

ALLEGAN COUNTY
PROSECUTING ATTORNEY

2021 Annual Report



Myrene K. Koch

Prosecuting Attorney

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PROSECUTING ATTORNEY STAFF

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Victim/Witness Coordinator

Emelda Calanchi-Pope

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Gina Shashaguay, Legal Administrative Specialist

Tom Moore, Legal Administrative Specialist

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Leslie Huntington, Victim Advocate Specialist

Hilary Anes, Victim's Rights Specialist

Abby Field, Legal Administrative Specialist

Dianne Yeaman, Irregular Part Time Legal Administrative Specialist

INTRODUCTION

We are pleased to present the 2021 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.

COVID

Although the COVID-19 virus lockdown restrictions lessened, they did continue into and through 2021. We reviewed and learned each new order and directive by the Governor. We shared the updates with our partners in law enforcement, fire departments, as well as local townships, cities and village boards. This was an arduous task since new and amended executive orders were issued weekly. Many departments continued to work remotely. Since our office is paper driven from warrant requests, reports, and files, we still needed a presence in the office every day. As the Chief Law Enforcement Officer of Allegan County, I felt it was my duty to be present in the office every day. While the duties and cases began increasing at a steady pace, the lockdowns and limited services still continued.

We put in every COVID safety measure possible in order to perform our duties. When faced with adversity, our team has shown strength and determination during this pandemic.

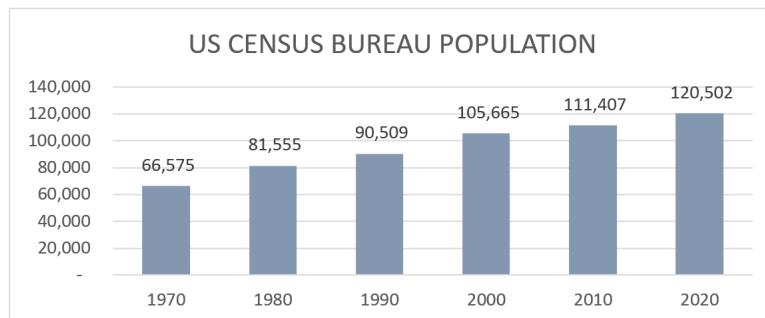
POPULATION

Out of the 83 counties in Michigan, Allegan County is one of the top 5 fastest growing counties in the state. The population has steadily increased from 90,509 in 1990 to 120,502 in 2020. This is an increase of 33.13 percent in the last 30 years. And, an increase of 8.16 percent from 2010-2020. As a result we have and will continue to experience the inevitable increased workload with a limited staff.

According to the Detroit Free Press Online in a story published August 13, 2021 by Paul Egan, Kristi Tanner and Christine McDonald, the fastest-growing Michigan counties are mostly all outside of southeast Michigan, according to the 2020 Census data. Michigan's five fastest growing counties since the last census were:

- Ottawa County in western Michigan, up 12% to 296,200;
- Grand Traverse County, in the northern Lower Peninsula, up 9.5% to 95,238;
- Kent County, in western Michigan, up 9% to 657,974;
- **Allegan County in western Michigan, up 8% to 120,502;**
- Washtenaw County, where Ann Arbor is the county seat, up 8% to 372,258.

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 received by our office since 2012. *While some of the numbers for 2021 are reduced, please keep in mind these were the serious cases during the pandemic that warranted immediate attention.*

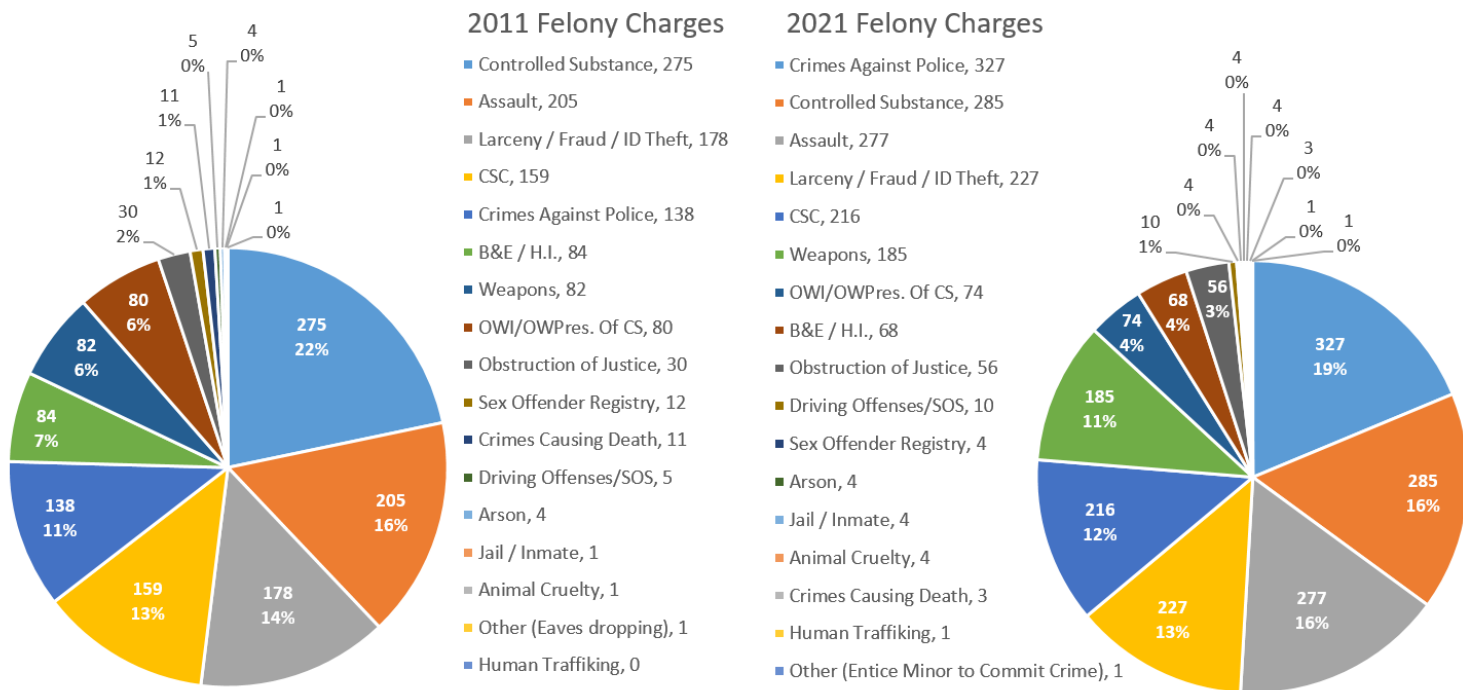
CASES ENTERED IN ACT/JCT								% of Charging Requests Denied		
	Adult	Denied	Juvenile	Denied	Ab/Neg	Total Rec'd	Total Denied			
2012	3761	615	516	88	228	4277	703	2012	17.25	Anderson/Kengis
2013	4307	655	448	75	221	4755	730	2013	16.67	Anderson/Kengis
2014	4062	633	503	85	147	4712	772	2014	16.91	Anderson/Kengis
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

