

CHAIRPERSON
SARAH ANTHONY

VICE-CHAIRPERSON
CAROL KOENIG

VICE-CHAIRPERSON PRO-TEM
RANDY MAIVILLE

LAW & COURTS COMMITTEE
KARA HOPE, CHAIR
TERI BANAS
VICTOR CELENTINO
CAROL KOENIG
BRYAN CRENSHAW
RANDY SCHAFFER
RANDY MAIVILLE

INGHAM COUNTY BOARD OF COMMISSIONERS

P.O. Box 319, Mason, Michigan 48854 Telephone (517) 676-7200 Fax (517) 676-7264

THE LAW AND COURTS COMMITTEE WILL MEET ON THURSDAY, NOVEMBER 2, 2017 AT 6:00 P.M., IN THE PERSONNEL CONFERENCE ROOM (D & E), HUMAN SERVICES BUILDING, 5303 S. CEDAR, LANSING.

Agenda

Call to Order

Approval of the [October 12, 2017 Minutes](#)

Additions to the Agenda

Limited Public Comment

1. Homeland Security and Emergency Management – Resolution to Purchase a Handheld [Night/Thermal Imaging Camera \(FLIR\)](#) for the Ingham County Office of Homeland Security & Emergency Management
2. Circuit Court – Juvenile Division – Resolution to [Amend Resolution #17-390](#) to Reflect Correct Rates for Legal Counsel
3. Circuit Court
 - a. Resolution to [Amend Resolution #17-370](#) Accepting the FY 2018 Swift and Sure Sanctions Probation Program Grant
 - b. Resolution to [Amend Resolution #17-371](#) Accepting the FY 2018 Felony Michigan Mental Health Court Grant Program Operational Grant
4. Probate Court – Resolution to Authorize an Agreement with [TEL Systems](#) to Upgrade Technology and Provide Maintenance Support for the Probate Court Courtrooms
5. 9-1-1 Center
 - a. Resolution to Authorize a Contract with [Adams Outdoor](#) to Provide Recruitment Advertising for the Ingham County 9-1-1 Central Dispatch Center
 - b. Resolution to Authorize a Contract with [PM Technologies](#) for Maintenance of 9-1-1 Public Safety Radio Communications Tower Sites, Uninterrupted Power Supply Units, and Replacement of Batteries
6. Law & Courts Committee – Resolution to Accept a [Consolidated Plan](#) to Meet the Michigan Indigent Defense Commission (MIDC) Minimum Standards and to Create a New Fund within the Chart of Accounts for Purposes of Accepting Grant Funds from the MIDC

Announcements
Public Comment
Adjournment

**PLEASE TURN OFF CELL PHONES OR OTHER ELECTRONIC DEVICES
OR SET TO MUTE OR VIBRATE TO AVOID
DISRUPTION DURING THE MEETING**

The County of Ingham will provide necessary reasonable auxiliary aids and services, such as interpreters for the hearing impaired and audio tapes of printed materials being considered at the meeting for the visually impaired, for individuals with disabilities at the meeting upon five (5) working days notice to the County of Ingham. Individuals with disabilities requiring auxiliary aids or services should contact the County of Ingham in writing or by calling the following: Ingham County Board of Commissioners, P.O. Box 319, Mason, MI 48854 Phone: (517) 676-7200. A quorum of the Board of Commissioners may be in attendance at this meeting. Meeting information is also available on line at www.ingham.org.

LAW & COURTS COMMITTEE

October 12, 2017

Draft Minutes

Members Present: Hope, Banas, Crenshaw, Koenig, Maiville, and Schafer

Members Absent: Celentino

Others Present: Judge Don Allen, Andy Bouck, Derrell Slaughter, Chris Trubac, Christy Lawrence, Teri Morton, Liz Kane, and others

The meeting was called to order by Chairperson Hope 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 September 28, 2017 Minutes

MOVED BY COMM. CRENSHAW, SUPPORTED BY COMM. KOENIG, TO APPROVE THE MINUTES OF THE SEPTEMBER 28, 2017 LAW AND COURTS COMMITTEE MEETING.

THE MOTION CARRIED UNANIMOUSLY. Absent: Commissioner Celentino

Removed from the Agenda

1. Circuit Court – Juvenile Division – Youth Service Trip to Costa Rica (*Video Presentation*)

Addition to the Agenda –

1. Presentation – Raise the Age Event by the Lansing ACLU

Limited Public Comment

None.

MOVED BY COMM. SCHAFFER, SUPPORTED BY COMM. BANAS, TO APPROVE A CONSENT AGENDA CONSISTING OF THE FOLLOWING ITEMS:

2. Sheriff's Office
 - a. Resolution to Accept the 2017 Risk Avoidance Grant (RAP) from the Michigan Municipal Risk Management Authority (MMRMA)
 - b. Resolution to Authorize an Interlocal Agreement with the City of Lansing and City of East Lansing for the 2017 Local JAG Grant
3. Friend of the Court – Resolution to Authorize an Agreement with Tel Systems to Upgrade Technology and Provide Maintenance Support for the Friend of the Court Referee Hearing Rooms

4. 55th District Court
 - a. Resolution to Accept a Grant Award from the Michigan Supreme Court State Court Administrative Office - Michigan Mental Health Court Grant Program (SCAO-MMHCGP), Continue a Probation Officer Position, and Enter into Subcontracts
 - b. Resolution to Accept a Grant Award from the Michigan Supreme Court's State Court Administrative Office - Michigan Drug Court Grant Program (SCAO-MDCGP) and Enter into Subcontracts
5. Controller's Office – Third Quarter 2017 Budget Amendments
6. Board Referral – Letter from the Michigan Department of Health and Human Services Regarding the State Ward Chargeback Rates for Calendar Year 2018

THE MOTION CARRIED UNANIMOUSLY. Absent: Commissioner Celentino

THE MOTION TO APPROVE THE ITEMS ON THE CONSENT AGENDA CARRIED UNANIMOUSLY. Absent: Commissioner Celentino

1. Presentation – Raise the Age Event

Derrell Slaughter, Lansing Area ACLU, introduced himself to the Committee and stated that the ACLU and other organizations including One Love Global, Michigan Council on Crime and Delinquency (MCCD), and Michigan League of Public Policy (MLPP), were holding an event at the Hannah Community Center in East Lansing on October 25, 2017 from 5:30-8:00 p.m. He further stated the event would be in support of raising the age of juvenile jurisdiction from 17-years-old to 18-years-old.

Mr. Slaughter provided background on the initiative and upcoming event. He stated in concept, most Democrats and Republicans supported raising the age, but there was still a concern in getting the numbers to line up.

Mr. Slaughter stated the Raise the Age event would give decision-makers and the general public information and help shine a light on the issue.

Commissioner Crenshaw clarified that there were bills regarding raising the age that would be introduced to the Michigan Legislature in late 2017 or early 2018. He asked if the bills would include appropriations for the initiative.

Mr. Slaughter stated he needed more information regarding the proposed legislation and he was not sure if the bills would include appropriations. He further stated there was a study underway regarding the cost impact for the initiative, and more about the need for appropriations would be revealed when the study was complete.

Commissioner Banas thanked Mr. Slaughter and the ACLU for their work. She further stated she had been involved in a Raise the Age campaign when it had been introduced previously.

Commissioner Banas stated that 14-year-olds through 17-year-olds should be housed in separate facilities because it kept them from getting hardened in an adult jail. She further stated she believed there were only nine states that incarcerated individuals that were younger than 18 years-old with adults.

Mr. Slaughter stated there were only five states that incarcerated people under 18-years-old with adults.

Commissioner Banas recalled that Mr. Slaughter had mentioned local and county funding initiatives for the program. She stated she was also curious about the State movement on the initiative, because they would need funding to accommodate the juveniles and the funds might come from the cost of corrections decreasing if juveniles were not in adult jails.

Mr. Slaughter stated he was not aware of any commitment from the State, but he was sure it would be a central part of the discussion. He further stated that the ACLU's stance was that this initiative was important, and while the cost considerations were significant, they really wanted to make sure young people got the support they needed.

Commissioner Banas thanked Mr. Slaughter for presenting to the Committee.

Commissioner Koenig stated the Raise the Age initiative sounded good in theory, but the critics came from the hard conversations. She further stated that she supported the Raise the Age initiative and even supported the idea to go even further and challenge why the age was not 21-or 22-years-old, as 18-year-olds' brains were still as undeveloped as they were at 17-years-old and many of these juveniles were only first-time offenders.

Mr. Slaughter agreed with Commissioner Koenig, and stated it was common sense to raise the age. He further stated that the law allowed 18-year-olds to smoke and considered them adults in other ways, but they were not allowed to drink alcohol until 21-years-old, so it was a matter of determining which age was appropriate.

Commissioner Koenig asked if there would be exceptions in the bills to account for juveniles who committed the most heinous of crimes.

Mr. Slaughter that topic would be discussed at the event.

Commissioner Koenig asked what the minimum age in Michigan was to be tried as an adult.

Mr. Slaughter stated he would have to get back to the Committee with that answer.

Commissioner Koenig stated the question was if it would eliminate people under 18-years-old from being involved in the adult criminal justice system entirely.

Mr. Slaughter stated raising the age would be a step in the right direction, as raising the age to 18-years-old seemed to be a common sense decision. He further stated he hoped raising the age to 18-years-old would help open up more conversations about the topic.

Commissioner Koenig asked if the raise the age initiative had anything to do with the Supreme Court decision.

Mr. Slaughter stated he did not believe the initiative was related to a Supreme Court decision.

Commissioner Koenig stated that the Supreme Court had told Michigan that any juvenile that had been convicted as an adult had to be re-tried.

Chairperson Hope stated she noted that the County Sheriff and County Prosecutor were participating in the event and she was happy to hear that. She asked how law enforcement had reacted in general to the initiative.

Mr. Slaughter stated he and the Sheriff had discussed the fact that housing juveniles was a logistical nightmare, because they had to be housed apart from the adult jail population. He further stated the Sheriff had said that cost was also something to consider, but the reality was that the jail was at capacity and housing juveniles was difficult.

Mr. Slaughter stated that he could not speak for other law enforcement officials, but he would hope they also supported the initiative.

Chairperson Hope asked what types of outcomes juveniles who were convicted as adults at 17-years-old faced. She further asked if they recidivated or turned their lives around.

Mr. Slaughter stated that the Michigan Council on Crime and Delinquency had studies about the difference between young people who were convicted as juveniles and those who were convicted as adults, and those who went to adult jail hardened. He further stated there were those who disagreed with that stance, but he wanted everyone to be part of the conversation.

Chairperson Hope thanked for Mr. Slaughter for his presentation, as this subject had been brought to the Committee before and it was helpful to get an update.

