



NOTICE and AGENDA for
Kalamazoo County Consolidated Dispatch Authority
Technical Advisory Committee
May 25, 2023

PLEASE TAKE NOTICE that a SPECIAL Meeting of the Kalamazoo County Consolidated Dispatch Authority Technical Advisory Committee will be held on **Thursday, May 25th** at 12:00 p.m. in the Chief Switalski Meeting Room at Kalamazoo County Consolidated Dispatch Authority, 7040 Stadium Drive, Kalamazoo Michigan for consideration of items, namely, on this Agenda.

ITEM 1 – CALL TO ORDER

ITEM 2 – ROLL CALL

Western Michigan University Public Safety <i>Scott Merlo, Chairperson</i>	Michigan State Police <i>Scott Ernstes, Vice-Chairperson</i>	
Kalamazoo Department of Public Safety	Kalamazoo County Sheriff's Office	
Township of Kalamazoo Police Department	Portage Department of Public Safety	
Kalamazoo County Medical Control Authority	Kalamazoo County Fire Chiefs Association	

ITEM 3 – CITIZENS' TIME

The Committee welcomes members of the public to express their ideas or concerns about issues affecting Kalamazoo County Consolidated Dispatch Authority. Members of the public wishing to speak are requested to stand at the podium and state your full name and address for the record. Each member of the public is limited to four minutes or less.

ITEM 4 – FOR CONSIDERATION

- A. Old Business
- B. New Business
 - 1. Conditional Bonds

ITEM 5 – OTHER ITEMS

- C. Announcements and Member Comments
- D. Next Regular Meeting – July 12th, 2023

ITEM 6 – ADJOURNMENT

LEIN RESPONSIBILITIES

LEIN Responsibilities	Conditional Bonds						
	PSAP	Population	Entered by	Weekend/ Holiday Entry	PSAP Confirms	If no, Who?	Affiliated w/SO
	Grand Traverse	95,860	COURT	YES	NO	JAIL	NO
	Muskegon	176,511	COURT/AGENCY	NO	NO	AGENCY	NO
	Saginaw Co.	189,591	<i>No response as of 2/21/23</i>				
	Livingston	195,014	COURT/AGENCY	NO	NO	AGENCY	NO
	KCCDA	261,108	PROTECTED PARTY ONLY	PROTECTED PARTY ONLY	YES	N/A	NO
	Ingham	284,034	COURT/JAIL	NO	NO	JAIL	NO
	Ottawa Co.	299,157	JAIL	NO	NO	JAIL	NO
	Washtenaw	369,390	YES	YES	YES	N/A	YES
	Genesee	404,208	COURT	NO	NO	JAIL	NO

STATE OF MICHIGAN



KALAMAZOO COUNTY COURTS

Gary C. Giguere, Jr.
Chief Circuit/Probate Judge
9th Circuit Court
Kalamazoo County Probate Court
1536 Gull Road
Kalamazoo, MI 49048

Christopher T. Haenicke,
Chief District Judge
8th District Court
227 W. Michigan Avenue
Kalamazoo, MI 49007

Dear Chiefs and Sheriff:

As you are no doubt aware, the courts have been involved in ongoing discussions regarding the issuance and enforcement of conditional bonds on pending adult felonies, misdemeanors and juvenile cases with the prosecutor, some of your agencies, and the Kalamazoo County Consolidated Dispatch Authority for the past few months. The situation is, in our opinion, at a critical stage, and we are seeking your help in resolving it in a way that enhances public safety while complying with state law.

The gist of the issue is this: if a judge, referee, or magistrate sets a bond in a criminal case with no named victim to be listed as a "protected party" (e.g., Weapons, Controlled Substance, or Drunk Driving cases among others), then, despite being ordered to, Central Dispatch personnel does not enter the bond, or its conditions, into LEIN. Instead, our staff has been told that the paperwork "goes into the shredder."