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

During the last year, this office reviewed 3792 adult criminal warrant requests, 361 juvenile delinquent petitions and 81 new Abuse and Neglect petitions. On average, the office received 16.8 requests for adult and juvenile charges each day and 6.75 new Abuse and Neglect cases each month during 2021. 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 21 varies because the number above includes Civil and Other cases entered in ACT in which warrant request forms were not submitted by an agency. Civil and Other cases for 2021 is 200. The 3592 Warrant Requests shown on page 21 added to 200 equals the 3792 listed above.)

It is important that the Office of Prosecuting Attorney have a sufficient staff of attorneys to not only be available to staff the eight courtrooms and hearing rooms with their Judges, Magistrate and Referees but to also have attorneys available to review arrest warrant requests and search warrants, among all of the 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.



The types of crimes being committed in Allegan County has shifted somewhat over the years. The two pie charts above help to illustrate that point. In 2011 Controlled Substances was the #1 most charged crime with 275 charges. However, in 2021 Crimes Against the Police became the #1 most charged crime at 327 charges. These charges include Assault, Resisting and Obstructing an Officer without injury (235) with injury (5), Disarming an Officer (2), and Fleeing (85). In 2021, assault crimes increased being charged 72 more times than in 2011 which includes Strangulation, Domestic Violence, Felonious Assault and Assault/Battery.

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.

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.

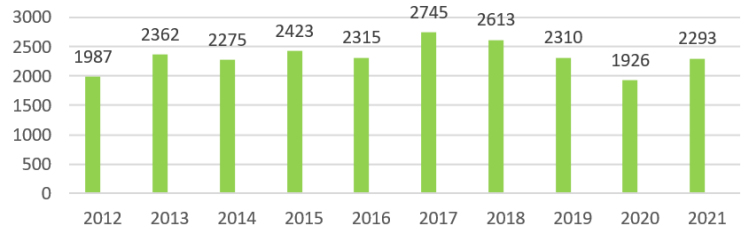
These types of cases are large in number and include, assaults (domestic and others), drunk driving, and property crimes. As a matter of policy, this office has sought and received significant jail terms for repeat drunk drivers and domestic assault defendants.

In 2021, misdemeanor cases were considerably higher than in 2020. Ticket cases were still lower as a result of the pandemic and lockdown.

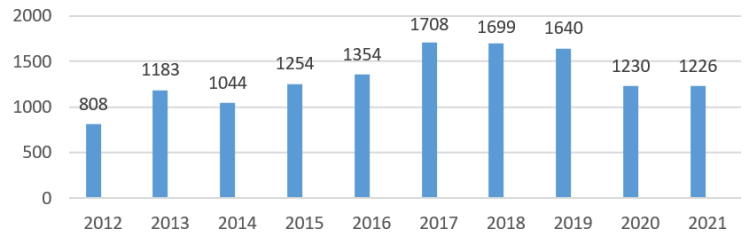
OWI Cases

In 2021, 92.13% (316) of the 343 individuals who were charged with Drunk Driving 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 Case Dispositions from the years 2012 to 2021.

