

**POLICE SERVICES STEERING COMMITTEE**

**Wednesday May 2, 2007**

4:30pm – 6:00pm

110 North Fourth Avenue

**Members Present:**

Paul Buntten	Chief of Police Saline
Jeff Irwin	County Commissioner, Chair of Board
Pat Kelly	Dexter Township
Karen Lovejoy Roe	County Commissioner
Herb Mahony, Designee	County Under Sheriff
William McFarlane	Superior Township
Michael Moran	Ann Arbor Township
Mark Ouimet	County Commissioner
Kenneth Schwartz	County Commissioner
Kenneth Unterbrink	Lima Township
Patricia Vaillencourt	Village of Manchester

**Members Absent:** Ruth Ann Jannick, Dan Minzey, Brenda Stumbo

**Staff Present:** Mary O’Hare (Facilitator), David Behen, Linda Wicks (Recording Secretary)

**Others Present:** Mike Radzik,

**Presenter:** Hon. J. Cedric Simpson, Chief Judge 14A District Court

**1. Call to Order**

The meeting was called to order by Facilitator O’Hare, 4:35pm, at the Washtenaw County Annex Building, 110 N. Fourth Ave, first floor large conference room.

**2. Approval of Minutes**

Lovejoy Roe moved for approval of the April 4, 2007, Police Services Steering Committee meeting minutes; Buntten seconded; all in favor, with one abstaining (Vaillencourt).

**3. Citizen Participation**

None.

**4. Court Collection and Distribution of Fees**

O’Hare welcomed the Hon. J. Cedric Simpson, present to provide a basic education for *PSSC* members regarding collection and distribution of fees for the 14A District Court, feeding into *PSSC* Key Indicator discussions.

Collection of fees depends on the class of court:

- 1) Class One District Court – Court has multiple funding units but is one Court (there is not a First Class DC in the County)
- 2) **Class Two District Court – Court has one funding unit covering multiple jurisdictions (14A is a Class Two Court)**
- 3) Class Three District Court – Court has one funding unit covering one jurisdiction (City of Ann Arbor; Ypsilanti Township)
  - Easier to determine collection/distribution of fees for Class Three – self-contained within funding unit/jurisdiction

Collection / Distribution of fees paid in a Class Two Court System (14A District Court)

Difference depending if the ticket is written under state law or local ordinance

- ✓ If written under State Law – Penal fines directed to Library fund
- ✓ If written under Local Ordinance – 1/3 directed to jurisdiction and 2/3 to County (by Statute)
- ✓ Certain exceptions and priorities apply prior to fines distribution:
  1. Restitution
  2. Crime Victim Rights Act fee (if applicable) - \$45
  3. State Minimum Costs – lump sum paid on every case to State
  4. State Judgment Fee
  5. Civil Filing Fees (if applicable)
  6. New priority for drunk driving cases, under 625 of Motor Vehicle Code: Recovery costs to jurisdiction (County Board passed ordinance permitting collection of these recovery costs in OUIL cases)
    - a. Recovery costs for expenses for prosecution
    - b. Recovery costs for expenses for police services during OUIL stop
      - i. Jurisdictions with their own police department or prosecution get these recovery costs paid direct (through Treasurer’s Office)
      - ii. Typically the recovery costs are \$100 each for prosecution and police
        - ✓ Two jurisdictions provide actual Police Services recovery costs numbers, scrutinized closely by Court
      - iii. If Sheriff’s Office makes the OUIL stop – Court splits the recovery costs ½ to jurisdiction and ½ to County – Who writes the ticket determines where the police services recovery costs are directed (Court decision)
        - ✓ If the Sheriff’s Office writes a ticket in a non-contracting area, the recovery costs go to the County
        - ✓ If the Michigan State Police write a ticket, ½ goes to State and ½ to County
        - ✓ Recovery fees do not cover actual costs; they are a partial recouping of costs, intended to have the offender bear some of the burden

Kelly inquired if it might make sense to look at the recovery fee distribution formula, given the current contract payment methodology, with Vaillencourt noting that jurisdictions will now be paying both for the overtime in court and the overtime to backfill the position. Moran asked if the Court would be willing to consider a revised recovery fee distribution if the County and jurisdictions could come to an understanding, with Judge Simpson indicating this could be considered, stressing that these recovery fines are really about making the offender more

accountable for their actions. Irwin suggested that this may be something that can relatively simply and amicably be worked out, noting that the 50/50 split would seem pretty fair for the past, but that it may need to be looked at differently going forward starting in 2008.

