

STATE OF MICHIGAN KALAMAZOO COUNTY 9TH CIRCUIT COURT 8TH DISTRICT COURT	ORDER ADOPTING JAIL POPULATION MANAGEMENT PLAN	LOCAL ADMINISTRATIVE ORDER 2011 <i>LOJ</i>
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Court Addresses
 9TH CIRCUIT COURT - 227 WEST MICHIGAN AVENUE, KALAMAZOO, MI 49007
 8TH DISTRICT COURT - 227 WEST MICHIGAN AVENUE, KALAMAZOO, MI 49007

Court Telephone No.
 (269) 383-8837
 (269) 384-8171

This plan is adopted pursuant to MCL 801.59a, of the Jail Overcrowding Act and MCR 6.106 (addressing Pretrial Release) to address the chronic overcrowding of the Kalamazoo County Jail.

Jail overcrowding has been a chronic issue in Kalamazoo County for over two decades. Thousands of prisoners have been prematurely released in order to ease overcrowding. The 2008 Local Administrative Order was adopted in order to provide Judges with the opportunity to ease the overcrowding crisis by also controlling the pre-trial population. This effort has successfully reduced the average daily pre-trial population by one-third. Despite our best efforts, the average daily jail population in 2010 was 375. As of August 31, 2011, the average daily population for 2011 was 377. The jail's maximum capacity is 327.

Additionally, the county allocated \$800,000 for placement of prisoners in other facilities as an alternative to release. The facilities include KPEP (Kalamazoo Probation Enhancement Program) as well as other county jails. As a result of this allocation, the Sheriff has been able to move sentenced prisoners instead of releasing them.

The combination of efforts by the Judges and the Sheriff and this funding has eliminated the need to release prisoners before their sentence has been completed. The purpose of this new Administrative Order is to continue that process.

This order supersedes the January 2008 *Order Adopting Jail Population Management Plan*, upon its expiration.

JAIL POPULATION MANAGEMENT PLAN

SENTENCE REVIEW:

To best utilize the limited jail space, the judges of the Eighth District Court and the Ninth Circuit Court agree that the chief judge of each court, or another judge designated by him or her, may review sentences that remain within the jurisdiction of the sentencing judge and may reduce jail sentences imposed by the court. The chief judge, or his or her designee, may review and reduce any such sentence at any time in the exercise of his or her judicial discretion. It is recognized this is a delegation of judicial authority and discretion. It is contemplated that inmates will be reviewed individually utilizing such information as the chief judge deems appropriate. A sentencing judge retains the discretion to suspend or reduce any such jail sentence imposed by the sentencing judge at any time.

BOND REVIEW:

To best utilize the limited jail space, the judges of the Eighth District Court and the Ninth Circuit Court agree that the chief judge of each court, or another judge designated by him or her, may review bonds for cases within the jurisdiction of the court. The chief judge, or his or her designee, may review and reduce any bond for that court at any time in the exercise of his or her judicial discretion. It is recognized this is a delegation of judicial authority and discretion. It is contemplated that bonds will be reviewed individually utilizing such information as the chief judge deems appropriate. An arraigning judge retains the discretion to modify a pretrial release decision made by the arraigning judge at any time.

This plan reflects the delegation of each judge's authority over jail sentences and release decisions. This is not an administrative policy. The purpose of this delegation of discretion is to assist the maintenance of a safe jail and to best utilize an overcrowded jail for the purpose of punishment, rehabilitation, protection of society, deterrence and enforcement of court orders.

The chief judges, or the judges designated by them, shall meet periodically with the Sheriff or his or her representative to review the jail population to achieve the goal of maintaining an average daily in-house population of 95% of the state rated capacity (311). By agreement between them, the chief judges or their designee may make review and release decisions if the representative of the other court is unavailable. The chief judge of the Circuit Court shall cause a list to be prepared of inmates authorized for release or transfer to an alternative jail or program. The list will be provided to the Sheriff, Prosecutor and probation offices.

To implement this plan, the chief judge of the Ninth Circuit Court may convene with the chief judge of the Eighth District Court an advisory jail population management committee for the purpose of reviewing pretrial release practices, sentencing practices, alternative programming, data about inmate populations, caseloads and case trends.

This plan will be effective from January 1, 2012 through December 31, 2015.

APPROVED:

Date: 11/22/11, 2011 
Richard C. Fuller, Kalamazoo County Sheriff

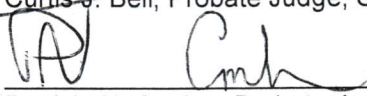
Date: 11-10, 2011 
Jeffrey B. Fink, Kalamazoo County Prosecutor

Date: 11.16.11, 2011 
Stephen D. Gorsalitz, Chief Judge, Ninth Circuit Court

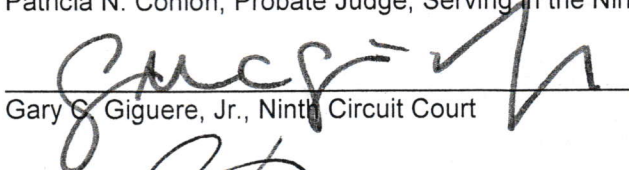
Date: 11-16, 2011


Curtis J. Bell, Probate Judge, Serving in the Ninth Circuit Court

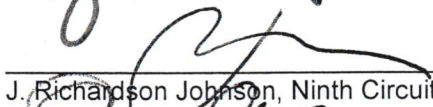
Date: 11-16, 2011


Patricia N. Conlon, Probate Judge, Serving in the Ninth Circuit Court


Date: 11-10, 2011


Gary S. Giguere, Jr., Ninth Circuit Court

Date: 11-10, 2011


J. Richardson Johnson, Ninth Circuit Court

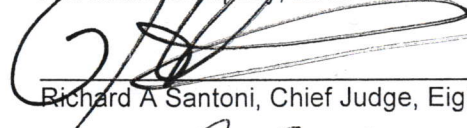
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Pamela L. Lightvoet, Ninth Circuit Court

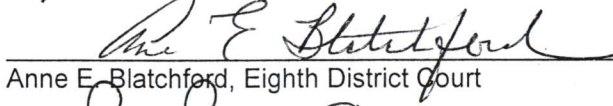
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Alexander C. Lipsy, Ninth Circuit Court

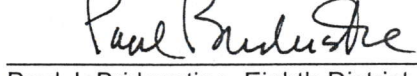
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Richard A. Santoni, Chief Judge, Eighth District Court

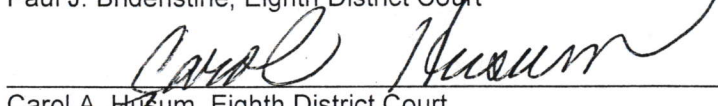
Date: 11-2, 2011


Anne E. Blatchford, Eighth District Court

Date: Nov. 2, 2011


Paul J. Bridenstine, Eighth District Court

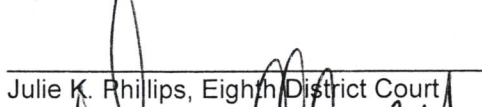
Date: 11-8, 2011


Carol A. Husum, Eighth District Court

Date: 11-2, 2011


Robert C. Kropf, Eighth District Court

Date: _____, 2011


Julie K. Phillips, Eighth District Court

Date: 11-2, 2011


Vincent C. Westra, Eighth District Court