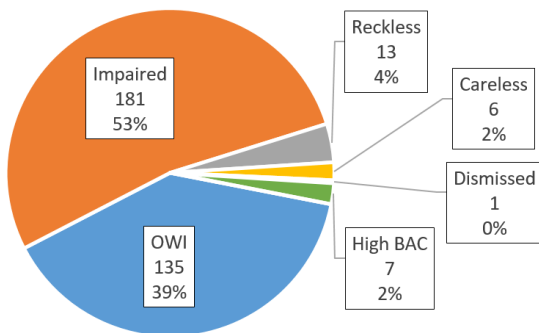
MISDEMEANOR CASES AUTHORIZED



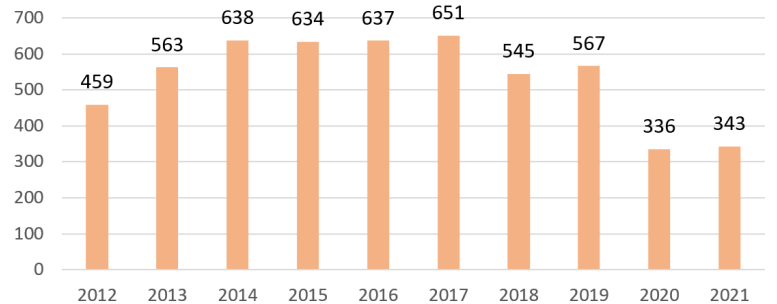
TICKET CASES



2021 OWI DISPOSITIONS



OWI DISPOSITIONS



■ OWI ■ Impaired ■ Reckless ■ Careless ■ Dismissed ■ High BAC ■ Other

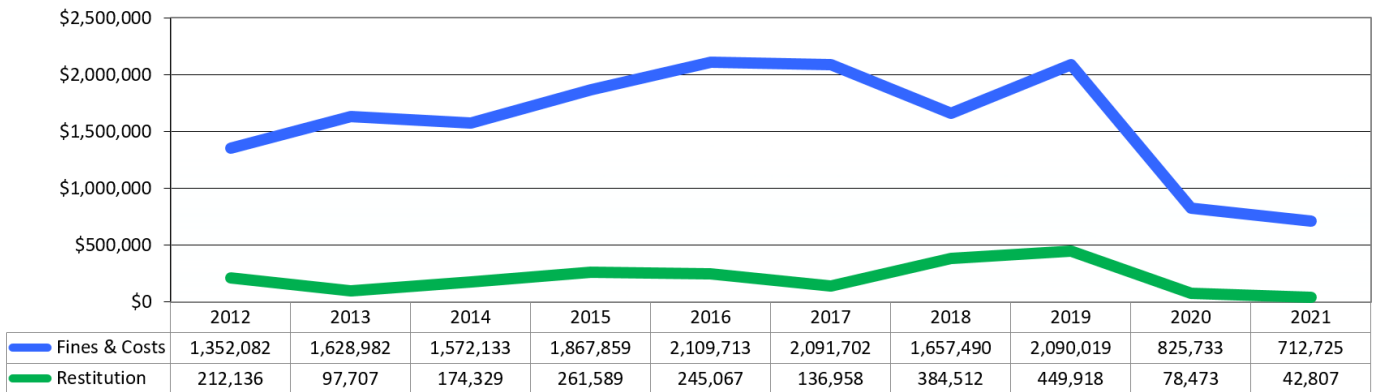
In 2019, there were 74 felony level OWI counts authorized and 2 counts of Felony level Operating with a High BAC.

In 2020, there were 65 counts of felony level OWI, 1 count of OWI Causing Death, 1 count of OWI Causing Serious Injury and 7 counts of OWI with an Occupant under the age of 16.

In 2021, there were 75 counts of felony level OWI, 1 count of OWI Causing Death, 3 counts of OWI Causing Serious Injury and 7 counts of OWI with an Occupant under the age of 16. And, 2 counts of Operating with the Presence of a Controlled Substance.

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.

Despite the existence of institutions providing resources, shelter, and assistance through the legal

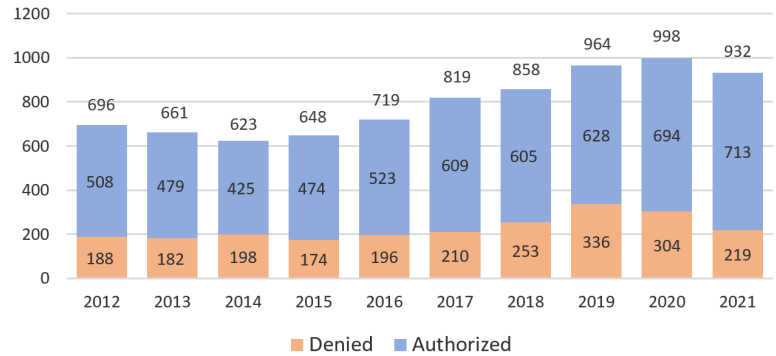
system, it is estimated that only about 50% of Domestic Violence incidents are reported.

The graph below 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.

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

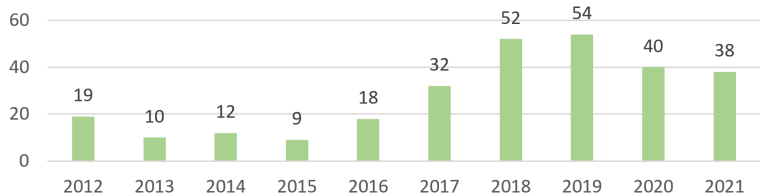
DOMESTIC VIOLENCE CHARGING REQUESTS RECEIVED



In 2015, a change in the law made Strangulation a 10 year felony, instead of a 93 day misdemeanor. Our office held training for local law enforcement outlining the changes in the laws. 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. In 2018 our office charged 52 counts of Assault GBH, which at that point encompassed Strangulation as well. In 2019, there were 54 counts of Assault GBH. In 2020, there were 40 counts of Assault GBH. And in 2021, there were 38 counts of Assault GBH. The chart above shows the number of Assault GBH cases charged since 2012.

GBH/STRANGULATION CASES



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 2021, 14 people applied to the program, 5 people were admitted into the program, and 11 people were rejected. 6 people graduated successfully from the program. The number of graduates included participants that were admitted in 2020 as well as 2021.

Drug Treatment Court

The first participant was admitted into the Adult Drug Treatment Court on June 30, 2011 and is presided over by District Court Judge Baillargeon. The Allegan County Drug Treatment Court addresses the revolving-door cycle in which drug and alcohol offenders moved in and out of the justice system. Drug Treatment Court provides 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.

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 2021, 9 people applied for the program. 6 people were admitted and 5 graduated successfully. The number of graduates included participants that were admitted in 2020 as well as 2021.

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.