Judge Simpson said that the Court would not be ordering fees or costs that could have a “chilling effect” on whether or not somebody exercises their rights; indicating that it would be problematic if somebody had to pay more for an officer’s time to sit in the courtroom. He indicated this is a reason the fees are currently set at \$100 prosecution and \$100 police services – it is the same whether the offender pleads or goes to trial. Schwartz expressed his appreciation to Judge Simpson for taking this position to “protect the individual’s right to go as far as they need to in order to protect their rights”.

Lovejoy Roe inquired about tracking the dollars on the revenue side. Judge Simpson stated that the Court sends the money to the County Treasurer with disbursement information. O’Hare indicated she would follow-up on this inquiry, and will provide information back to the *PSSC*. Judge Simpson noted that jurisdictions can contact 14A District Court Administrator Mark Ptaszek for a monthly report showing what recovery costs they should be receiving from the County.

Judge Simpson indicated that tickets are read by the Court in a specific way; and that they must be written in the correct manner to be interpreted as a “local ordinance” ticket. He indicated that the bottom section will note if it is the “motor vehicle code” offense, stressing that the local ordinance number must be written up in the section for local ordinances – that if this local ordinance number is not written there, it becomes a state ticket, even if the box is checked for local ordinances.

Judge Simpson indicated that an additional \$10 has been specifically authorized by statute for the Public Improvement Fund.

Judge Simpson noted that there are currently about 6,000 to 7,000 unpaid tickets in the Court. He indicated that through a Court Collections Officer position they are beginning the process of going through all of these tickets seeing what can be collected on tickets over 10 years old, and aggressively going after all in the last ten year timeframe. He noted that this may reflect in an increase in the revenue jurisdictions receive.

O’Hare inquired about what impact the new website has had on online payments. Judge Simpson replied that online payments have increased from a very few per month to up to 1,200/month now, indicating that many are paying the same day that they receive the ticket. He indicated that they expect to expand this online system to payable tickets for misdemeanors, noting that the same type of influx is expected at that time. He said that the Court does not currently charge a convenience fee for this online service, noting that they want to encourage people to pay online.

##### **5. Key Indicator: First Quarter Report of Key Information**

Mahony distributed a sample Police Services monthly report, based on 2004 data, when standardized reports were first attempted. He stressed that the only current data in the report is the staffing filled/vacant position information, indicating that the report is just a sample of how the report might lay out and what it might look like. Mahony said he would be meeting with

County IT staff on Friday to go over the process of automating a standardized monthly report, indicating he wanted to capture from *PSSC* members what data elements need to be included in this report – what data *PSSC* members would like to see. He shared his need to come up with a **consistent comprehensive report that will cover all jurisdictions' needs**; noting that this will be a balance of the different needs, and will have some information that not every jurisdiction may need. He indicated that from a policy-maker standpoint it might be advantageous to include trends and graphs. He noted that what jurisdictions have been seeing is the current month and year-to-date, without any comparison to previous years.

Moran stated that he would like to see included the totals for the prior two years along with the year-to-date for the current year and prior two years. He indicated it might be helpful to have the more minor crimes broken down, such as “larceny from a building”. Mahony noted this could be Part One and Part Two crimes, along with Part Three crimes (non-criminal, such as motorist assists).

Additional report items/ideas suggested:

- ✓ False Alarm Report
- ✓ Time Spent Out of Jurisdiction
- ✓ Major incidents and blocks occurring in
- ✓ Response Time by Category (personal crimes, property, “in progress”)  
CLEMIS technology may be able to provide this level of tracking
- ✓ “No Units Available” Report
- ✓ Response Time
- ✓ Report should not be in “police speak” – needs to be easily understandable

Irwin suggested that a “menu” of all the different report choices be developed for Jurisdictions to review and choose.

Kelly suggested that a *PSSC* Subcommittee form to look at all the data points currently being provided to the different jurisdictions, making recommendations back to the *PSSC* regarding report content. She indicated this group will form and will set their first meeting date at the June *PSSC* meeting. Mahony will provide sample reports for this subcommittee’s review. Mahony stated his desire to have the report “cleaned up” for September and ready to use in 2008. He noted that the Overtime Indicator needs to be examined for how this information will be collected and reported.

O’Hare noted that another *PSSC* Key Indicator for which a measuring avenue has not yet been decided is the Deployment of General Road Patrol.