2. Sheriff's Office

- c. Resolution to Authorize an Agreement with the Michigan State University School of Psychiatry to Provide Psychiatric Services for Inmates at the Ingham County Jail

MOVED BY COMM. CRENSHAW, SUPPORTED BY COMM. KOENIG, TO APPROVE THE RESOLUTION.

Commissioner Schafer stated he had many questions regarding the proposed agreement. He recalled Community Mental Health (CMH) used to provide this service for the jail, and asked why they no longer did as he thought the money CMH was receiving from Ingham Health Plan would allow for more involvement in mental health care.

Commissioner Schafer stated he thought the rate of \$145 per hour seemed high, compared to other psychiatrists' salaries. He asked if there was a possibility for them to use psychiatrists at a much cheaper rate, because the salary cap would only allow them 408 hours of care in a year, and that seemed to just be time to write prescriptions for inmates and not provide any other care.

Commissioner Schafer stated he thought it was an expensive proposition for the return on investment.

Andy Bouck, Undersheriff, stated the ability to fund and staff psychiatric care at CMH was eliminated in May 2016, and 55th District Court already had an agreement in place with Michigan State University with Mental Health Court so they also extended the offer to the jail and this was the agreement they reached last year. He further stated the services had worked fabulously for them so far.

Undersheriff Bouck stated in comparing previous years' figures, the rates had increased but he was not sure how much time the psychiatrists were actually spending in the jail as opposed to the previous arrangement of having an in-house psychiatrist. He further stated that he had been told by the previous administration, staff, and others that this was a beneficial service to have and it was affordable to them.

Undersheriff Bouck asked if that answered Commissioner Schafer's questions.

Commissioner Schafer stated his questions were not answered, because he still did not know why CMH had pulled out of providing the services to begin with.

Undersheriff Bouck stated all he knew was that the funding and staffing for psychiatric services had no longer been available.

Commissioner Crenshaw stated that the person from CMH who had been in the position retired last year. He further stated that CMH could not fill the position, so the jail had reverted to using the contract with MSU.

Commissioner Koenig stated CMH had a difficult time finding psychiatrists with the relatively low pay that they offered, so they had begun tracking psychiatrists before they graduated. She further stated that this contract probably allowed the jail to use the TeleDocs program in some way to allow for some replacement of the position that used to be at the jail.

Commissioner Koenig stated the goal of a psychiatrist was to get people the medications they needed, and the therapy sessions Commissioner Schafer was referring to would happen with a psychologist.

Discussion.

Undersheriff Bouck stated it did benefit the safety and security of inmates in the facility if inmates were medicated when they need to be.

Commissioner Banas asked what percentage of the jail population saw a psychiatrist.

Undersheriff Bouck stated he did not have the current figures, but he did know that while a lot of inmates had mental health concerns, only a few received medications for those concerns.

Commissioner Banas stated Ingham County had been working on the opioid taskforce. She asked if this contract also encompassed treatments for addiction.

Undersheriff Bouck stated the contract did not encompass treatment for addiction specifically, but there might be some crossover.

Commissioner Banas asked how the jail determined if an inmate needed to see a psychiatrist.

Undersheriff Bouck stated some inmates had previously been seeing a psychiatrist when they were incarcerated, or they could be referred to a psychiatrist after their initial evaluation upon entering the jail.

Discussion.

Commissioner Schafer asked if there were group therapy sessions in jail.

Undersheriff Bouck stated there were group therapy sessions.

Discussion.

Commissioner Schafer asked how the group activities were done with such a limited staff, as he recognized there was a shortage of corrections deputies.

Undersheriff Bouck stated the programs were scheduled and the corrections officers would escort them to their programs. He further stated that there were established group sessions for alcoholics and drug addicts as well as therapy.

Discussion.

THE MOTION CARRIED UNANIMOUSLY. Absent: Commissioner Celentino

Announcements

Commissioner Schafer stated that over the past few years, there had been many passed millage proposals in the County. He further stated that as the County looked to fund the Sheriff's Office and 9-1-1 Center, he thought that the other millages would interfere with voters approving something that would improve the County's basic infrastructure.

Public Comment

Christy Lawrence stated she was happy to hear that four dogs that had been rescued from the dog-fighting ring would be placed with one of the providers that her group had recommended. She further stated her concern now was the other 30 dogs that were rescued and making sure they found providers for those animals.

Ms. Lawrence stated she was disappointed that two of the defendants charged in the dog-fighting operations had evaded the dog-fighting charge. She further stated that she hoped the last defendant would be convicted of dog-fighting, because someone needed to serve time for this and the County needed to set a precedent that dog-fighting was not accepted.

Adjournment

The meeting was adjourned at 6:29 p.m.

NOVEMBER 2, 2017 LAW & COURTS AGENDA STAFF REVIEW SUMMARY

RESOLUTION ACTION ITEMS:

The Deputy Controller recommends approval of the following resolutions:

1. Office of Homeland Security and Emergency Management – Resolution to Purchase a Handheld Night/Thermal Imaging Camera (FLIR) for the Ingham County Office of Homeland Security & Emergency Management

This resolution will authorize the purchase of a FLIR HS-XR Handheld Tactical Thermal Night Vision Monocular for the Office of Homeland Security & Emergency Management. The equipment will be used for intelligence gathering by law enforcement personnel and recording activities that may prevent or identify terrorist threats against the community. Funding in the amount of \$8,298 will be provided from the FY2015 Region 1 Homeland Security Grant Program funds.

2. Circuit Court – Juvenile Division – Resolution Amending Resolution #17-390 To Reflect Correct Rates for Legal Counsel

This resolution will amend Resolution #17-390 to reflect correct rates for the two attorneys assigned delinquency cases in Judge R. George Economy's courtroom. The rates in Resolution #17-390 should be split in half, given that each attorney receives only half of the cases. The correct amount should be \$505.00 per month, not to exceed \$7,575.00 per year.

- 3a. Circuit Court – Resolution to Amend Resolution #17-370 Accepting the FY 2018 Swift and Sure Sanctions Probation Program Grant

Resolution #17-370 accepted grant funds of up to \$218,213.90 from the State Court Administrative Office (SCAO) to continue the Swift and Sure Sanctions Probation Program (SSSPP). The award is for the grant period of October 1, 2017 through September 30, 2018. The SCAO awarded the Court grant funds in the amount of \$218,000 after Resolution #17-730 had been submitted. This resolution will amend the amount of the award to \$218,000.

- 3b. Circuit Court – Resolution to Amend Resolution #17-371 Accepting the FY 2018 Felony Michigan Mental Health Court Grant Program Operational Grant

Resolution #17-371 accepted grant funds of up to \$275,652.77 from the State Court Administrative Office (SCAO) to continue the Felony Mental Health Court Program (MHC). The award is for the grant period of October 1, 2017 through September 30, 2018. The SCAO awarded the Court grant funds in the amount of \$275,653 after Resolution 17-731 had been submitted. This resolution will amend the amount of the award to \$275,653.

4. *Probate Court – Resolution to Authorize an Agreement with TEL Systems to Upgrade Technology and Provide Maintenance Support for the Probate Court Courtrooms*

This resolution will approve entering into a contract and service agreement with TEL Systems for a turnkey solution for the design, purchase, installation, and support of a new state-of-the-art audio/video system upgrade for one of two Probate Court courtrooms in the Veterans Memorial Courthouse in 2018 at a cost not to exceed \$95,225 per courtroom. Funding of \$80,000 for this project has been included in the 2018 budget as recommended by the Finance Committee and scheduled for final approval by the Board of Commissioners on November 14. Funds to cover the additional cost of the project will come from the Equipment Revolving Fund.

5a. *9-1-1 Center – Resolution to Authorize a Contract with Adams Outdoor to Provide Recruitment Advertising for the Ingham County 9-1-1 Central Dispatch Center*

This resolution will authorize a contract not to exceed \$31,625 with Adams Outdoor for recruitment advertising. Phase 1 is proposed for electronic billboards and an online Outdoor Extended program, and an optional Phase 2 is proposed for traditional poster billboards if needed. Funding for this project will come from the 9-1-1 fund balance. This project is proposed as part of an effort to address the all-time high number of vacant positions at the Center. It is hoped that this will give greater exposure and increase awareness of the available jobs at our 9-1-1 Center.

5b. *9-1-1 Center – Resolution to Authorize a Contract with PM Technologies for Maintenance of 9-1-1 Public Safety Radio Communications Tower Sites, Uninterrupted Power Supply Units, and Replacement of Batteries*

This resolution will authorize a contract with PM Technologies to purchase preventative maintenance and batteries/equipment for the tower sites Uninterrupted Power Supply (UPS) units. With our aging radio system, the UPS units that are at each tower site have started to fail and are in need of service. This project, at a cost not to exceed \$22,186.10, will be funded from the current 9-1-1 budget

6. *Law & Courts Committee – Resolution to Accept a Consolidated Plan to Meet the Michigan Indigent Defense Commission (MIDC) Minimum Standards and to Create a New Fund within the Chart of Accounts for Purposes of Accepting Grant Funds from the MIDC*

This resolution will accept the compliance plan created by the Ingham County Indigent Defense Collaborative Committee to meet the Michigan Indigent Defense Commission (MIDC) minimum standards. The recommended plan would create a Public Defender Office to be administered by Ingham County to provide indigent defense and related services at the 30th Circuit Court, 54A District Court, 54B District Court, and the 55th District Court. The three local funding units within Ingham County (Ingham County, the City of East Lansing, and the City of Lansing) have agreed to submit this consolidated plan to the MIDC.

This resolution will also create a new fund with the county's chart of accounts for recording all financial transactions related to the plan.

Agenda Item 1

TO: LE Committee
Finance Committee

FROM: Sergeant Mary Hull, Ingham County Office of Homeland Security and
Emergency Management

DATE: October 11, 2017

RE: RESOLUTION TO PURCHASE A HANDHELD NIGHT/THERMAL
IMAGING CAMERA (FLIR) FOR THE INGHAM COUNTY OFFICE OF
HOMELAND SECURITY & EMERGENCY MANAGEMENT.

The Ingham County Office of Homeland Security and Emergency Management has applied for and been approved for FY2015 Region 1 Homeland Security Grant Program funds. A portion of these funds will be used to purchase one FLIR HS-XR Handheld Tactical Thermal Night Vision Monocular for the Office of Homeland Security & Emergency Management. This handheld FLIR would help protect residents and businesses of the county from homeland security and terrorist threats.