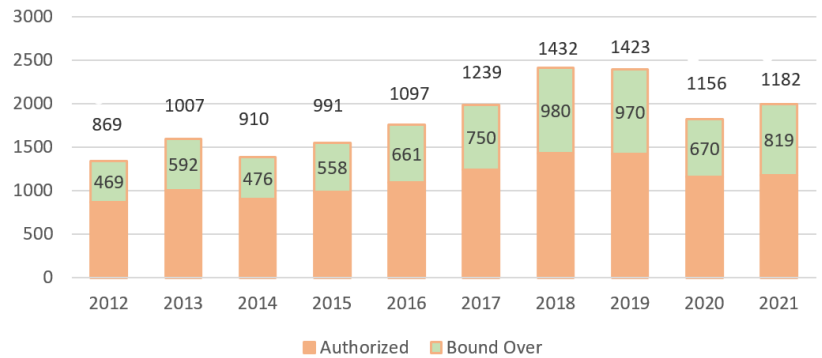
During the year 2021, 15 people applied to the program, 9 were admitted, 6 were rejected and 13 graduated successfully. The number of graduates included participants that were admitted in 2020 as well as 2021. Sobriety Court currently has 3 therapy groups with a maximum of 10 people allowed in each group at one time. This is the only Specialty Court that has a limit of how many people can be in at one time.

FELONY CASES - CIRCUIT COURT

The Circuit Court docket includes felony cases which are crimes where punishment is incarceration in excess of one year. The chart below shows the number of felonies 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. Due to the ongoing pandemic, these case numbers were also reduced significantly.

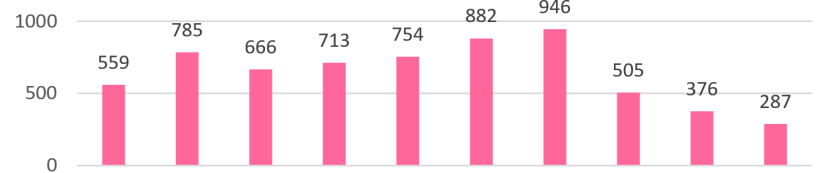
FELONY CASES AUTHORIZED AND BOUND OVER TO CIRCUIT COURT



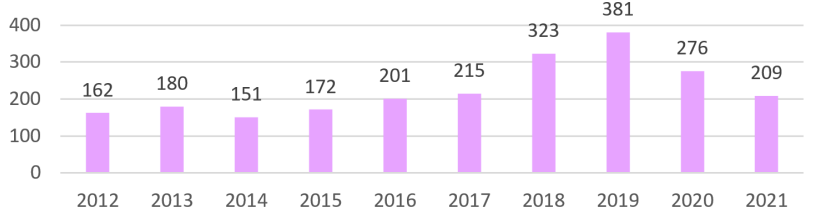
Controlled Substances

A large portion of our felony case load consists of controlled substance violations. Out of the 287 felony drug charges that were authorized in 2021, 209 or 72.82% were for Methamphetamine. Those charges are: Deliver/Manufacture Methamphetamine (17) and Possession of Methamphetamine (192). Of the 819 felony cases bound over during 2021,

All Drug Charges



Methamphetamine Charges

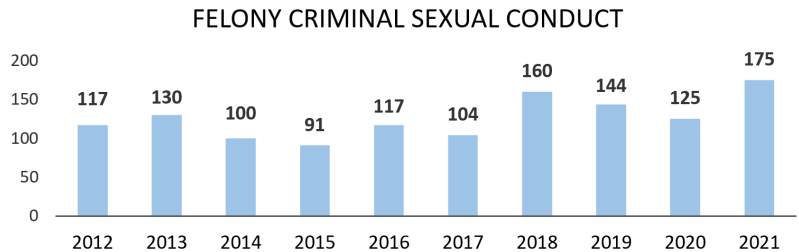


35.04% were drug related and 25.52% were related to Methamphetamine.

The use of Marihuana was legalized in December 2018. In 2017, 61.9% of all drug charges were marihuana related. In 2018, 506 or 53.49% were marihuana related. In 2019, 19 cases, or 3.76% were related to marihuana, in 2020, 9 cases were related to marihuana and in 2021, 13 cases were related to Marihuana.

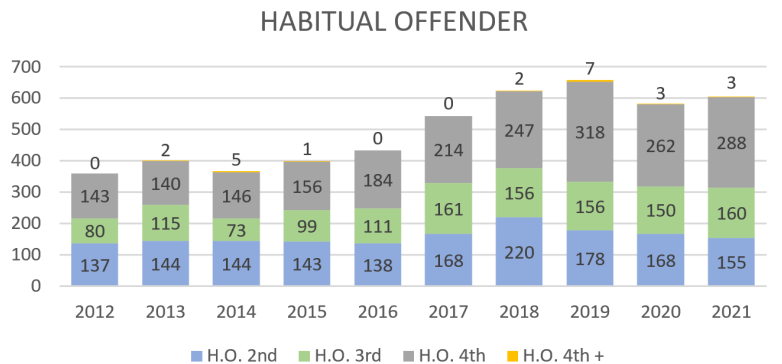
Criminal Sexual Conduct

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 is linked to victims, particularly children, not having the safe adult to disclose to when schools were shut down to in-person instruction. However in 2021, the reporting of cases significantly increased.



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

As mentioned earlier, (page 10) in 2015, Assault with Intent to do Great Bodily Harm Less than Murder (Assault GBH) changed to include Strangulation. Prior to that, Strangulation was categorized as a misdemeanor. On page 10 is a graph of the number of Assault GBH cases that were charged from 2012-2021.

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.

Many myths and misconceptions exist. Recognizing key indicators of human trafficking is the first step in identifying victims and can help save a life, and stop an offender. Not all indicators are present in every human trafficking situation, and the presence or absence of any of the indicators is not necessarily proof of human trafficking.

