LAW & COURTS COMMITTEE
August 29, 2019
Draft Minutes

Members Present: Celentino, Crenshaw, Koenig, Polsdofer, Schafer, Slaughter, and Trubac.

Members Absent: None.

Others Present: Sheriff Scott Wriggelsworth, Prosecutor Carol A. Siemon, Honorable Richard J. Garcia, Honorable Thomas P. Boyd, Mike Cheltenham, Morgan Cole, George Strander, Russell Church, Scott LeRoy, Terri Thornberry, Jodi LeBombard, Mary Sabaj, Tim Dolehanty, Teri Morton, Jared Cypher, Michael Townsend, Jill Bauer, Beth Foster, and others.

The meeting was called to order by Chairperson Koenig at 6:00 p.m. in Personnel Conference Room D & E of the Human Services Building, 5303 S. Cedar Street, Lansing, Michigan.

Approval of the August 15, 2019 Minutes

MOVED BY COMM. CRENSHAW, SUPPORTED BY COMM. SLAUGHTER, TO APPROVE THE MINUTES OF THE AUGUST 15, 2019 LAW & COURTS COMMITTEE MEETING.

Commissioner Schafer proposed the following amendment:

Commissioner Schafer disclosed that his son had a business which had previously leased was presently leasing this facility. He further stated that, knowing the needs of 9-1-1, he intervened and showed the property to Rick Terrill.

This was a friendly amendment.

THE MOTION TO APPROVE THE MINUTES, AS AMENDED, CARRIED UNANIMOUSLY.

Additions to the Agenda

None.

Limited Public Comment

None.
The representatives from each of the following departments/affiliated entities indicated, either by verbal acknowledgement, absence, or silence, that they were satisfied with their respective portions of the Controller’s Recommended Budget:

Tri-County Metro Narcotics Squad  
Ingham County 911 Dispatch Center  
District Court  
Community Corrections  
Circuit Court  
- Jury Administration  
- Friend of the Court Division  
- Family Division  
- General Trial  
Animal Control  
Public Defender  
Legal Services of South Central Michigan

MOVED BY COMM. CELENTINO, SUPPORTED BY COMM. SLAUGHTER, TO ACCEPT AND RECOMMENDED TO THE FINANCE COMMITTEE THE FOLLOWING ITEMS ON THE CONTROLLER’S RECOMMENDED BUDGET:

1. Budget Hearings
   a. Tri-County Metro Narcotics Squad ....................................................... 5-231  
   e. Ingham County 911 Dispatch Center ....................................................... 5-113  
   f. District Court .......................................................................................... 5-100  
   g. Community Corrections ........................................................................... 5-94  
   h. Circuit Court  
      1. Jury Administration ............................................................................. 5-131  
      2. Friend of the Court Division ................................................................. 5-86  
      3. Family Division ..................................................................................... 5-30  
      4. General Trial ......................................................................................... 5-14  
   i. Animal Control ............................................................................................ 5-1  
   j. Public Defender  
   k. Legal Services of South Central Michigan

THE MOTION CARRIED UNANIMOUSLY.

1. Budget Hearings
   b. Sheriff ......................................................................................................... 5-175  

Sheriff Scott Wriggelsworth, stated that the Sheriff’s Office was not more or less important than the other departments appearing before the Committee today, but that they were different. He
further stated that in patrol they had the luxury of asking for help from other law enforcement agencies when stuff happens, but in Corrections they did not have that luxury.

Sheriff Wriggelsworth stated that they could not put off feeding, guarding, getting to court, facilitating medical attention, booking, or releasing prisoners. He further stated that it all had to be done right now.

Sheriff Wriggelsworth asked those present to imagine telling a prisoner they had to wait until tomorrow for medical attention or telling a prisoner due to be released today that they would have to wait until tomorrow because Corrections was short-staffed. He further stated that in 2019 they worked hard to be fully staffed with the budgeted positions, meaning that all 74 budgeted Corrections positions had been filled, minus any short gaps due to retirements.

Sheriff Wriggelsworth stated that through the first half of the year his Office had spent almost $250,000 on overtime to staff the jail, to facilitate offsite medical training, and trying their best to provide employees with work-life balance. He further stated that that amount would basically cover the cost of 2.5 full-time employees.