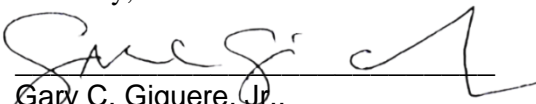
We find this practice to be troubling, contrary to the collective goals of all our agencies, and violative of Michigan law. Michigan law authorizes courts to order conditions on bonds when the court determines such conditions are necessary to ensure the appearance of a defendant at court, and more importantly *to ensure the safety of the public*. We issue conditions specifically tailored to the individual and their background to achieve these goals, and we do so with input from the Prosecutor, who presumably is getting information and background from your agencies (like whether someone is a KDPS-identified Priority Offender or identified At-Risk Priority Youth). Without bonds and their conditions entered into LEIN, officers later encountering these individuals might have no idea what/who they are dealing with despite the previous efforts of their colleagues, the prosecutor, and the courts to put them on notice, and citizens can be unnecessarily endangered.

In very clear language, MCL 765.6b(1)-(4), explains that a judge or magistrate can issue an order requiring a law enforcement agency to enter a conditional bond in LEIN on any charge, and the law enforcement agency "shall immediately enter" it into LEIN. MCL 765.6b(5).

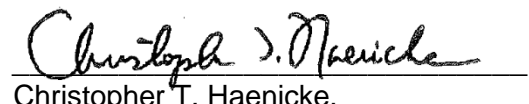
Our top administrators and members of the judiciary have attempted to resolve this matter with the leadership at the Kalamazoo County Central Dispatch Authority to no avail, and we are at an impasse. However, before employing methods available to us to exact enforcement of MCL 765.6b(5), we turn to you, the executive leadership of the law enforcement agencies of this county for assistance and ask that you contact Central Dispatch and intervene in this matter and direct that agency to begin to enter all court-ordered bonds and conditions into LEIN immediately.

Thank you for your attention to this important matter that affects all of us.

Sincerely,



Gary C. Giguere, Jr.,
Chief Circuit/Probate Judge



Christopher T. Haenicke,
Chief District Judge

Thank you for the email and letter outlining the courts position concerning the ongoing conditional bond issue caused by the courts. As always, we are appreciative of the courts' willingness to work with area agencies before issuing a change that impacts all of us.

What the letter fails to state is that the courts requested the authority and assumed the task of entering warrants and conditional bonds into LEIN several years ago. To our knowledge, the courts have done this up until a few months ago when you attempted to mandate this task on to Kalamazoo County Consolidated Dispatch Authority (KCCDA) The KCCDA does not have the capacity to enter all of the conditional bonds and they have repeatedly stated this to the courts.

The letter states in very clear language that MCL 765.6b(1)-(4) explains that a judge or magistrate can issue an order requiring a law enforcement agency to enter a conditional bond in LEIN on any charge, and the law enforcement agency "shall immediately enter" it into LEIN. MCL 765.6b(5). What was left out of the letter was:

(4) The judge or district court magistrate shall immediately direct the issuing court or a law enforcement agency within the jurisdiction of the court, in writing, to enter an order or amended order issued under subsection (1) or subsections (1) and (3) into LEIN.

(5) The issuing court or a law enforcement agency within the jurisdiction of the court shall immediately enter an order or amended order into LEIN or shall remove the order or amended order from the law enforcement information network upon expiration of the order or as directed by the court under subsection (4).

It should also be noted that the KCCDA is not a law enforcement agency and therefore does not fall under the authority of MCL 765.6b and cannot be ordered to enter conditions into LEIN. Jeff Troyer, the Director of KCCDA, has been proactively working with the courts to resolve this issue including attempting to schedule follow-up meetings and seeking the total amount of bond conditions issued by the judges and he has not received a response.

We too find this issue troubling and contrary to the collective goals of all our agencies and want to come up with a solution that benefits all of us.

As the area Chiefs and Sheriff, it is our belief that the courts should continue to enter the bond conditions as has been the practice for several years as this is the most efficient manner to accomplish this task. The courts currently enter warrants, and the bond conditions in question are an extension of those warrants.

As always, we are willing to meet to discuss this issue at any time.

The Sheriff and area Chiefs