

MENOMINEE COUNTY BOARD OF COMMISSIONERS

*Menominee County Courthouse
839 10th Avenue
Menominee, MI 49858*

*Jason Carviou – County Administrator
Sherry DuPont – Administrative Assistant
Telephone: (906) 863-7779 or 863-9648
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RESOLUTION 2019-06

RESOLUTION TO REQUIRE A REPORT FROM THE COUNTY PROSECUTING ATTORNEY

WHEREAS, the Menominee County Prosecuting Attorney is required to appear for the state or county, and prosecute or defend in all the courts of the county, all prosecutions, suits, applications and motions whether civil or criminal, in which the state or county may be a party or interested (MCL 49.153); and

WHEREAS, the Menominee County Board of Commissioners has received numerous and recurring complaints from law enforcement agencies serving in Menominee County regarding the backlog of complaints and cases referred to and pending in the Prosecuting Attorney's Office; and

WHEREAS, on February 13, 2019 the Menominee County Board of Commissioners again received complaints from the Menominee County Sheriff, City of Menominee Police Chief, and Michigan State Police Post Commander regarding the backlog of cases in the Prosecuting Attorney's Office; and

WHEREAS, the Menominee County Board of Commissioners is concerned that criminal complaints and pending criminal cases involving crimes committed in Menominee County are not being processed and prosecuted in a timely manner; and

WHEREAS, the Menominee County Board of Commissioners is concerned that the confidence of the residents of Menominee County Law enforcement is being adversely impacted and residents are not receiving the services they need and deserve; and

WHEREAS, the Menominee County Board of Commissioners is committed to investigate the scope of the backlog in the Prosecuting Attorney's Office and holding the Prosecutor accountable for a plan to address and correct the dysfunction in the Prosecutor's Office.

NOW, THEREFORE BE IT RESOLVED, that the Menominee County Board of Commissioners directs and requires the Menominee County Prosecuting Attorney, as provided by Michigan statute (MCL 46.11(k)), to provide a written report within **21 days** listing all cases by jurisdiction that have been referred to the Menominee County Prosecuting Attorney's Office but have not yet been charged, the date the complaint was received in the Prosecuting Attorney's Office, the nature of the case, whether the case is a felony or misdemeanor charge, the applicable statute of limitations on the case, and when the statute of limitations runs out on the case; and

*Bernie Lang Gerald Piche - Chairman William Cech – Vice Chairperson Jan Hafeman
Larry Johnson Larry Schei David Prestin Steven Gromala Larry Phelps*

BE IT FURTHER RESOLVED, that Menominee County Prosecuting Attorney is further directed and required, as provided by Michigan statute (MCL 46.11(k)), to provide a plan for addressing the backlog of complaints/warrant requests in the Prosecuting Attorney's Office; and

BE IT FURTHER RESOLVED, that the Menominee County Prosecuting Attorney is further directed and required, as provided by Michigan statute (MCL 46.11(k)), to provide the required reports, in writing, to the County Administrator on or before the close of business on Friday, March 6, 2019.

A ROLL CALL VOTE WAS TAKEN AS FOLLOWS

AYES: 7 NAYS: 0

RESOLUTION DECLARED ADOPTED.



Gerald Piche, Chairman, Menominee County Board of Commissioners

I hereby certify that the foregoing is a true and complete copy of Resolution 2019-06 adopted by the County Board of Commissioners at a regular meeting held on February 13, 2019, and I further certify that the public notice of such meeting was given as provided by law.



Marc Kleiman, Menominee County Clerk

Rescinded 2-26-2019