		HUMAN TRAFFICKING / PROSTITUTION					
		2016	2017	2018	2019	2020	2021
	Human Trafficking (M)	0	0	0	0	0	0
	(F)	0	1	0	0	0	0
	Prostitution (M)	1	1	1	0	0	0
	(F)	1	7	0	0	0	1
Charges		2016	2017	2018	2019	2020	2021
Felony	Keeping a House of Ill Fame	0	1	0	0	0	0
	Prostitution/Pandering	0	2	0	0	0	0
	Prostitution/Accepting Earnings	0	2	0	0	0	0
	Prostitution/Engage Service of a Minor	0	0	0	0	0	1
	Prostitution/Transporting Person	0	2	0	0	0	0
	Human Trafficking-Minor for Commercial Sexual Activity	0	1	0	0	0	0
Misdemeanor	Prostitution/Engaging Services of	3	1	1	0	0	0
	Prostitution/Leasing House	0	0	0	0	0	0
		3	9	1	0	0	1

Homicides

In 2021, we authorized four cases where individuals were charged with driving offenses causing death. One was an at fault driver failing to stop at the scene of an accident resulting in death. One was Operating While Intoxicated Causing Death. And, two charged with Reckless Driving Causing Death. These cases are assigned to a senior and junior attorney. They take a great deal of time to prepare, often involving 50 witnesses or more and a plethora of evidence.

During 2021, the Allegan County Prosecutor's Office was also handling 4 other homicide cases that had been authorized during 2020. Three of the homicides were assigned to the Prosecuting Attorney and an Assistant Prosecuting Attorney. The remaining homicide was assigned to the Chief Assistant Prosecuting Attorney and an Assistant Prosecuting Attorney. Many hours are spent each week preparing and organizing these cases, reviewing evidence, filing and answering motions, and meeting with witnesses.

The first homicide case completed involved the death of a 2 year old and severe abuse of his sister.

Joshua Martin was convicted of Murder in the 2nd Degree and Child Abuse 2nd Degree on June 7, 2021. He was sentenced to 24-60 years in prison.

The second homicide involved the shooting of an adult victim and resulted in a 1st Degree Murder conviction for Robert Eakins on September 30, 2021. He was sentenced on November 15, 2021 to Life without Parole in Prison.

Significant work was done on the Dennis Bowman cold case homicide in 2021. In 1989, Dennis Bowman murdered his 14 year old daughter, dismembered her, and buried her in his back yard. Dennis Bowman was convicted of Murder in the 2nd Degree as a Habitual Offender 2nd Offense. His sentencing was on February 7, 2022 where he received 35-50 years in prison. Since he was serving a life sentence in Virginia for another murder, the Allegan County Prosecutor decided to send him back to Virginia to serve his life sentences concurrently.

And the final homicide is still pending trial although significant work and preparation were also done on this case in 2021.

CIRCUIT COURT – FAMILY DIVISION

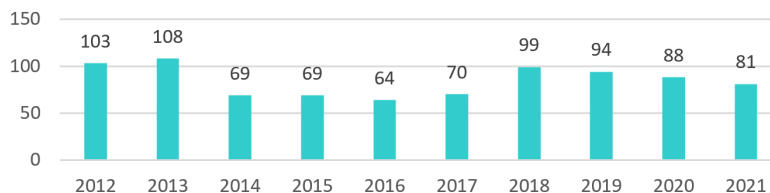
The Circuit Court – Family Division has one Family Court/Probate Judge, and two Hearing Attorney-Referees.

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 commitments pursuant to the Mental Health Code in Probate Court.

Abuse/Neglect

The graph on the right shows how many new Abuse and Neglect Petitions were authorized since 2012. In 2021 our office authorized 81 new Abuse and Neglect Petitions. This represents 169 children. Also, during 2021 our office filed 21 petitions to Terminate the Parental Rights of one or both parents in Abuse and Neglect cases.

ABUSE AND NEGLECT PETITIONS



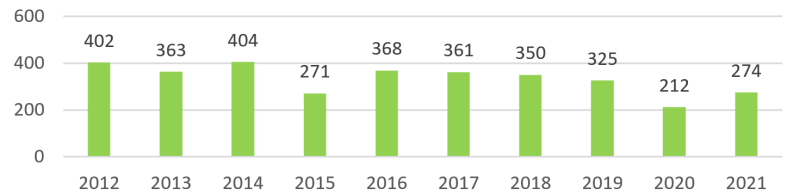
Delinquency

In 2021, this office authorized 274 juvenile delinquency petitions. (This number includes some request for charges received in 2020.) This included 67 charged with Felony offenses, 135 charged with Misdemeanor

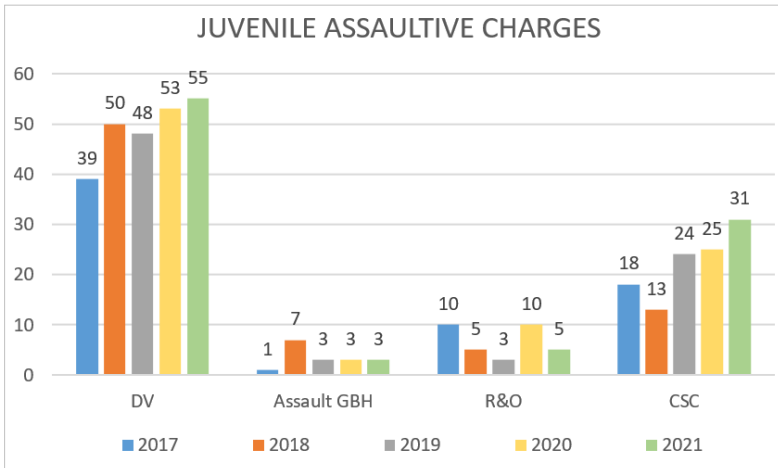


and High Court Misdemeanor offenses, 1 Juvenile PPO and 71 Status Offense petitions. A Status Offense is when a child is charged with something that if they were an adult, would not result in charges (Truancy and Incurrable are two examples).