Introduced by the Law & Courts and Finance Committees of the:

INGHAM COUNTY BOARD OF COMMISSIONERS

**RESOLUTION TO PURCHASE A HANDHELD NIGHT/THERMAL IMAGING CAMERA (FLIR)
FOR THE INGHAM COUNTY OFFICE OF HOMELAND SECURITY & EMERGENCY
MANAGEMENT**

WHEREAS, the Ingham County Office of Homeland Security & Emergency Management has previously applied for and been approved to receive pass through grant funds from the FY2015 Homeland Security Grant Program (HSGP); and

WHEREAS, the purpose of these grant funds is to purchase equipment and to provide training in the Homeland Security & Emergency Management field; and

WHEREAS, the following technology requests have been submitted and approved by the Michigan State Police Emergency Management and Homeland Security Division; and

WHEREAS, the purchase of this technology equipment (portable night vision) would be used for intelligence gathering by law enforcement personnel and recording activities that may prevent or identify terrorist threats against the community.

THEREFORE BE IT RESOLVED, that the Ingham County Board of Commissioners authorizes the purchase of the following technology equipment using Homeland Security Grant Funding:

One FLIR HS-XR for the Ingham County Office of Homeland Security & Emergency Management.
Total cost - \$8,298.00.

BE IT FURTHER RESOLVED, that the Ingham County Board of Commissioners authorizes the Board Chairperson to sign any necessary subcontract or purchase documents that are consistent with this resolution and approved as to form by the County Attorney.

Agenda Item 2

TO: Law and Courts Committee
Finance Committee

FROM: Scott Leroy, Deputy Court Administrator

DATE: October 23, 2017

RE: **RESOLUTION TO AMEND RESOLUTION #17-390 TO REFLECT
CORRECT RATES FOR LEGAL COUNSEL**

The attached Resolution is asking to amend resolution #17-390 to reflect correct rates for the two attorneys assigned delinquency cases in Judge R. George Economy's courtroom. The rates in resolution #17-390 should be split in half, given the attorneys are only receiving half of the cases. The correct amount should be \$505.00 a month, not to exceed \$7,575.00 a year.

Introduced by the Law and Courts and Finance Committees of the:

INGHAM COUNTY BOARD OF COMMISSIONERS

RESOLUTION TO AMEND RESOLUTION #17-390 TO REFLECT CORRECT RATES FOR LEGAL COUNSEL

WHEREAS, Attorney Steven Feigelson and Attorney Robert Ochodnický provide legal representation on one-half of the juvenile delinquency cases, respectively, assigned to Judge R. George Economy; and

WHEREAS, resolution #17-390 was passed on October 10, 2017, approving legal counsel paid at specific rates; and

WHEREAS, there was an error in resolution #17-390 in the monthly payment amounts allocated for Attorney Steven Feigelson and Attorney Robert Ochodnický; and

WHEREAS, the correct amount each attorney should receive is \$505.00 monthly, not to exceed \$7,575.00 a year.

THEREFORE BE IT RESOLVED, that resolution #17-390 is amended to reflect legal counsel for Judge R. George Economy's delinquency cases paid at the following rates:

- Attorney Steven Feigelson is paid in the amount of \$505.00 monthly, not to exceed \$7,575.00 a year.
- Attorney Robert Ochodnický is paid in the amount of \$505.00 monthly, not to exceed \$7,575.00 a year.

BE IT FURTHER RESOLVED, that the Chairperson of the Ingham County Board of Commissioners is authorized to sign any necessary contractual documents consistent with this Resolution and approved to form by the County Attorney.

Agenda Item 3a

To: Law & Courts and Finance Committees
From: Rhonda K. Swayze
Date: October 24, 2017
Re: Swift and Sure Sanctions Probation Program
2017 - 2018 Operational Grant Award

The 30th Circuit Court submitted a Memo and Resolution in September to accept grant funds up to an amount of \$218,213.90 from the State Court Administrative Office (SCAO) to continue the Swift and Sure Sanctions Probation Program (SSSPP). The award is for the grant period of October 1, 2017 through September 30, 2018.

The Board resolved in Resolution 17-370 to accept an amount of up to \$218,231.90 once awarded, make any necessary adjustments to the 2017 and 2018 budget and position allocation lists, and sign any necessary contract/subcontracts consistent with the Resolution. The SCAO awarded the Court grant funds in the amount of \$218,000 after Resolution 17-730 had been submitted.

Through the enclosed Resolution, we are requesting that the Board amend Resolution 17-370 as to the amount of the award, only.

cc: Hon. Clinton Canady
Hon. Joyce Draganchuk
Shauna Dunnings
Hon. Janelle A. Lawless
Lisa McCormick
Carol Siemon

Introduced by the Law & Courts and Finance Committees of the:

INGHAM COUNTY BOARD OF COMMISSIONERS

RESOLUTION TO AMEND RESOLUTION 17-370 ACCEPTING THE FY 2018 SWIFT AND SURE SANCTIONS PROBATION PROGRAM GRANT

WHEREAS, the 30th Circuit Court applied for grant funds in the amount of \$218,231.90 from the State Court Administrative Office (SCAO) for the fiscal year of October 1, 2017 through September 30, 2018 to continue the Swift and Sure Sanctions Probation Program grant; and

WHEREAS, the SCAO hadn't notified the Court of the amount of the award prior to the last round of Committee meetings preceding the closure of the 2017 fiscal year; and

WHEREAS, the Court, wishing to continue services in the 2018 fiscal year, submitted Resolution 17-370 to accept funds up to the amount of \$218,231.90 once awarded; and

WHEREAS, the Board of Commissioners resolved to accept an amount of up to \$218,231.90, once awarded, make any necessary adjustments to the 2017 and 2018 budget and position allocation lists, and sign any necessary contract/subcontracts consistent with the Resolution; and

WHEREAS, the SCAO awarded the Court grant funds in the amount of \$218,000 after Resolution 17-370 had been submitted.

THEREFORE BE IT RESOLVED, that the Ingham County Board of Commissioners amends Resolution 17-370 by accepting an amount of \$218,000 awarded by the SCAO for the Felony Michigan Mental Health Court Grant which begins on October 1, 2017 and ends on September 30, 2018.

BE IT FURTHER RESOLVED, that all other terms of Resolution 17-370 remain the same as approved.

BE IT FURTHER RESOLVED, that the Board Chairperson is authorized to sign any amended agreements consistent with this resolution subject to approval as to form by the County Attorney.

Agenda Item 3b

To: Law & Courts and Finance Committees
From: Rhonda K. Swayze
Date: September 8, 2017
Re: Michigan Mental Health Court Grant Program
2017-2018 Operational Grant Award

The 30th Circuit Court submitted a Memo and Resolution in September to accept grant funds up to an amount of \$275,652.77 from the State Court Administrative Office (SCAO) to continue the Felony Mental Health Court (MHC) Program. The award is for the grant period of October 1, 2017 through September 30, 2018.

The Board resolved in Resolution 17-371 to accept an amount of up to \$275,652.77 once awarded, make any necessary adjustments to the 2017 and 2018 budget and position allocation lists, and sign any necessary contract/subcontracts consistent with the Resolution. The SCAO awarded the Court grant funds in the amount of \$275,653 after Resolution 17-731 had been submitted.

Through the enclosed Resolution, we are requesting that the Board amend Resolution 17-371 as to the amount of the award, only.

cc: Hon. Joyce Draganchuk
Shauna Dunnings
Hon. James S. Jamo
Hon. Janelle A. Lawless
Lisa McCormick
Carol Siemon

Introduced by the Law & Courts and Finance Committees of the:

INGHAM COUNTY BOARD OF COMMISSIONERS

RESOLUTION TO AMEND RESOLUTION 17-371 ACCEPTING THE FY 2018 FELONY MICHIGAN MENTAL HEALTH COURT GRANT PROGRAM OPERATIONAL GRANT

WHEREAS, the 30th Circuit Court applied for grant funds in the amount of \$275,652.77 from the State Court Administrative Office (SCAO) for the fiscal year of October 1, 2017 through September 30, 2018 to continue the Felony Michigan Mental Health Court (MHC) Grant; and

WHEREAS, the SCAO hadn't notified the Court of the amount of the award prior to the last round of Committee meetings preceding the closure of the 2017 fiscal year; and

WHEREAS, the Court, wishing to continue services in the 2018 fiscal year, submitted Resolution 17-371 to accept funds up to the amount of \$275,652.77 once awarded; and

WHEREAS, the Board of Commissioners resolved to accept an amount of up to \$275,652.77, once awarded, make any necessary adjustments to the 2017 and 2018 budget and position allocation lists, and sign any necessary contract/subcontracts consistent with the Resolution; and

WHEREAS, the SCAO awarded the Court grant funds in the amount of \$275,653 after Resolution 17-731 had been submitted.

THEREFORE BE IT RESOLVED, that the Ingham County Board of Commissioners amends Resolution 17-370 by accepting an amount of \$275,653 awarded by the SCAO for the Felony Michigan Mental Health Court Grant which begins on October 1, 2017 and ends on September 30, 2018.

BE IT FURTHER RESOLVED, that all other terms of Resolution 17-371 remain the same as approved.

BE IT FURTHER RESOLVED, that the Board Chairperson is authorized to sign any amended agreements consistent with this resolution subject to approval as to form by the County Attorney.

Agenda Item 4

TO: Law and Courts Committee
Finance Committee
Board of Commissioners

FROM: George M. Strander
Probate Court Administrator & Probate Register

DATE: October 24, 2017

RE: Resolution in relation to courtroom upgrades

Please find attached a draft resolution to enter into a contract with TEL to provide upgrades to one of our two courtrooms. The resolution is essentially identical to one already passed by the Board of Commissioners in relation to Circuit Court courtroom upgrades.

Agenda Item 4

TO: Deb Fett, IT Department Director
George Strander, Court Administrator and Probate Register
Shauna Dunnings, Circuit Court Administrator

FROM: James Hudgins, Director of Purchasing, jhudgins@ingham.org

DATE: January 20, 2017

RE: Memo of performance for RFP No. 10-17: Courtroom Technology Upgrades for Ingham County
30th Judicial Circuit Court and Ingham County Probate Court

Per your request, the Purchasing Department sought proposals from qualified and experienced vendors for a turnkey solution for the design, purchase, installation, and support of new state-of-the-art audio/video systems in eight (8) courtrooms for the Ingham County 30th Judicial Circuit Court and the Ingham County Probate Court in Lansing, Michigan. Minimum Proposer Requirements: 1) The proposer must be a direct advanced certified partner for the proposed product/solution(s). 2) The proposer shall maintain a staff of bench and field service technicians in the mid-Michigan area.

The RFP was advertised in the Lansing State Journal and The Chronicle in addition to posting on the Ingham County Purchasing Department’s website.

