	-	-	1
Wyoming City PD	-	-	-	-	-	-	-	-	-	-
Zeeland City PD	-	1	-	-	-	-	-	-	-	-
Total Other Agencies	75	28	15	11	22	39	59	31	37	30
Yearly Totals	4767	5341	5726	5132	4187	4447	3647	3592	3389	3617

CONCLUSION

I want to thank all the members of the law enforcement community, the Board of Commissioners and all other County Departments that have all worked together to help make Allegan County a safe place in which to work, live, and raise a family.

Respectfully submitted,

Myrene K. Koch
Prosecuting Attorney