**6. Key Indicator: Schedule of Meetings with Townships**

Mahony distributed a discussion draft of “2007 Staffing Analysis” for jurisdictions; stressing the front page warning that these draft documents should **not** be used for planning; that they are “intended to guide discussions on local policy decisions” and that many “base” policy assumptions have been utilized in the preparation of this draft. He stressed that no funding or policy decision should be made based on the data in the discussion draft worksheets. He noted that some *PSSC* members have received a generic jurisdiction’s discussion draft, along with the two examples of a regional analysis received by all.

### **Staffing Analysis Project Goals:**

- ✓ Provide local units with information for policy and funding decisions related to law enforcement
- ✓ Identify opportunities for local units to participate in regional law enforcement response areas through Sheriff's Office

### **Steps in Process:**

1. Prepare draft staffing reports by jurisdiction
2. Identify and meet with Local Unit representatives
  - ✓ Mahony will be meeting with up to 20 local jurisdictions over the next four weeks
3. Build recommended staffing analysis based on local policy decisions
4. Identify opportunities for regional response areas
  - ✓ For regional response areas to work you have to have common outcomes
5. Build recommended staffing analysis based on regional response areas

Jurisdictions will get two products: One specific to the jurisdiction, with local input into what is important, and one that outlines potential partners for regional concepts

### **Different Assumption Decisions (made when putting a Staffing Analysis together)**

- ✓ Frequency of patrols
- ✓ Average response times
- ✓ Availability for immediate response
- ✓ Special assignment jobs
- ✓ Local officer presence
- ✓ Regional options

Mahony shared examples of how different assumptions affect results.

### **Next Steps:**

1. Local Units identify representatives for participation in developing assumptions for recommendations
  - ✓ Mahony provided a list of available meeting dates for jurisdictions to sign up for a date/time. He indicated he would like to have as much as possible done by the end of May for those units that are already contracted with, noting that they will be making staffing decisions in July.
2. Local Units will meet individually with Sheriff staff
3. Local recommendation reports will be generated
4. Regional Response Areas will be identified
5. Regional recommendation reports will be generated

Kelly inquired if it would be appropriate to go directly to the next step, meeting regionally with Dexter Township, Dexter Village and Webster Township. Mahony indicated this would be acceptable, noting that this is a very balanced community for regionalization, and that in components they are almost identical. Kelly indicated that they collectively currently contract for eight deputies.

O'Hare inquired how contracting units not on the *PSSC* will be contacted to begin these staffing analysis discussions. Mahony said that a letter would be going out, subsequent to today's *PSSC* discussion. He further noted that he is happy to meet with the non-contracting units also, and

will be sending out the same letter to them. Ouimet noted that this would be good information for the non-contracting units to discuss, reviewing how much activity is going on in their townships.

**7. Review 08/09 Package (Exhibit B)**

Postponed to June 20, 2007, *PSSC* Meeting.

**8. Comparison Analysis of Other Jurisdictions**

Postponed to June 20, 2007, *PSSC* Meeting.

**9. Committee Member Check-In / Other**

Lovejoy Roe suggested that the *PSSC* could make a recommendation to the BOC asking for additional time for Jurisdictions to determine their deputy staffing needs, extending the July 1st deadline, giving the jurisdictions time to study overtime costs and make informed decisions when signing contracts for deputy numbers.

McFarlane inquired if there was a comparison from previous years in terms of overtime. O'Hare noted that an average breakdown was presented to the *PSSC* prior, which can be resurrected for current *PSSC* review. Mahony indicated that better information can be provided.

Mahony explained the current Sheriff filled/vacant staffing level, indicating that there are currently 9 positions vacant (out of 116 total positions). He indicated that there are currently another 11 additional staff on leaves (not vacant positions) for a total of about 20 down positions. Lovejoy Roe noted the County impact, indicating that the County is covering the overtime costs for those on long-term leaves. Mahony noted that the Sheriff Recruitment and Hiring process is being overhauled, and that they hope to have new hires in place in the next few months.

O'Hare asked that *PSSC* members review the 2008/2009 Contract Package *Exhibit B* attachment and write down any questions for discussion at the June 20 *PSSC* meeting.

**10. Adjournment**

The meeting was adjourned by Facilitator O'Hare at 6:10 pm.

**Next Meeting:**

Wednesday, June 20, 2007

4:30pm – 6:00pm

110 N. Fourth Avenue, Large Conference Room

Approved by Committee: 20 June 2007