Sheriff Wriggelsworth stated that even with all of the budgeted positions being filled, on average, 70% of shifts involved some sort overtime to properly staff the jail. He further stated that their own internal review and a recent study done by MDOC showed that they were significantly understaffed.

Sheriff Wriggelsworth stated that MDOC stated they needed multiple additional corrections staff, not taking into account offsite medical and hospital guard. He further stated examples of recent prisoner hospital stays that required 24/7 guard.

Sheriff Wriggelsworth stated that through their own staffing assessment, they found that on each shift there was a trained corrections deputy doing mostly clerical duty in receiving. He further stated that he was asking for two clerical staff positions to work in receiving in order free up the deputy currently serving in that capacity.

Sheriff Wriggelsworth stated that the estimated cost for each clerical receiving position was $69,951. He further stated that that was about $34,000 cheaper than a topped out deputy.

Sheriff Wriggelsworth stated that Corrections Deputies were the unsung heroes of the criminal justice system. He further stated that the public expects them to be perfect every second of every day, even if staff was being worked to the bone.

Sheriff Wriggelsworth stated that when they were not perfect, they wrote the check. He further stated that corrections staff did more harm reduction, lawsuit prevention, lifesaving, and protecting the community than most people could even dream of.

Sheriff Wriggelsworth stated that mostly they protected the inmates from themselves. He further stated that it was important to remember that inmates were someone’s husband, brother, sister, mother, or child.
Sheriff Wriggelsworth stated that they were also asking for an additional Corrections Deputy to work midnight shift. He further stated that that position would cost $104,116.

Sheriff Wriggelsworth stated that Corrections cannot ask for help from the outside and that the only people who could help was the Board of Commissioners. He further stated that they needed the Board’s help to come closer to properly staffing this core function of what they did every second of every day.

Commissioner Polsdofer asked the Sheriff to email his comment to the Commissioners.

Sheriff Wriggelsworth stated that he would do that tomorrow.

Discussion.

Chairperson Koenig asked for clarification on the positions and amounts.

Sheriff Wriggelsworth stated that it was two additional Clerical Receiving staff at $69,951 each and one additional Corrections Deputy at $104,116.

Chairperson Koenig asked what the total was.

Commissioner Celentino stated that the total amount for all positions was $244,018.

MOVED BY COMM. SCHAFER, SUPPORTED BY COMM. SLAUGHTER, TO APPROVE FOR THE Z LIST THE THREE POSITIONS REQUESTED BY THE SHERIFF’S OFFICE.

THE MOTION CARRIED UNANIMOUSLY.

1. Budget Hearings
   c. Prosecuting Attorney................................................................. 5-141

Carol Siemon, Prosecutor, stated that the Prosecutor’s Office was not dissatisfied with the Budget, but that they have been stretched thin for quite some time. She further stated that she was grateful for Commissioners taking such challenging decisions seriously.

Prosecutor Siemon stated that they had salary ranges for each of the positions they were requesting. She further stated that the range for an Assistant Prosecutor would be $101,000-$120,000 and the range for an Audio Visual Technician would be $87,000-100,000.

Teri Morton, Deputy Controller, stated that the Controller’s Budget numbers for those positions were $155,974 for an Assistant Prosecutor and $100,576 for an Audio Visual Specialist.
Prosecutor Siemon stated that her Office was always very reactive, responding to immediate crisis. She further stated that because of that they have not been able to do the kind of strategic planning which would allow them to be as efficient and effective as they could be. Prosecutor Siemon stated that they were working creatively using things like grants and collaborative efforts. She further stated that they were looking to partner with other entities to do data collection, that they used interns and law students whenever possible, and doing whatever else it took to perform their statutory duty.

Prosecutor Siemon stated that no matter what the outcome of the budget process was, they would do their absolute best to serve the people of Ingham County. She further stated that she was not asking to be favored over anyone else because it was a truly collaborative effort, but they were asking that the Board of Commissioners fund the positions they were asking for so they could best serve the community.

Mike Cheltenham, Chief Assistant Prosecutor, stated that he wanted to highlight some of the things that have changed the way cases were prosecuted. He further stated that forensic analysis of cell phones, increased use of DNA, social media, and video surveillance all added to the workload in the Prosecutor’s Office.