The Purchasing Department can confirm the following:

Function	Overall Number of Vendors	Number of Local Vendors
Vendor invited to propose	15	4
Vendor attending pre-bid/proposal meeting	6	1
Vendors responding	4	1

The proposal summary grid of the vendors’ costs is on the last page.

You are now ready to complete the final steps in the process: 1) Evaluate the submissions based on the criteria established in the RFP; 2) confirm funds are available; 3) submit evaluation to the Purchasing Department with your recommendation; 4) write a memo of explanation; and, 5) prepare a resolution for Board approval. If I can be of further assistance, please do not hesitate to contact me by e-mail at jhudgins@ingham.org or by phone at 676-7309

For construction projects over \$10,000 preconstruction meetings are required. Please make sure the Purchasing Department is invited and is able to attend such meetings to ensure all contractors are in compliance with prevailing wages and proper bonding.

This Memorandum is to be included with your memo and resolution submission to the “Resolutions group” as acknowledgement of the Purchasing Department’s participation in the proposal purchasing process.

VENDOR NAME	LOCAL PREF	COURTROOM 1	COURTROOM 2	COURTROOM 3	COURTROOM 4	COURTROOM 5	COURTROOM 6	COURTROOM 7	COURTROOM 8	GRAND TOTAL
TEL Systems (Thalner Electronics Inc.)	No, Ann Arbor	\$95,225.00	\$95,225.00	\$95,225.00	\$95,225.00	\$95,225.00	\$95,225.00	\$95,225.00	\$95,225.00	\$761,800.00
Business Information Systems, Inc.	No, FL	\$102,063.53	\$103,156.51	\$103,156.51	\$103,703.00	\$102,063.53	\$102,063.53	\$102,063.53	\$102,063.53	\$820,333.67
SoundCom Michigan Corp; DBA: I.COMM	Yes, Lansing	\$123,251.00	\$123,251.00	\$123,251.00	\$123,251.00	\$123,251.00	\$123,251.00	\$123,251.00	\$123,251.00	\$986,008.00
CDW Government LLC	No, IL	\$154,872.77	\$154,872.77	\$153,032.22	\$153,032.22	\$153,032.22	\$153,032.22	\$154,872.77	\$153,032.22	\$1,229,779.41

Agenda Item 4

To: Jim Hudgins, Director of Purchasing

From: Rhonda K. Swayze, Deputy Court Administrator/General Trial Division

Date: April 25, 2017

Re: RFP No. 10-17; Courtroom Technology Upgrades for Ingham County 30th Judicial Circuit Court

Having identified the need to update courtroom technology in the courtrooms located in the Veterans Memorial Courthouse from analog to digital technology, the 30th Circuit Court sought CIP funding in the 2016 and 2017 budget cycles. Funding in the amount of \$80,000 per courtroom was approved for two courtrooms in the 2016 budget cycle and two courtrooms in the 2017 budget cycle. Funding for the last two courtrooms located in the Veterans Memorials Courthouse will be sought through the CIP process in the 2018 budget cycle.

A RFP was issued by the Purchasing Department in January, 2017. The RFP described a request for a turnkey solution for the design, purchase, installation, and support of new state-of-the-art audio/video systems in the courtrooms.

The 30th Judicial Circuit Court evaluation team, which consisted of Court Administrator, Shauna Dunnings; Deputy Court Administrator, Rhonda Swayze; Circuit Court Technology Liaison, Mike Brandt; Probate Court Administrator, George Strander; IT Director, Deb Fett; and Application Programmer, Mike Nolen, reviewed and evaluated the four RFPs submitted and made a recommendation that TEL Systems (Thalner Electronics, Inc.) be awarded with the right to proceed with the project. The evaluation was submitted to the Purchasing Department. The evaluation team requested a meeting with TEL Systems so team members had an opportunity to ask additional questions and thoroughly review the products and installation plan that TEL had proposed. That meeting took place on March 29, 2017.

The recommendation to proceed with TEL Systems is based on the following:

- At \$95,225, TEL was the lowest bid per courtroom before particular components were identified for elimination from the proposal. After those components were identified for elimination, TEL came in under our budgeted amount of \$80,000 per courtroom.
- TEL's price per courtroom includes maintenance for three years rather than one year like the other three vendors.
- Vendors CDW-G and ICOMM could not be recommended due to their proposed costs of the project. CDW-G's proposed costs were approximately twice as high as TEL's. ICOMM's costs were approximately \$30,000 higher than TEL's.
- BIS Digital uses proprietary software for audio and video courtroom recording and does not provide the details as to whether proprietary hardware is needed to operate their software. The court currently uses FTR for audio and video courtroom recording and the hardware cited in TEL's proposal supports the continued use of FTR.

- The documentation in TEL's proposal was exactly what we asked for and more. It explained in detail how the proposed system will work and included specific brand and model information for the proposed equipment.
- TEL also proposed ideas to save the court money.
- TEL has experience with installing courtroom technology along with positive references from past customers to support their qualifications.
- TEL has been the provider of the court's courtroom technology maintenance for at least 14 years. During that time, they have provided the court with timely and effective service.

If this memo of explanation is satisfactory to the Purchasing Department, the 30th Circuit Court will move ahead by preparing a resolution for Board approval.

Your assistance and support in this important project have been invaluable.

Thank you.

cc: Mike Brandt
Shauna Dunnings
Deb Fett
Hon. Janelle Lawless
Mike Nolen

Introduced by the Law & Courts and Finance Committees of the:

INGHAM COUNTY BOARD OF COMMISSIONERS

RESOLUTION TO AUTHORIZE AN AGREEMENT WITH TEL SYSTEMS TO UPGRADE TECHNOLOGY AND PROVIDE MAINTENANCE SUPPORT FOR THE PROBATE COURT COURTROOMS

WHEREAS, the Ingham County Probate Court and Ingham County IT Department identified the need to replace equipment that has surpassed its life expectancy and to update courtroom technology in the Veterans Memorial Courthouse from analog to digital technology; and

WHEREAS, the Ingham County Probate Court has secured funding of \$80,000 for one of its two courtrooms in the 2018 budget cycle, pending final approval by the Board of Commissioners; and

WHEREAS, a Request for Proposal (RFP 10-17) for a turnkey solution for the design, purchase, installation, and support of new state-of-the-art audio/video system in the courtrooms was issued by the Purchasing Department in January, 2017; and

WHEREAS, the RFP evaluation team reviewed and evaluated responses from four vendors; and

WHEREAS, TEL Systems (Thalner Electronics, Inc.) had the lowest bid per courtroom while meeting all of the requirements set forth in the RFP; proposed ideas to save the court money; has experience with installing courtroom technology along with positive references from past customers to support their qualifications; and has been the provider of the court's courtroom technology maintenance for at least 14 years during which they provided the court with timely and effective service; and

WHEREAS, the RFP evaluation team recommended in the attached April 25, 2017 evaluation and explanation memo addressed to the Purchasing Director that TEL Systems be awarded the right to proceed with the project to provide a turnkey solution for the design, purchase, installation, and support of new state-of-the-art audio/video system upgrades for the Probate Court courtrooms of the Veterans Memorial Courthouse at a cost not to exceed \$95,225 per courtroom.

THEREFORE BE IT RESOLVED, that the Ingham County Board of Commissioners hereby approves entering into a contract and service agreement with TEL Systems for a turnkey solution for the design, purchase, installation, and support of new state-of-the-art audio/video system upgrade for one of the two Probate Court courtrooms in the Veterans Memorial Courthouse in 2018 at a cost not to exceed \$95,225.

BE IT FURTHER RESOLVED, that the additional up to \$15,225 needed for this project will be funded from the Equipment Revolving Fund.

BE IT FURTHER RESOLVED, that the Controller/Administrator is authorized to make the necessary budget adjustments to the 2018 budget.

BE IT FURTHER RESOLVED, that the Ingham County Board of Commissioners authorizes the Board Chairperson to sign any necessary documents that are consistent with this resolution and approved as to form by the County Attorney.

TO: Board of Commissioners Law and Courts Committee & Finance Committees
FROM: Lance Langdon, 9-1-1 Director
DATE: October 24, 2017
SUBJECT: 9-1-1 Center Recruiting Advertising Proposal
For the meeting agenda of November 2, 2017 & November 8, 2017

BACKGROUND

With the all-time high of open positions in the center, we have looked at additional ways to advertise the jobs to the public where we can bring in more applicants to our hiring process. In reaching out to businesses that do the outdoor advertising, Adams Outdoor provided a 2 phased approach to getting the job out to the public through billboards and online/mobile posting. The center has been active with job fairs and recruiting events but feels that this will give greater exposure to the jobs and recruit more potential employees.

ALTERNATIVES

If we continue with the current recruiting activities we will see the hiring process continue and the center struggling to fill positions quickly with qualified employees. This continues to provide extra burden on staff who work a great amount of overtime to maintain coverage.

FINANCIAL IMPACT

This project would be from 9-1-1 Fund balance and have no effect on the county's general fund.

OTHER CONSIDERATIONS

With the time it takes to train staff at the 9-1-1 Center we must make every effort to get people/applicants interested in and to apply for these jobs. This is one of the efforts that will be proposed to increase awareness and find people interested in being a part of our 9-1-1 system.

RECOMMENDATION

Based on the information presented, I respectfully recommend approval of the attached resolution to enter into a contract with Adams Outdoor to advertise/recruit new employees.

Agenda Item 5a

TO: Lance Langdon, 911 Director
FROM: James Hudgins, Director of Purchasing
DATE: October 25, 2017
RE: Memorandum of performance for Packet #198-17: Advertising/Billboard

The Purchasing Department can confirm bids were sought from qualified and experienced vendors to provide billboard advertising.

The following grid is a summary of the vendors' costs:

VENDOR	Outfront Media	Lamar	Adams Outdoor Advertising
LOCAL PREF.	No, Grand Rapids, MI	No, Saginaw-Port Huron MI	No, Lansing, Clinton County
NUMBER OF BILLBOARDS	7 (1 is free) includes mobile	3	8 Digital Billboards on Rotation with 1/2 shares + online/mobile targeting.
COST - 4 WEEKS	\$12,000.00	\$6,000.00	No Bid
COST - 3 MONTHS	\$36,000.00	\$14,100.00	Phase 1, \$15,000.00
ALTERNATE	None	None	Phase 2, additional 3 Months \$16,625.00

You are now ready to complete the final steps in the process: 1) confirm funds are available; 2) submit your recommendation of award along with your evaluation to the Purchasing Department; 3) write a memo of explanation; and, 4) prepare a resolution for Board approval.

This Memorandum is to be included with your memo and resolution submission to the Resolutions Group as acknowledgement of the Purchasing Department's participation in the purchasing process.