DELINQUENCY CASES AUTHORIZED



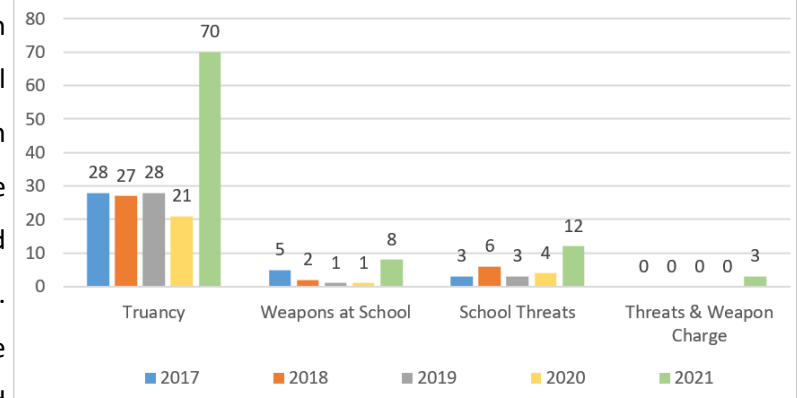
The two charts below illustrate specific assaultive charges and school related charges over the last 5



years. Of the crimes listed, it can be difficult with some of them to determine how much they have increased due to COVID related shut downs and how much is the natural increase we see year by year. However, the increase in Truancy charges can almost certainly be attributed to the COVID shutdowns. 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. Students were made aware that even false threats of violence were handled swiftly and resulted in consequences commensurate with the threat level.

JUVENILE SCHOOL RELATED 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 2021 our office attended 3 times. These Hearings typically require an APA from our office travel to Kalamazoo on the days our Probate Judge and his recorder are scheduled to conduct these hearings. During 2021, due to COVID and gathering restrictions, all of these hearings were conducted via Zoom. Occasionally, our Probate Court will hear Mentally Ill Petitions for Treatment hearings in

Allegan County. During 2021 there were 15 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 2021, the Victim Assistance Program provided over 11,712 contacts with victims throughout the year. This is 3,172 more contacts than in 2020. This is a very important function of this office and is mandated by the Crime Victims Rights Act. During 2021, 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 \$165,778. This was increased from the previous year by \$2400 for the sole purpose of supplying or replacing computers/laptops for Victim Rights personnel. These funds are provided by the Michigan Crime Victim Services Commission. 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 years of experience working with child and adult victims.

Canine Advocate - Joey

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

During 2021, Joey assisted 41 children, teens and adult victims prior to prelims, for trial prep and during appointments. He assisted with 5 Preliminary Hearings. Joey's services were requested for one Preliminary Hearing in another county.

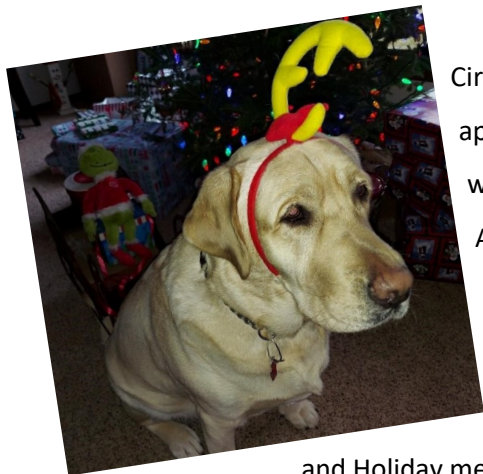
Joey was able to calm a child with behavioral issues and alleviate a lot of his anxieties during an appointment. It was anticipated that the child might have to testify for a hearing and he was having a hard time. After meeting with Joey, he appeared to relax and he laid on Joey for the remainder of the appointment.



Joey, along with Myrene and Emelda gave a presentation to the Allegan County Rotary Club and also presented at a meeting for the Daughters of the American Revolution. After the presentation an individual disclosed that it would have been helpful to have this program in existence when she had to testify against her abuser.



existence when she



Joey worked with a child during a Circuit Court sentencing. At first the child appeared very nervous and scared with the whole process and formality of the hearing. After the sentencing she said she felt safe with Joey and that the hugs from him made it easier.



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

Joey has received thank you letters and pictures from many of the children he has met and supported. We have also provided 5 little Joey's to victims he's worked with after the case has been completed.

In Joey's free time, he enjoys



visiting other offices in the court house and passes out candy to help uplift spirits. He has dressed up like Cupid on Valentines Day, Super-Joey on Halloween, and as Max from *The Grinch who Stole Christmas* to share Holiday Cheer and bring a little joy to other people's day.

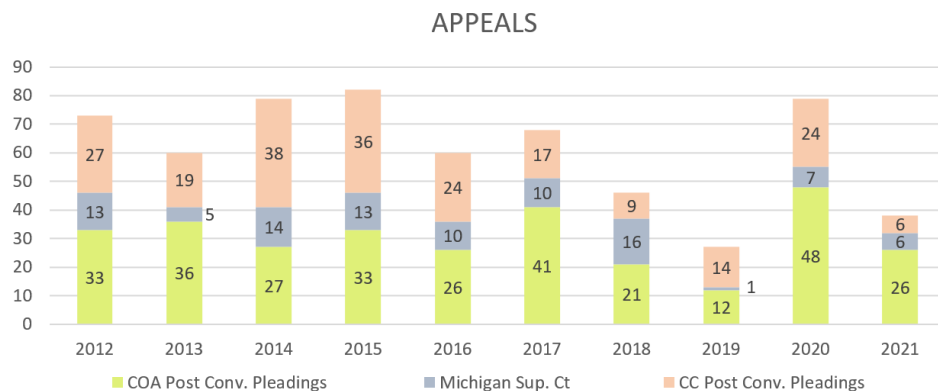
APPEALS

Persons convicted of crimes are entitled to seek appellate review of their conviction as are parents involved in civil child protection cases. The Prosecuting Attorney prosecutes these appeals. In addition, the Prosecuting Attorney periodically seeks redress in appeals court. 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 appeals causes additional trauma to victims and witnesses and substantial costs. Occasionally appeals are pursued prior to trial. These also require action by the Office.