Mr. Cheltenham stated that an Assistant Prosecutor would be able to assist with discovery and initial intake of cases, to help cases move faster, and to help with arraignment and pretrial release. He further stated that an Audio Visual Specialist would be able to help with redaction and faster turnover of video evidence to the defense.

Commissioner Polsdorfer asked if it was possible to rank the positions.

Prosecutor Siemon stated that it was a tough call because both positions were critical, but she would rank the Assistant Prosecutor position first and the Audio Video Specialist position second.

Commissioner Polsdorfer asked the Sheriff to rank the positions he requested.

Sheriff Wriggelsworth stated that he would rank the Clerical Receiving positions first.

Commissioner Crenshaw asked about the potential of partnering with local law enforcement on an Audio Visual Specialist.

Prosecutor Siemon stated that there was never a formal discussion about that. She further stated that it was more of an informal acknowledgement that it might be nice thing to consider since they were similarly stretched.

Discussion.

Mr. Cheltenham stated that the Prosecutor’s Office had informal conversations with the Captain of the Lansing Police Department, but nothing formal.
Prosecutor Siemon stated that they could have a formal discussion but she did not know when the City of Lansing’s fiscal year was.

Chairperson Koenig stated that it sounded like an Assistant Prosecutor could do some of the Audio Visual work.

Prosecutor Siemon stated that sometimes that does happen as part of trial prep.

Chairperson Koenig stated that the Assistant Prosecutor job seemed like it should be ranked first and the Audio Visual Specialist ranked second.

Prosecutor Siemon stated that it was a tough call but she would rank the Assistant Prosecutor position first.

Commissioner Schafer stated that it seemed the expertise of an Audio Visual Specialist would be more important and at a lower cost.

Discussion.

MOVED BY COMM. CRENSHAW, SUPPORTED BY COMM. SLAUGHTER, TO APPROVE FOR THE Z LIST THE ASSISTANT PROSECUTOR, AUDIO VISUAL SPECIALIST, AND OFFICE MANAGER POSITIONS REQUESTED BY THE PROSECUTOR’S OFFICE.

Commissioner Schafer asked that each individual position be considered separately for the Z List.

Chairperson Koenig stated that without objection the positions would be divided for consideration for the Z List.

Commissioner Celentino stated that the Assistant Prosecutor position would cost $155,974 and the Audio Visual Specialist would cost $100,576.

Ms. Morton stated that an Office Manager position would cost $132,980.

Discussion.

THE MOTION TO ADD AN ASSISTANT PROSECUTOR POSITION TO THE Z LIST CARRIED.  

Yea: Celentino, Crenshaw, Koenig, Polsdofer, Slaughter, Trubac

Nays: Schafer

THE MOTION TO ADD AN AUDIO VISUAL SPECIALIST POSITION TO THE Z LIST CARRIED UNANIMOUSLY.
THE MOTION TO ADD AN OFFICE MANAGER POSITION TO THE Z LIST FAILED.

**Yeas:** Slaughter  
**Nays:** Celentino, Crenshaw, Koenig, Polsdofe, Schafer, Trubac

1. **Budget Hearings**  
   d. Probate Court

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Hon. Richard J. Garcia, Chief Judge of Probate, stated that they had 5.5 full time equivalent employees and that the Controller’s Recommended Budget gave them one half time employee so they were partially satisfied. He further stated that the Probate Court was no longer able to meet its statutory obligations without another full-time employee.

Morgan Cole, Probate Register, stated that the Probate Court was requesting one full-time employee at the cost of $75,176. She further stated that the majority of what the Probate court did was help vulnerable people in the community.

Ms. Cole stated that with over 19,000 open cases and 5.5 employees, they were unable to service the cases in the time frame they were supposed to. She further stated that her fear was that this would continue and something bad would happen because they did not have the staff to help those in need.

Ms. Cole stated that the Probate Court was grossly behind. She further gave an example of it not being unusual to have a 2.5 inch thick file to review for just one person.

Ms. Cole stated that she was desperate to get this additional full time position to serve the people of Ingham County.

Judge Garcia stated that the Probate Court processed 705 guardianships alone last year, which was double other counties the same size. He further state that guardianship needed to be reviewed annually, so the amount under review was snowballing.