If I can be of further assistance, please do not hesitate to contact me by e-mail at jhudgins@ingham.org or by phone at 676-7309.

Introduced by the Law and Courts and Finance Committees of the:

INGHAM COUNTY BOARD OF COMMISSIONERS

**RESOLUTION TO AUTHORIZE A CONTRACT WITH ADAMS OUTDOOR
TO PROVIDE RECRUITMENT ADVERTISING FOR
THE INGHAM COUNTY 9-1-1 CENTRAL DISPATCH CENTER**

WHEREAS, the Ingham County Board of Commissioners operates the 9-1-1 Emergency Telephone Dispatch System through the Ingham County 9-1-1 Central Dispatch Center; and

WHEREAS, the Ingham County 9-1-1 Central Dispatch Center is in great need to find good applicants to fill fifteen currently open positions; and

WHEREAS, the current processes with job fairs, job boards, and other outreach through the Center's Facebook pages have not provided the needed pool of applicants to fill the positions; and

WHEREAS, the 9-1-1 Director has recommended the use of Billboards and online advertising to further reach out to potential applicants; and

WHEREAS, the 9-1-1 Director recommends using Adams Outdoor to advertise on billboards and Outdoor Extended - online to reach out to the public to promote employment with the 9-1-1 Center; and

WHEREAS, Adams Outdoor has recommended a 2 phased approach to advertise the centers hiring; Phase 1 for three months of digital billboards and online advertising at a cost of \$15,000.00, and an optional Phase 2 with 7 traditional billboards for three months at a cost of \$16,625.00.

THEREFORE BE IT RESOLVED, that the Ingham County Board of Commissioners authorizes a contract not to exceed \$31,625.00 with Adams Outdoor for recruitment advertising for Phase 1 for electronic billboards and the online Outdoor Extended program, and optional Phase 2 for traditional poster billboards if needed.

BE IT FURTHER RESOLVED, that the Ingham County Board of Commissioners authorizes an appropriation of up to \$31,625.00 from 9-1-1 Fund balance for the total cost of this Advertising Contract.

BE IT FURTHER RESOLVED, that the Controller/Administrator is authorized to make the necessary budget adjustments to the 2017 and 2018 budgets.

BE IT FURTHER RESOLVED, that the Chairperson of the Ingham County Board of Commissioners is authorized to sign the contract with Adams Outdoor consistent with this resolution and approved as to form by the County Attorney.

TO: Board of Commissioners Law and Courts & Finance Committees
FROM: Lance Langdon, 9-1-1 Director
DATE: October 24, 2017
SUBJECT: 9-1-1 Radio System UPS Service-Battery Replacement
For the meeting agenda of November 2, 2017 & November 8, 2017

BACKGROUND

With our aging radio system, the UPS units that are at each tower site have started to fail and are in need of service. Batteries were approved in our CIP budget, but the units also need to have preventive maintenance completed in addition to the replacement of the batteries. PM Technologies, who does our generator maintenance at these same tower sites, is being recommended.

ALTERNATIVES

If we do not move forward with this project the sites will start to fail and not provide the needed radio coverage to the police, fire, and ambulance services in the county.

FINANCIAL IMPACT

This project would be from the current 9-1-1 budget and have no effect on the county's general fund.

OTHER CONSIDERATIONS

We have had some battery failure which has been addressed by the Radio System Admin, but a full maintenance and battery replacement is needed at this time.

RECOMMENDATION

Based on the information presented, I respectfully recommend approval of the attached resolution to enter into a contract with PM Technologies for the maintenance and equipment.

TO: Lance Langdon, 911 Director

FROM: James Hudgins, Director of Purchasing

DATE: October 25, 2017

RE: Memorandum of performance for Packet #166-17: UPS Battery Replacement Project.

The Purchasing Department can confirm bids were sought from qualified and experienced vendors to contract for the maintenance of twelve (12) public safety radio communication tower sites including the uninterrupted power supply units and replacement of batteries.

The following grid is a summary of the vendors' costs:

Vendor	Local Pref.	Cost
PM Technologies	No, Wixom MI	\$22,186.00
Nationwide Power	No, Nevada	\$25,439.75 + Freight to sites
Millennium UPS	No, California	\$26,503.00 when modules become available to vendor

You are now ready to complete the final steps in the process: 1) confirm funds are available; 2) submit your recommendation of award along with your evaluation to the Purchasing Department; 3) write a memo of explanation; and, 4) prepare a resolution for Board approval.

This Memorandum is to be included with your memo and resolution submission to the Resolutions Group as acknowledgement of the Purchasing Department's participation in the purchasing process.

If I can be of further assistance, please do not hesitate to contact me by e-mail at jhudgins@ingham.org or by phone at 676-7309.

Introduced by the Law & Courts and Finance Committees of the:

INGHAM COUNTY BOARD OF COMMISSIONERS

RESOLUTION TO AUTHORIIZE A CONTRACT WITH PM TECHNOLOGIES FOR MAINTENANCE OF 9-1-1 PUBLIC SAFETY RADIO COMMUNICATIONS TOWER SITES, UNINTERRUPTED POWER SUPPLY UNITS, AND REPLACEMENT OF BATTERIES

WHEREAS, the Ingham County Board of Commissioners operates a 9-1-1 Public Safety Radio Communication System used by all Ingham County Public Safety Agencies; and

WHEREAS, the system uses UPS Uninterrupted Power Units at each tower site that require the batteries in these units to be replaced due to age and failures; and

WHEREAS, the Ingham County Board of Commissioners has approved \$20,000.00 in the 9-1-1 Centers capital improvement budget for the replacement of the UPS batteries; and

WHEREAS, the 9-1-1 Radio System Administrator and 9-1-1 Director recommend that the UPS units also have preventive maintenance and service, in addition to the battery replacements; and

WHEREAS, 9-1-1 staff have obtained bids for this work and equipment, which require an additional \$2,186.10 for costs associated to the preventive maintenance; and

WHEREAS, PM Technologies has been recommended to perform the work and supply the battery/equipment needed for the UPS units; and

WHEREAS, the 9-1-1Center has identified the \$2,186.10 in the current operating budget to cover the additional costs not approved in the budgeted CIP project.

THEREFORE BE IT RESOLVED, that the Ingham County Board of Commissioners authorizes a contract with PM Technologies and the expenditure not to exceed \$22,186.10 from the 9-1-1 Center budget to purchase preventative maintenance and batteries/equipment for the tower site UPS units.

BE IT FURTHER RESOLVED, that the Chairperson of the Ingham County Board of Commissioners is authorized to sign any necessary contract/Purchase Order documents consistent with this resolution and approved as to form by the County Attorney.

Agenda Item 6

TO: Law & Courts Committees and Finance Committees
FROM: Teri Morton, Deputy Controller
DATE: October 27, 2017
SUBJECT: Resolution to Accept a Consolidated Plan to Meet the Michigan Indigent Defense Commission (MIDC) Minimum Standards and to Create a New Fund within the Chart of Accounts for Purposes of Accepting Grant Funds from the MIDC

For the meeting agendas of November 2 and November 8

BACKGROUND

The Michigan Indigent Defense Commission (MIDC) was created by the Indigent Defense Commission Act in 2013 after an advisory commission recommended improvements to the State of Michigan's indigent defense system. The Indigent Defense Commission Act requires that the Indigent Defense Commission meets state constitutional obligations and maintains independence from the judiciary while continuing its work to maintain a fair indigent criminal defense system in Michigan. The following minimum standards have been adopted:

- Education and Training of Defense Counsel
- Initial Interview
- Investigation and Experts
- Counsel at First Appearance and Other Critical Stages

The Board appointed the Ingham County Indigent Defense System Collaborative Committee ("Committee") to develop and submit a plan that meets these first four minimum standards. The Committee has recommended the transition to a Public Defender Office and has developed a plan and cost analysis as required by the MIDC. The Public Defender Office will be a consolidated effort among the four courts (30th Circuit, 54A District, 54B District, and 55th District) and the three funding units (Ingham County, City of East Lansing, and City of Lansing). The proposed office will employ a Chief Public Defender, 26 Attorneys, and 9.5 additional full-time equivalents.

Letters of support from the cities of East Lansing and Lansing are included in this packet.

ALTERNATIVES

The Committee considered alternatives to the Public Defender model, including the continuation of the current contract system and a hybrid system. It was determined that the Public Defender model would be the best way for Ingham County, the City of East Lansing, and the City of Lansing to meet the minimum standards adopted by the MIDC.

FINANCIAL IMPACT

The first year grant request is for \$4,679,370. This represents a total implementation and operation cost of \$5,581,391 less the Local Share calculation of \$902,021. The funding units will need to appropriate the local share amounts, which break down as follows; Ingham County, \$864,414, City of East Lansing \$16,094, and City of Lansing \$21,513.

OTHER CONSIDERATIONS

The plan must be implemented within 180 days after funding is appropriated by the MIDC. However, there is no requirement to implement the plan until funding is provided.

This resolution will also create a new fund within the County's chart of accounts to record all revenues and expenditures related to the MIDC compliance plan for indigent defense.

RECOMMENDATION

Based on the information presented, I respectfully recommend approval of the attached resolution and compliance plan.



CITY OF EAST LANSING

Quality Services for a Quality Community

MEMORANDUM

TO: Ingham County Indigent Defense Collaborative Committee

FROM: George Lahanas, City Manager

CC: Honorable Andrea Larkin, Nicole Evans, J.D.

DATE: September 20, 2017

SUBJECT: Michigan Indigent Defense Commission Compliance Plan

City of East Lansing
OFFICE OF THE CITY
MANAGER
410 Abbot Road
East Lansing, MI 48823

(517) 319-6920
www.cityofeastlansing.com

In order to meet LARA's standards for indigent criminal defense systems, the City of East Lansing needs to develop a compliance plan for the Michigan Indigent Defense Commission. As the funding unit to the 54-B District Court, the City of East Lansing supports a collaboration with the County to establish an office of the public defender.

The City of East Lansing is willing to commit toward the required local share of the program. This would not only provide the least financial burden for both the 54-B District Court and its funding unit, but would also provide benefits for those that the program is serving. Local share funding is a much more realistic approach to serving those in need than creating our own public defender office and ensures a higher standard for defense than other options.

Those who will be best served by this program are offenders who appear in multiple courts, usually within the same county. The compliance plan would reduce confusion and duplication issues by providing continuity. We would benefit from increased stability and efficiency of the system as well as reduced incarceration levels.



