

CLINTON COUNTY BOARD OF COMMISSIONERS



Administrator
Ryan L. Wood
Clerk of the Board
Diane Zuker

COURTHOUSE
100 E. STATE STREET
ST. JOHNS, MICHIGAN 48879-1571
989-224-5120

Chairperson
Larry Martin
Vice-Chairperson
Robert Showers
Members
Jack Enderle
Eileen Heideman
Paul McNamara
David Pohl
Adam C. Stacey

RESOLUTION 2009-17

IN OPPOSITION TO CURRENT LEIN FUNDING FORMULA

WHEREAS, initially the Law Enforcement Information Network system (the mainframe, data transmission lines and the terminals) were owned and maintained by the State; and

WHEREAS, at that time no revenue generating programs existed to offset the expense of the LEIN system; and

WHEREAS, the formula to fund the cost of the system was developed in the 1970s; and

WHEREAS, the formula allocated two-thirds of the annual cost of the system to the State and one-third of the annual cost of the system to local units of government; and

WHEREAS, although the system has changed substantially since that time because the local units of government now own, operate and maintain their own record management systems and the LEIN system now serves essentially as a pass through, the funding formula enacted in the 1970s has remained constant; and

WHEREAS, new CJIS (Criminal Justice Information Systems) legislation, Senate Bill 648, enacted in 2005 expanded and combined the role and definition of the previous LEIN and AFIS Boards to include LEIN, AFIS and other information systems related to criminal justice and law enforcement such as I-CHAT and Sex Offender Registration, of which local units of government contribute an estimated seventy (70%) to eighty (80%) percent of the data; and

WHEREAS, as indicated in the Michigan State Police budget, the CJIS system now produces an estimated eleven million dollars in total revenue from programs such as I-CHAT, the Sex Offender Registration, and fingerprinting services; and

WHEREAS, in the spring of 2008 the CJIS Policy Board agreed in principle to cover the *validated deficit* for LEIN operation for 2008 and 2009 through a fee structure; and

WHEREAS, the validated deficits and projected revenues information requested was never provided to the CJIS Policy Board's satisfaction, and then Policy Board, which included multi-discipline/multi-profession representatives from the courts, prosecutors, local police, sheriffs, MSP and other groups, was subsequently abolished by Governor Granholm; and

WHEREAS, following abolishment of the CJIS Policy Board County officials received no official notification, but were told of the possible re-institution of LEIN agency fees, and they were told that the fees would not be retroactive; and

WHEREAS, the following invoices totaling \$8,300 for LEIN agency fees from October 1, 2008 to September 30, 2009 were received by Clinton County:

- 551-314709 Sheriff

LEIN Per Capita for Officers (\$12.00 each x 25)	\$ 300.00
Agency Fee	\$ 800.00

- 551-314556 Central Dispatch

LEIN Station 1 Fee	\$2000.00
LEIN Station 2 Fee	\$2000.00
Agency Fee	\$ 800.00

- 551-314976 Prosecuting Attorney

Agency Fee	\$ 800.00
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- 551-314978 Circuit Court

Agency Fee	\$ 800.00
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- 551-314979 District Court

Agency Fee	\$ 800.00
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; and

WHEREAS, the invoices are indeed retroactive;

WHEREAS, despite documented requests from representatives from the counties, to date no response has been received for a validated accounting of LEIN costs and revenues, and for answers to questions such as:

- Why are only State investments considered in calculating the cost of LEIN?
- Why is the entire cost of the mainframe computer charged to LEIN even though it is also used by the State to run other programs unrelated to LEIN?
- Why is the revenue from the sale of information on I-CHAT and other CJIS system programs not included on the balance sheet when determining the cost of LEIN?

THEREFORE, BE IT RESOLVED, that the Clinton County Board of Commissioners hereby states its opposition to the current LEIN funding formula; and

BE IT FURTHER RESOLVED, that the Clinton County Board of Commissioners urges the reestablishment of the CJIS Policy Board;

BE IT ALSO RESOLVED, that the Clinton County Board of Commissioners urges the Sheriff, Central Dispatch, the Prosecuting Attorney, the Circuit Court, and the District Court, to consider withholding any future payment until such time as the issues regarding the LEIN fees are resolved to all parties satisfaction; and

BE IT ALSO RESOLVED, that the County Administrator is hereby instructed to send a letter to the Michigan State Police to inform them of this action; and

BE IT FINALLY RESOLVED, that a copy of this resolution be submitted to Governor Jennifer Granholm, the Michigan House and Senate Appropriations Committees, the Michigan State Senators and Representatives serving the residents of Clinton County, the Michigan Association of Counties, the Michigan Association of Townships, the Michigan Municipal League, and the Michigan Municipal Risk Management Association.

**STATE OF MICHIGAN
COUNTY OF CLINTON**

I, DIANE ZUKER, Clerk of the County of Clinton do hereby certify that the foregoing resolution was duly adopted by the Clinton County Board of Commissioners at the regular meeting held October 27, 2009 and is on file in the records of this office.

Diane Zuker, Clinton County Clerk