Judge Garcia stated that analysis indicated that a large amount of guardianship cases were being sent to them by Sparrow Hospital. He further stated that they were looking into why those numbers were so high.

Judge Garcia stated that the Probate Court was unable to meet its obligations without the additional full-time position and asked for consideration at the highest rank.

Commissioner Celentino asked how long cases stayed open.

Ms. Cole stated that in Probate Court, by nature, cases often remained open for years, in many cases for the duration of a ward’s life.
Judge Garcia stated that files stayed open as long as people needed guardianship. He further stated that every open file must be reviewed every year.

Commissioner Celentino asked if the additional full-time employee would help with those reviews.

Judge Garcia stated that they needed help with the oversight. He further stated that the Circuit Court had other needs and he wanted to note that their acceptance of the Controller’s Recommended Budget was a reflection of their acknowledgment that the Probate Court needed this position urgently.

Chairperson Koenig stated that Judge Garcia stated that Probate Court had 705 guardianships and that was 40-50% higher than counties of a similar size.

Judge Garcia stated that Ingham County census was 280,000 and they had 729 new filings with 5.5 employees. He further stated that Kalamazoo County had 275 filings and 7 full-time employees and that that and further comparisons were in the materials that they submitted.

Chairperson Koenig asked how long they had been looking into why these numbers were so high.

Judge Garcia stated that Ms. Cole brought it to his attention last year that they had so many more guardianships and conservatorships. He further stated that part of the reason appears to be that the hospital is pushing people towards guardianships.

Chairperson Koenig asked if he thought Sparrow was being accurate or if they were overdoing it.

Judge Garcia stated that there were medical documents that indicated guardianship was necessary. He further stated that he did not want anyone to misunderstand and that he was not suggesting Sparrow was not following best practices.

Judge Garcia stated that it could be that other counties are not protecting their people correctly.

Chairperson Koenig asked if they talked to Sparrow.

Ms. Cole stated that they were scheduled to talk to Sparrow.

Chairperson Koenig asked if the Probate Court did not get as many referrals from McLaren.

Judge Garcia stated that they did not.

Commissioner Schafer stated that in his personal experience the philosophy of the social workers could shape how things were handled.

Judge Garcia stated that he was not disparaging Sparrow in any way.

Discussion.
MOVED BY COMM. CRENSHAW, SUPPORTED BY COMM. CELENTINO, TO APPROVE FOR THE Z LIST THE DEPUTY PROBATE REGISTER III POSITION REQUESTED BY PROBATE.

THE MOTION CARRIED UNANIMOUSLY.
Chairperson Koenig thanked everyone.

2. Final Ranking

The Committee ranked the Law and Courts Z List items.

The final ranking was as follows:

<table>
<thead>
<tr>
<th>DEPARTMENT</th>
<th>AMOUNT</th>
<th>DESCRIPTION</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Sheriff</td>
<td>$69,951</td>
<td>Clerical Receiving</td>
</tr>
<tr>
<td>2 Probate</td>
<td>$75,176</td>
<td>Deputy Probate Register III</td>
</tr>
<tr>
<td>3 Sheriff</td>
<td>$69,951</td>
<td>Clerical Receiving</td>
</tr>
<tr>
<td>3 Sheriff</td>
<td>$104,116</td>
<td>Correction Deputy</td>
</tr>
<tr>
<td>5 Prosecutor</td>
<td>$155,974</td>
<td>Assistant Prosecutor</td>
</tr>
<tr>
<td>6 Prosecutor</td>
<td>$100,576</td>
<td>Audio Visual Specialist</td>
</tr>
</tbody>
</table>

MOVED BY COMM. CRENSHAW, SUPPORTED BY COMM. SLAUGHTER, TO ACCEPT AND RECOMMEND THE FINAL RANKING OF Z LIST ITEMS TO THE FINANCE COMMITTEE.

THE MOTION CARRIED UNANIMOUSLY.

Announcements

None.

Public Comment

None.

Commissioner Schafer asked how much was requested for the Z List so far.

Ms. Morton stated that so far there had been $929,450 in requests for the Z List.

Adjournment

The meeting was adjourned at 6:58 p.m.

BARB BYRUM, CLERK OF THE BOARD