October 13, 2017

Ingham County Board of Commissioners
Ingham County Court House
P.O. Box 319
Mason, Michigan 48854

Re: Indigent Defense Collaborative Committee

Dear Board of Commissioners:

The City of Lansing City Council strongly supports 54-A District Court's participation on Ingham County's Indigent Defense Collaborative Committee. It is our understanding that the Committee's compliance plan will include the creation of a county-wide public defender's office to provide indigent defense services. The City of Lansing City Council similarly supports the creation of a public defender's office should that be the Committee's recommendation.

Please do not hesitate to contact our offices if you need anything additional from us.

Sincerely,

A handwritten signature in cursive script that reads "Patricia Spitzley".

Patricia Spitzley
City of Lansing City Council President

Tenth Floor City Hall
124 W. Michigan Ave.
Lansing, MI 48933
517-483-4177
Fax: 517-483-7630

Introduced by the Law & Courts and Finance Committees of the:

INGHAM COUNTY BOARD OF COMMISSIONERS

RESOLUTION TO ACCEPT A CONSOLIDATED PLAN TO MEET THE MICHIGAN INDIGENT DEFENSE COMMISSION (MIDC) MINIMUM STANDARDS AND TO CREATE A NEW FUND WITHIN THE CHART OF ACCOUNTS FOR PURPOSES OF ACCEPTING GRANT FUNDS FROM THE MIDC

WHEREAS, the United States Constitution and the Michigan Constitution, provide that people charged with criminal offenses are entitled to the right to have an attorney represent them in court proceedings; and

WHEREAS, the judicial system recognizes that a person without the ability to pay for an attorney or other legal services (such as investigators or expert witnesses) has the same rights of legal representation in the court system as a person who can afford to pay for an attorney or other legal services; and

WHEREAS, the Michigan Indigent Defense Commission (MIDC) was created by the Indigent Defense Commission Act, Mich. Comp. Laws 780.981 et seq, in 2013 after an advisory commission recommended improvements to the state's indigent defense system; and

WHEREAS, the MIDC's mission is to develop and oversee the implementation, enforcement, and modification of minimum standards, rules, and procedures to ensure that criminal defense services are delivered to indigent adults consistent with the safeguards of the United States constitution, the Michigan constitution of 1963, and with the Indigent Defense Commission Act; and

WHEREAS, the Indigent Defense Commission Act requires that the Indigent Defense Commission meets state constitutional obligations and maintains independence from the judiciary while continuing its work to maintain a fair indigent criminal defense system in Michigan; and

WHEREAS, the following minimum standards have been adopted that apply to the following aspects of indigent defense:

- Education and Training of Defense Counsel;
- Initial Interview;
- Investigation and Experts; and
- Counsel at First Appearance and Other Critical Stages; and

WHEREAS, the Ingham County Board of Commissioners through Resolutions 17-075 and 17-250 appointed the Ingham County Indigent Defense System Collaborative Committee ("Committee") to develop and submit a plan that meets the first four minimum statutory standards and a cost analysis to the MIDC; and

WHEREAS, the Committee has recommended the transition to a Public Defender Office in order to comply with the minimum standards; and

WHEREAS, the Committee has developed a plan and cost analysis as required by the MIDC; and

WHEREAS, the three local funding units within Ingham County (Ingham County, the City of East Lansing and the City of Lansing) have agreed to submit a consolidated plan; and

WHEREAS, plan implementation is not required until funding is provided by the State; and

WHEREAS, the MIDC is receiving grant applications to fund court-appointed attorney and related legal services from local court funding units to provide funding by the State of Michigan ("State") to the local court funding units beginning October 1, 2018; and

WHEREAS, a new fund within the chart of accounts will accept all funds from the State through MIDC grants and will charge all MIDC related costs to this fund; and

WHEREAS, the MIDC recommends any fund balance and the end of the County's fiscal year should remain in the newly created fund and not revert to the County's general fund so that funds are used exclusively for court-appointed attorneys and related legal services; and

WHEREAS, the MIDC recommends any fund balance at the end of the County's fiscal year shall remain in the fund to carryover to the next year to be used for future compliance expenditures.

THEREFORE BE IT RESOLVED, that the Ingham County Board of Commissioners accepts the compliance plan created by the Ingham County Indigent Defense Collaborative Committee, as presented in the attached document.

BE IT FURTHER RESOLVED, that the recommended Public Defender Office included in this plan will be administered by Ingham County to provide indigent defense and related services at the 30th Circuit Court, 54A District Court, 54B District Court, and the 55th District Court.

BE IT FURTHER RESOLVED, that this plan will be submitted on or before November 20, 2017, as required by the MIDC.

BE IT FURTHER RESOLVED, that within 180 days after receiving funds from the MIDC, Ingham County shall comply with the terms of the grant in bringing its system into compliance with the minimum standards established by the MIDC for effective assistance of counsel.

BE IT FURTHER RESOLVED, that, upon plan approval and funding by the MIDC, approval for any new positions, equipment and building needs and budget amendments will be brought before the Ingham County Board of Commissioners and subject to all county budget, human resources, purchasing and other applicable administrative policies of Ingham County.

BE IT FURTHER RESOLVED, that a separate fund within the local chart of accounts shall be created to accept all funds from the State through MIDC grants and to charge all MIDC related costs to this fund.

BE IT FURTHER RESOLVED, that all funds received through the MIDC grant will be placed in this fund and all MIDC related costs shall be charged to this fund; any fund balance at the end of the County's fiscal year will remaining in the fund and carryover to the next year to be used for future compliance expenditures.

BE IT FURTHER RESOLVED, that the Chairperson of the Ingham County Board of Commissioners is hereby authorized to sign any necessary grant applications and contract documents, on behalf of the County, after approved as to form by the County Attorney.

COMPLIANCE PLAN NARRATIVE

Briefly describe the indigent defense delivery system(s) – contract, assigned counsel, or public defender – that the funding unit(s), for which this application is being considered, employed to deliver services before the MIDC Act took effect (July 1, 2013).

The current indigent defense delivery system is a contract system administered separately by each court. The Circuit Court is responsible for all appointments on felony cases at the District Court level.

Generally, how does the system(s) intend to comply with the MIDC standards 1-4? Please address whether you will continue with the model in place above, whether you have already made a transition to a new delivery system, or whether you intend to transition to a new delivery system.

Ingham County is proposing to transition to a public defender delivery system to comply with the approved standards. The Public Defender Office will be a consolidated effort among the four courts (30th Circuit, 54A District, 54B District, and 55th District) and the three funding units (Ingham County, City of East Lansing and City of Lansing). The proposed office will employ a Chief Public Defender, 26 Attorneys, and 9.5 additional full-time equivalents.

The number of attorneys needed was established as follows:

For misdemeanor indigent defense, the calculation was 2,974 total caseload from all 3 district courts in the county, divided by 400 (AC OCD recommended caseloads annually), resulting in 7 attorneys. However, the 2,974 number did not include the misdemeanor PV cases or first appearance requirement. We added 3 attorney positions for a total of 10 to account for first appearance in all three district courts (365 days a year) and the additional PV numbers related by each court.

As to the felony recommendation, the number of cases for 2016 for Ingham County was 2,171 felony appointments and the three year average was 2,051. Because of the current appointment scheme, there is no data on number of cases that would result in a conflict attorney being appointed. The breakdown in case type for 2016 was 1,308 C list (or 25.15 per week), 679 for B list (13.06 per week) and 184 for A list (or 3.54 per week). Using the 150 caseload maximum per year, divided by cases per week, nine lawyers would be needed for C level, 7 for B level and 2 for A level. Of course depending on the caseload in any one week or month, these attorneys may be used in multiple categories. This staffing level does not include vacations, sick time, vacancies etc. This calculation would reflect the funding status for 18 felony level lawyers, however the equivalent of two lawyer positions would be used to create the funding pool for the appointment list of lawyers for conflict cases.

Indigent defense services are also needed for the many specialty courts that are active in Ingham County at both the District and Circuit Court levels.

Consistent indigent defense representation is necessary at team review sessions and potential probation violation hearings.

After determining the need for 26 attorneys, support staff was modeled on the current allocation per attorney at the Ingham County Prosecutor's Office.

Please identify the name and position held (e.g., county administrator, judge, defense attorney, etc.) for each person involved in the compliance planning process for this delivery system.

Honorable Louise Alderson, Chief Judge, 54A District Court

Honorable Thomas P. Boyd, Judge, 55th District Court

Anethia O. Brewer, 54A District Court Administrator

Honorable Stacia Buchanan, Judge, 54A District Court

Ashley Carter, Regional Administrator, MIDC

Mary Chartier, Ingham County Bar Association

Bryan Crenshaw, Ingham County Commissioner

Michael J. Dillon, 55th District Court Administrator

Honorable Joyce Draganchuk, Judge, 30th Circuit Court

Shauna Dunnings, 30th Circuit Court Administrator

Nicole Evans, 54B District Court Administrator

Kara Hope, Chairperson, Ingham County Law and Courts Committee

Mary K. Kelly, Deputy Court Administrator, 54A District Court

Carol Koenig, Ingham County Commissioner

Honorable Andrea Andrews Larkin, Chief Judge, 54B District Court

Teri Morton, Ingham County Deputy Controller

Carol Siemon, Ingham County Prosecutor

Kristen Staley, Policy Associate, MIDC

Christopher Wickman, Ingham County Bar Association

Provide an attachment with the names, license or P#'s, and years of criminal defense experience for all attorneys the funding units(s) intends to have deliver services as part of the local indigent defense system.

Ingham County plans to hire 26 attorneys for a new public defender office, so does not yet know the names, license or P#'s or years of experience for these attorneys.

Standard 1 – Training and Education

Attorneys with fewer than two years of experience practicing criminal defense in Michigan shall participate in one basic skills acquisition class. Do any of the attorneys included in this plan have fewer than the required experience and require this training? How many?

It is unknown how many attorneys will have fewer than 2 years of experience, but those who do will participate in a skills training, such as the Hillman Advocacy Program or the Criminal Defense Attorneys of Michigan Trial College.

These programs are on-your-feet programs.

Hillman is a training program that takes place in the federal courthouse in Grand Rapids and is focused on trial skills. Hillman takes place in January and \$750 will cover the cost of the program, lodging, and food.

Trial College takes participants through planning and presenting a case to a jury. Trial College occurs in August and \$750 will cover the cost of the program, lodging, and food.

All attorneys shall annually complete at least 12 hours of continuing legal education. How many attorneys require training in this plan?

All attorneys in the plan require this training.

In conjunction with the Ingham County Bar Association's Criminal Defense Section, the Defender's Office will participate in monthly training sessions. These monthly sessions will consist of subject matter trainings and skills trainings. Subject matter trainings will consist of topics, such as ballistics, DNA, and fingerprints. Skills trainings will consist of topics, such as handling motions, preliminary examinations, pleas, and sentencing.