During 2021 The Prosecuting Attorney received and reviewed 35 pleadings and filed 26 pleadings with the Court of Appeals. Our office participated in 7 oral arguments in the Court of Appeals. We received and considered 118 instances of

correspondence from the Court of Appeals. The Office received and reviewed 12 pleadings filed in the Michigan Supreme Court and filed 6 pleadings We participated in one oral argument there. We

received correspondence requiring consideration 13 times from the Supreme Court. We reviewed 10 post-conviction pleadings in the Circuit Court and filed 6 post-conviction pleadings.



OTHER CASE DUTIES

The Prosecuting Attorney also is responsible for enforcement of approximately 253 mandated duties created by 373 different statutes including from advising various county departments and agencies to making sure the annual county real estate tax sale is completed correctly.

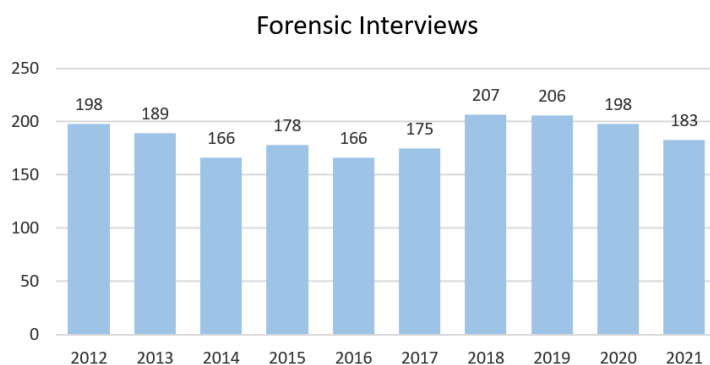
This office is a part of the Southwest Michigan Enforcement Team (SWET). The team's top priorities are to: reduce the number of lives lost due to drug overdoses, investigate, dismantle, and successfully prosecute major drug trafficking organizations and be an investigative resource to police agencies in Southwest Michigan. SWET is comprised of sworn Law Enforcement personnel from the Berrien County

Sheriff's Office, Allegan County Sheriff's Office, Allegan City Police Department, Barry County Sheriff's Office, Calhoun County Sheriff's Office, Covert Township Police Department, Kalamazoo County Sheriff's Office, Kalamazoo Township Police Department, Michigan State Police, South Haven City Police Department, St. Joseph County Sheriff's Office and Sturgis City Police Department.

SWET is funded in part by the Michigan HIDTA (High Intensity Drug Trafficking Area) as well as the U.S. Department of Justice, Byrne JAS Grant. As a member of this team, our office will now receive 20% of any contested civil forfeiture and 10% of any administrative civil forfeiture.

The Allegan County Prosecutor's Office leads the Allegan County Child Abuse Multi-Disciplinary Team with 10 other agencies pursuant to the Child Abuse Investigation Protocol mandated by the State of Michigan. The team reviews all cases of suspected child sexual abuse and severe physical abuse. The reviews include monitoring child forensic interviews and a monthly case review process of those interviews. On average, this team reviews and monitors the progress of approximately 160 cases of child abuse, criminal sexual conduct and child sexually abusive material every month.

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 specialist, while the remainder of the 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.



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 (which are usually needed at the most inconvenient times).

OTHER ACTIVITIES

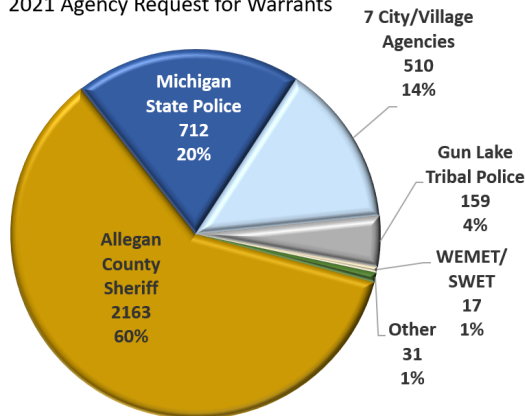
The Prosecuting Attorney continues to be active in several different areas related to criminal justice. The involvement includes membership and participation in the following agencies and organizations:

Board of Directors - *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*,
 Member - *MACC*,
 Chief Chair - *Allegan County Law Enforcement Council (ACLEC)*,
 Trainer for the *Prosecuting Attorney Association of Michigan*,
 Member - *Allegan County Safe Schools Committee*.
 Member—*Allegan Rotary*

