

VAN BUREN COUNTY PROSECUTING ATTORNEY

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REPLY TO:

County Courthouse
212 East Paw Paw Street
Paw Paw, MI 49079-1498
PHONE: (269) 657-8236
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July 23, 2012

Lt. Chuck Christensen
Michigan State Police
District 5 Headquarters
108 W. Michigan Avenue
Paw Paw, MI 49079

Re: MSP Complaint #51-0000614-12

Dear Lt. Christensen:

I have reviewed MSP Complaint #51-0000614-12 which was submitted to me for consideration of possible criminal violations. The complainant, Harold Cirino, alleged that there had been an embezzlement or a misappropriation of public funds. After careful review of the facts, I have concluded that there is absolutely no evidence of violation of any criminal statutes.

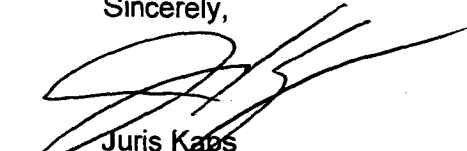
It appears to be uncontroverted that the conduct complained of was discussed and approved at public meetings over a number of years. It would seem that if there was a question regarding the propriety of compensation, then it would have been addressed with the township attorney. Apparently that never occurred. One can only speculate why this issue was not explored initially by seeking a legal opinion from the township attorney rather than making unfounded accusations of criminal wrongdoing.

In any event, it would appear from review of pertinent statutes, and Attorney General Opinions, specifically Opinion 6743 of 1992, which is subsequent to the AG Opinion relied upon by the complainant, that there was no impropriety regarding the salary structure in Antwerp Township. I simply make that observation after a review of the facts and law. That aspect of this situation is an administrative issue which is not a part of my duties. It only impacts my decision to the extent that if there is no violation of procedure matters, then there certainly cannot be a violation of criminal statutes.

Lt. Chuck Christensen
July 23, 2012
Page 2

Even assuming for the moment that I am incorrect in my interpretation of how Township Supervisors may be compensated, it is clear that everything done in Antwerp Township regarding this issue was done openly at public meetings, with the approval of the board, and with no attempt to hide anything from the public. This would negate any suggestion that there was any intent by anyone to wrongfully convert public funds. There will be no charges authorized by this office, and you may close the complaint.

Sincerely,



Juris Kaps
Prosecuting Attorney

cc: Mr. Harold Cirino
Mr. Daniel Ruzick