For attorneys who do not attend the Hillman Program or Trial College, attorneys will choose from an array of training programs, such as those offered by the National Association of Criminal Defense Lawyers and CDAM's in-state conferences.

NACDL and CDAM's conferences occur throughout the year.

The Defender's Office will also participate in roundtable discussions – both in the office and through the local criminal defense group – to facilitate strategizing and learning with fellow colleagues.

\$750 will cover the costs of training for each attorney.

How will the funding unit(s) ensure that the attorneys satisfy the 12 hours of continuing legal education during the plan year?

Attorneys will maintain documentation of their continuing legal education, and this will be made available upon request.

Standard 2 – Initial Interview

When a client is in local custody, counsel shall conduct an initial client intake interview within three business days after appointment. When a client is not in custody, counsel shall promptly deliver an introductory communication so that the client may follow-up and schedule a meeting. To be successful, this requires immediate notification of appointment and client contact information.

How does the plan facilitate immediate attorney assignment and notification of new cases? How will the system ensure attorneys are completing their interviews within three business days? How will the initial interview be accomplished?

As described in greater detail in Standard 4, for misdemeanor and felony cases where retained counsel is not present, the public defender's office will represent the defendants at arraignment under a limited appearance. These individuals will collect information from the defendant including updated contact information and information relevant to the setting of a bond. If court administration determines that the individual qualifies for representation by the public defender's office, assignment of the public defender's office or a conflict attorney will occur immediately. Attorneys will be assigned at the discretion of the office policy reflecting the severity of the case (misdemeanor, low-severity felony, high-severity felony, or capital felony) and the judge and court dates currently assigned with attention towards meeting, but not exceeding, the maximum case load guidelines of public defenders (150 felonies or 400 misdemeanors per year) set out by the American Bar Association. Assignments would be for vertical representation throughout the court process.

The public defender's office will have an expectation that the attorney assigned the matter will meet with in-custody clients within the prescribed time frame. With regards to out-of-custody clients, immediate contact will be made to have the defendant come in to meet with their assigned attorney as far in advance of their first court date as practicable. At either meeting, a standard information form will be completed and the information will be entered into the public defender's office's internal shared computer system. Regular checks will occur to ensure that all employees are meeting the requirements of timely meeting.

The initial interview will take place in lock-up or at the public defender's office with the attorney who will handle the file throughout all stages of the case. This initial interview will happen at a date and time as soon as practicable to allow for a full-investigation and competent representation at the early stages of the case.

This standard further requires a confidential setting be provided for all client interviews. Does the jail have confidential space for attorney-client interviews? Describe the space available for the interviews or the plan to provide confidential space.

The only county jail in the county is the Ingham County Jail located at 700 Buhl Street, Mason, Michigan. For posts 1 through 9, there is one private attorney room to meet with clients. For post 10, there is a room that can be made private by closing doors, but may have individuals walking through as needed. For each area identified as a private attorney room, there is a closed-door room with cement block walls, two to three chairs, and a table. The room is monitored visually, but is not audio-recorded or monitored. There are working power outlets to facilitate use of technology to assist in meeting with clients. The rooms are rated as being sufficient in conditions to allow for confidential space for an attorney-client interview.

In an informal survey of the defense bar, the Ingham County Jail was rated as insufficient in quantity of rooms largely due to rules at the jail related to attorney visits. Attorneys are only permitted to visit at limited hours, are required to request and receive permission 24 hours in advance to be able to bring a laptop or other technology, are not allowed to see clients at a different post than the individual is currently assigned, and are not allowed to bring a briefcase or bag into the jail to visit clients among other concerns. This leads to a delay in being able to visit with clients, if at all, on a given date and affects the ability to establish and maintain an attorney-client relationship. It is believed that such can be remedied by changes to policy by the Ingham County

Sheriff's Office without significant or any financial expenditure in order to meet the requirements of Standard 2.

Does the courthouse have confidential space for attorney-client interviews? Describe the space available for the interviews or the plan to provide confidential space.

Ingham County has three district courts and two circuit courts. For each courthouse, a portion of the local defense bar, primarily composed of court-appointed attorneys, was informally polled regarding the sufficiency in conditions and quantity of in-custody, out-of-custody, and teleconference facilities. After the assessment of each court was compiled, court administration for each court was contacted to discuss potential remedies to address any shortcomings. Find a summary of each facility's current space available, the assessment for such, the modifications proposed to bring the courthouse into compliance with Standard 2, and the basis of costs for such.

54-A District Court

*The 54-A District Court's sixth floor was recently renovated and provided multiple private meeting areas for **out-of-custody** clients. Each room has a table and multiple chairs to meet with clients in a private and secure location. Although these rooms are sometimes used by non-attorneys, one room is only for attorneys and their clients. The out-of-custody confidential spaces were rated as sufficient in conditions and sufficient in quantity so as to meet Standard 2.*

*The Lansing Police Department lockup on the third floor of the 54-A District Court is used as lock-up for the courthouse to meet with **in-custody** clients. There are two fully private meeting rooms complete with chairs and a table surface that are video-monitored, but are not auditorily-monitored or recorded. In addition, there is a non-private room and a phone on which to share non-confidential information with defendants. These areas are not sufficient for meeting and discussing the case with clients, but allow the attorney to share non-confidential information with the client in a time-efficient way. There are concerns that policies of the Lansing Police Department and/or 54-A District Court are trending in such a way that the right to counsel and the expectations of Standard 2 could be affected. At this time, the Lansing Police Department is representing that the currently-used areas are a security concern and should not be used any longer for meetings with in-custody clients. To maintain security of the police department, the two rooms currently used for private meetings would be outfitted with audio and video conferencing to two other rooms near the courtrooms that would provide a sufficient environment for confidential client discussions. The department received a quote of \$6,000.00 to purchase and install the audio-visual equipment for these two rooms.*

*The private room for attorneys and their clients only also has **teleconference** capabilities for meeting with clients who are in-custody in the Michigan Department of Corrections and that have not been transported for the day's proceedings. The teleconference confidential spaces were rated as sufficient in conditions and sufficient in quantity so as to meet Standard 2.*

54-B District Court

*There are currently only a total of three private rooms to meet with **out-of-custody** clients at the 54-B District Court. Two of these rooms are usually occupied by the city attorney/municipal attorneys and the prosecutor's office. The remaining one room is often in use or it is requested that defense counsel refrain from using such. The one room is rated as sufficient in conditions, but is insufficient in quantity to meet Standard 2. In speaking with court administration, it was agreed that the room next to the currently available room will be reclaimed for these purposes. Improvements would also be made to the existing rooms. The court received a quote of \$23,200 to reclaim and update out-of-custody conference rooms.*

*For visiting **in-custody** clients, there is one room to meet with your client in a private area through glass and a vent. There is a door to the holding area that can and should be closed to ensure privacy. Furthermore, there are multiple private rooms between holding and the courtrooms that court administration has agreed to allow*

defense attorneys to meet with their in-custody clients in these rooms. There are no costs associated with allowing such use. With the changes agreed upon, the in-custody confidential spaces are sufficient in conditions and quantity so as to meet Standard 2.

The 54-B District Court courtrooms and holding facility currently has **teleconference** access. Polycom is currently not available in a private and confidential setting. This is insufficient in quality and conditions to meet Standard 2 requirements. The Court requests funding to provide Polycom/teleconference capabilities to all four conference rooms that can or will be used by defense attorneys. The cost for each unit is \$3,819.95 for each unit for a total of \$15,279.80.

55th District Court

There is one private meeting room to meet **out-of-custody** clients in. This room is directly next to, and smaller than, the room that prosecutor witnesses and police officers are currently located when awaiting their matter being heard. This room is also directly across from the prosecutor's office in the courthouse. The room is not sufficiently soundproofed to permit confidential conversations to occur in such proximity to the other accommodations. Furthermore, since the 55th District Court employs, and continues to employ, the important first appearance project, this private room for the defense is usually taken by the attorneys responsible for representation on arraignments and misdemeanors leaving next to no private meeting areas to meet with out-of-custody clients in a confidential setting. The current accommodations for meeting with out-of-custody clients are insufficient in quantity and conditions. There is no area inside the current courthouse that can be repurposed to meet Standard 2. Upon facilities review by court administration, the 55th District Court requests funding in the amount of \$75,000 to add three 10 foot by 10 foot meeting rooms to the courthouse at a rate of \$250.00 per square foot. The Court also requests \$2,400 for furnishing these new rooms with one table and five chairs per room at a cost of \$800 per room.

For meeting with **in-custody** clients, there is currently two seats and a table area. Other individuals may stand to meet with a client in the same room. While meeting with clients, other defendants will frequently watch the attorney speak with their client and other individuals may be present in the room. These accommodations are rated as insufficient in both quality and conditions to meet Standard 2 requirements. In speaking with court administration, there was only one option for renovation that would not require extensive addition to the courthouse. It was decided that the current court administrator's office, bordering current in-custody facilities, could be remodeled and renovated into three private meeting areas for meeting with in-custody clients. The current library would have to be renovated to serve as his new office. The 55th District Court requests funding in the amount of \$90,000.00 to accomplish these renovations.

Currently, meeting with Michigan Department of Corrections clients via **teleconference** is accomplished by clearing one courtroom and having the defense attorney share information with the client in that courtroom. The courtroom is monitored and individuals may walk in and out of the courtroom still. This accommodation is neither sufficient in conditions or quantity to satisfy the requirements of Standard 2. In speaking with court administration, it is believed that teleconference/Polycom capabilities may be added to each of the new meeting rooms. The Court requests funding in the amount of \$11,459.85 at a rate of \$3,819.95 per Polycom unit.

30th Circuit Court

There are two locations of the 30th Circuit Court. One courthouse is located in Mason and the other is located in Lansing. The courtrooms will be discussed independently.

Lansing

There are many private meeting rooms on the 3rd and 2R floors for meeting with **out-of-custody** clients. These rooms are private and numerous and have sufficient chairs and tables. These accommodations are sufficient in conditions and quantity to meet the requirements of Standard 2.