LAW ENFORCEMENT AGENCIES

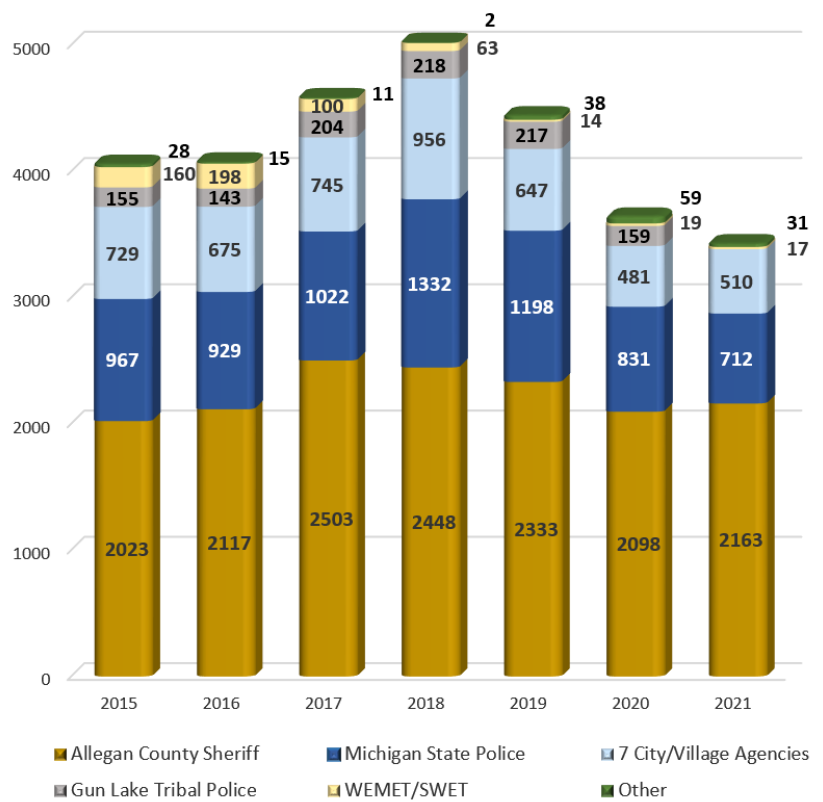
This office serves all the law enforcement agencies in Allegan County including the Sheriff’s Office, the State Police, DNR, and the Cities of Plainwell, Otsego, Wayland, Holland, Allegan, Douglas, Fennville and Gun Lake Tribal Police Department. The Gun Lake Tribal Police was established in 2012.

2021 Agency Request for Warrants



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 above shows of all the charging requests we received in 2021, and what the percentage was from each department. On

AGENCY REQUESTS FOR WARRANTS



the right is a graph showing what the different agencies have submitted over the last 5 years., and the chart


below shows more detail as to all the different agencies that have submitted warrant requests for review since 2012.

	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021
Allegan County Sheriff's Dept.	1933	2167	1957	2023	2117	2503	2448	2333	2098	2163
Michigan State Police	638	960	933	967	929	1022	1332	1198	831	712
Gun Lake Tribal Police	58	114	122	155	143	204	218	217	159	159
WEMET/SWET	122	107	89	160	198	100	63	14	19	17
All Local City & Village Agencies:										
Allegan PD	223	187	185	155	176	167	199	223	147	120
Fennville PD		20	10	8	17	15	19	10	29	43
Hopkins PD	8	11	8	1	1	1	-	-	-	-
Holland PD	30	24	19	22	18	11	7	34	27	37
Otsego PD	93	118	97	106	85	106	116	120	79	126
Plainwell DPS	136	148	124	123	100	129	123	100	70	80
Saugatuck/Douglas PD	132	124	126	127	120	126	-	-	-	-
Douglas PD (2018)	-	-	-	-	-	-	31	60	23	20
Wayland PD	185	162	184	184	157	189	170	99	106	84
Total City/Village Agencies	807	795	754	729	675	745	956	646	481	510
All Other Agencies:										
Dept of Nat. Resources	24	32	14	21	4	5	14	27	44	26
Office of Insp. General	23	24	57	2	4	5	5	6	3	-
SCAR	3	4	-	4	3	1	1	2	5	-
Dept. Environ. Quality	-	-	1	1	-	-	-	-	-	-
Alpena Co.	-	-	-	-	-	-	1	-	-	-
Barry Co.	1	-	1	-	-	-	-	1	-	-
Berrien Co.	-	-	1	-	-	-	-	-	-	1
Kalamazoo Co.	-	-	-	-	-	-	-	-	-	-
Kent Co.	-	-	-	-	-	-	-	-	-	1
Ottawa Co	-	-	1	-	4	-	1	2	7	3
Van Buren Co.	4	3	-	-	-	-	-	-	-	-
Kalamazoo City PD	-	-	-	1	-	-	-	-	-	-
Grand Haven City PD	-	-	-	1	-	-	-	-	-	-
South Haven City PD	-	-	1	-	-	-	-	-	-	-
Hastings City PD	-	-	-	-	1	1	-	1	-	-
Wyoming City PD	-	1	-	-	-	-	-	-	-	-
Zeeland City PD	-	-	-	1	-	-	-	-	-	-
Total All Other Agencies	55	63	75	28	15	11	22	39	59	31
Yearly Totals	4475	5064	4759	4819	4767	5341	5726	4447	3647	3592

OFFICE UPDATES

Employee Changes in 2021

- ◆ Rachel Keeley, Assistant Prosecutor left employment with our office on January 27, 2021.
- ◆ Meredith Beidler, Assistant Prosecutor left employment with our office on August 31, 2021. However, she returned as an employee August 2022, stating she missed the management style of putting our families first.
- ◆ Abigail Field, Legal Administrative Specialist joined our office on March 2, 2021 in a new position.
- ◆ Brian Toti, Assistant Prosecutor joined our office on April 5, 2021 with 8 years Assistant Prosecuting Attorney experience.
- ◆ Jeremy Baier, Assistant Prosecutor joined our office on October 18, 2021 with 6 years attorney experience.
- ◆ Michael DeYoung, Assistant Prosecutor joined our office on November 11, 2021 with 14 years attorney experience.


Initiatives

Meth Regional Task Force—was put on hold during the pandemic.

CSAM Diversion Program—was put on hold during the pandemic.

Translation of Victim Rights forms—completed.

Translation services for victim appointments—completed.

Increase training county wide—ongoing.

2023 Budget Requests

For the 2023 budget, I requested one additional Assistant Prosecuting Attorney, one currently Irregular Part Time Administrative Specialist to Full Time Administrative Specialist and an Electronic Media Specialist.

CONCLUSION

I look forward to working with all members of the law enforcement community to help make Allegan County a safe place in which to work, live, and raise a family.

Respectfully submitted,
Myrene K. Koch
Prosecuting Attorney