*For meeting with **in-custody** clients, there are four meeting rooms that are outfitted with cement block walls and telephones to facilitate communication from one side of the glass to the other. These areas are not video or audially monitored or recorded. These facilities do not allow the client to sign paperwork, but such may be accomplished in the courtroom itself. While not fully soundproof, these accommodations are sufficient in conditions and quantity to meet the requirements of Standard 2.*

*There is one private meeting area to meet with MDOC clients via **teleconference**. This room is not video or audially monitored or recorded. These accommodations are sufficient in conditions and quantity to meet the requirements of Standard 2.*

Mason

*There are two large private meeting rooms to meet with **out-of-custody** clients near the courtroom. There are also many unoccupied offices and other areas in which to meet with clients. Because the building is a historic building, renovations and additions to the building are quite limited. These accommodations are sufficient in conditions and quantity to meet the requirements of Standard 2.*

*Currently, there is one small lock-up area attached to the courtroom in which all attorneys are to meet with their **in-custody** clients. This area frequently will have more than one attorney-client pair present in the same area and may include a deputy. These conditions are not sufficient in conditions or quantity. In speaking with court administration, adjoining this area there is currently one room that is currently used for storage. If a filing cabinet for storage is added, in addition to a table and chairs, it can and will be repurposed to provide a private meeting room to meet with in-custody clients. The Court requests funds in the amount of \$1,400.00 for the filing cabinet in addition to \$500.00 for the table and chairs for the room.*

*There are currently no **teleconference** options for meeting with defendants currently incarcerated with the MDOC in a confidential manner. The Court requests funds in the amount of \$3,819.95 for one Polycom unit to be added to a private meeting room. Due to the building's historic status, there may be difficulties in providing a sufficient location where such may be wired in.*

Standard 3 – Experts and Investigators

This standard requires counsel to conduct an independent investigation. When appropriate, counsel shall request funds to retain an investigator to assist with the client’s defense. Counsel shall request the assistance of experts where it is reasonably necessary to prepare the defense and rebut the prosecution’s case. Counsel has a continuing duty to evaluate a case for appropriate defense investigations or expert assistance. How will this standard be complied with by the delivery system?

INVESTIGATORS

*The public defender’s office will hire **two full-time investigators** for indigent defense clients. The public defender will also contract with outside investigators for conflict cases for up to 275 hours per year.*

Outside investigators will be paid an hourly rate not to exceed \$75.

EXPERT WITNESSES

The public defender will retain expert witness as needed. The expenses incurred for expert witnesses will be paid at the hourly rates published by the MIDC.

Expert witnesses will be compensated according to a tiered level of compensation based on education level and type of expert, not to exceed these amounts:

<i>High School or Equivalent</i>	<i>\$30/hr.</i>
<i>Associate’s Degree</i>	<i>\$50/hr.</i>
<i>Bachelor’s Degree</i>	<i>\$70/hr.</i>
<i>Master’s Degree</i>	<i>\$85/hr.</i>
<i>Crime Scene and Related Experts</i>	<i>\$100/hr.</i>
<i>CPA/Financial Expert</i>	<i>\$100/hr.</i>
<i>Pharmacy/PharmD.</i>	<i>\$125/hr.</i>
<i>Information Technology Experts</i>	<i>\$150/hr.</i>
<i>Ph.D./Licensed Doctor</i>	<i>\$200/hr.</i>

COST

The public defender’s office will establish budget line items for outside investigators and expert witnesses. The capped amount of funds for outside investigators and expert witnesses in Ingham County is \$50,000.

BUDGET FOR EXPERTS AND INVESTIGATORS:

<i>(2) Full Time Investigators Positions</i>	<i>\$57,164/yr. each + fringe benefits</i>
<i>Expert Witness</i>	<i>\$30,000</i>
<i>Outside Investigators</i>	<i>\$20,000</i>

Standard 4 – Counsel At First Appearance and Other Critical Stages of the Case

Counsel shall be appointed to provide assistance to the defendant as soon as the defendant's liberty is subject to restriction by a magistrate or judge. All persons determined to be eligible for indigent criminal defense services shall also have appointed counsel at pre-trial proceedings, during plea negotiations and at other critical stages, whether in court or out of court.

How will this standard be complied with by the delivery system?

Counsel at First Appearance

Ingham County piloted counsel at first appearance (with Kent County) and continues to provide counsel at arraignment in the county funded court (D55). To meet MIDC Standard 4, we will continue to provide this representation in each district court as it is currently provided in D55.

The Public Defender Office (PD) will provide an appropriate attorney at all hours the district courts are open for business. PD will work with district courts to assure representation at both in-custody and walk-in arraignments. Representation will be a limited appointment for the purposes of arraignment only. PD arraignment counsel will be made available to all defendants appearing for arraignment without counsel. Assignment of counsel for the balance of each case will be made as described below. There is no guarantee to counsel for the rest of the case.

Appointment of Counsel

The courts will continue to determine eligibility. This will be done based on written application and utilizing the eligibility criteria set out in the MIDC Act (see MCL 780.991(3)(b) below).

Misdemeanor cases: Application will be made to and reviewed by the arraigning judge or magistrate who will make the initial eligibility determination.

Felony cases: Application will be made to and reviewed by C30 Pretrial Services Division who will make the initial eligibility determination.

Each district court currently appoints counsel and assesses contribution to partially indigent defendants pursuant to MCR 6.005(C). This practice will continue. The district courts will coordinate to assure consistency in such eligibility and amount of contribution.

Determination of eligibility will be forwarded to the PD. PD will assign counsel or initiate conflict panel process for private bar assignment as appropriate. Eligibility determination can be revisited at any time subsequent at the request of a party or at the initiation of the court.

Other Critical Stages

It is well settled law that an indigent defendant is entitled to representation at every critical stage of a criminal proceeding. The Ingham County compliance plan will assure assignment by PD or conflict panel promptly after arraignment. This attorney will represent the defendant at each future court appearance (vertical representation) consistent with MCL 780.991(2)(d).

COST ANALYSIS

Note: all cost included in this analysis are new as a result of the compliance plan.

Personnel

Position Title	2018 Salary	Full Time Equivalent	Total
Chief Public Defender	124,968	1.0	124,968
Step 1 Attorney	48,393	3.0	145,179
Step 2 Attorney	52,793	3.0	158,379
Step 3 Attorney	57,493	3.0	172,479
Step 4 Attorney	62,768	3.0	188,304
Step 5 Attorney	67,502	3.0	202,506
Step 6 Attorney	72,473	3.0	217,419
Step 7 Attorney	79,836	3.0	239,508
Step 8 Attorney	87,004	3.0	261,012
Step 9 Attorney	90,488	2.0	180,976
Office Administrator	74,697	1.0	74,697
Administrative Assistant	45,990	1.0	45,990
Paralegal/Legal Secretary	49,014	2.0	98,028
Technology Liaison	57,170	1.0	57,170
Clerk	38,573	2.0	77,146
Part-time Clerk	19,287	0.5	19,287
Investigator	57,164	2.0	114,328
Total Salaries		36.5	2,377,376

Fringe Benefits	Percentage	Total
Unemployment	0.5%	11,887
Employer FICA	7.65%	181,869
Health Insurance	22.82%	542,618
Dental Insurance	1.43%	34,114
Vision Insurance	0.19%	4,588
Current Retiree Health Insurance	5.36%	127,539
Future Retiree Health Insurance	4.5%	106,982
Life Insurance	0.17%	4,133
Disability Insurance	0.13%	3,066
Retirement	23.88%	567,735
Workers Compensation	0.05%	1,189
Employee Assistance Program	0.05%	1,221
Separation Buyout	1.25%	29,717
Total		1,616,658

Operating Costs

Item	Computation	Total
Training	\$750 per attorney (including Chief PD), 27 x \$750	20,250
Expert Witnesses	\$30-200 per hour for estimated 260 hours (See Standard 3 Narrative for detailed compensation rates)	30,000
Outside Investigators	Estimated rate of \$75 per hour for up to 275 hours	20,000
Conflict Attorney Costs	Estimated Rate of \$85 per hour for 2,700 hours	230,000
Building Rental	Office space in Downtown Lansing. 9,000 square feet at \$25 per square foot. Includes utilities, janitorial, trash and parking.	225,000
Supplies	\$950 per Full-time Equivalent	34,675
Mileage	\$0.535 per mile for 17,000 miles	9,000
Reimbursement		
Law Library	Annual subscription for online legal research	25,000
Subscription	resources	
Phones	\$135 per Full-time Equivalent	4,928
Access to County	\$4,000 per user for 37 users	148,000
Network and IT		
Services		
State Bar Dues	\$300 each for 26 attorneys and Chief PD	8,100
Ingham County Bar	\$80 each for 26 attorneys and Chief PD	2,160
Dues		
Total		757,113

Remodel/Supply Costs for Confidential Meeting Rooms at Court Locations

Court	Item	Cost
54A District Court	Add Audio Visual Equipment for 2 Existing Rooms (\$5,000 each)	10,000
54B District Court	Update Conference Rooms	23,200
54B District Court	Install Polycom Units in 4 Conference Rooms (\$3,820 each)	15,280
55 th District Court	Expand Building to add 3 – 10' x 10' Meeting Rooms (300 square feet @ \$250 per square foot) (There is no existing space within the current building to remodel. Contractor would be identified after funds are approved through the County's bidding process.)	75,000
55 th District Court	Furnishings for New Meeting Rooms (\$800 per room for 5 chairs and 1 table)	2,400
55 th District Court	Install Polycom Units in 3 Meeting Room (\$3,820 each)	11,460
55 th District Court	Renovate Existing Space for In-Custody Meeting Rooms	90,000
30 th Circuit Court	Remodel Existing Space in Mason Courthouse - file cabinet, overfile system and 2 sliding doors (\$1,389) and table with chairs (\$500)	1,889
30 th Circuit Court	Install Polycom Unit in Existing Space	3,820
Total		233,049

Startup Costs for Public Defender Office

Detail	Cost
Furnishings/Building Costs	
Furnishings for 17 Offices	58,981
22 Cubicles and Furnishing	42,298
1 – 12’ x 16’ Conference Room	5,087
1 – 12’ x 14’ Conference Room	3,015
Waiting Room	1,867
Seating	32,412
Design	3,337
Installation	15,241
Estimated Buildouts for Rental Space	75,000
Subtotal Furnishings/Building Costs	237,238

Printers/Copiers	
One Medium	5,512
One Large	6,800
Subtotal Printers/Copiers	12,312

Computer Equipment	
Laptops with Docking Station/DVD Drive, 24”	48,600
Monitor for each attorney and Chief PD (\$1,800 x 27)	
Desktops with 24” Dual Monitors for remaining staff (\$1,355 x 10)	13,550
Computer Equipment	62,150
Total	311,700

Document Processing

Item	Computation	Total
Scanning Stations	4 at \$7,000 each	28,000
Development and Implementation	1,200 hours at \$180 per hour	216,000
OnBase Licenses	\$483.62 per year for 13 work stations	6,287
OnBase Licenses with Workflow Access	\$1,257.42 per year for 28 work stations	35,208
Total		285,495

Total Cost Analysis (sum of all expenditure sections) \$ 5,581,391

Grant Calculation

Total Cost Analysis	\$5,581,391
Local Share	\$902,021
Compliance Plan Grant Request	\$4,679,370