

July 20, 2020

St. Joseph County Board of Commissioners
125 W. Main St.
Centreville, MI 49032

Dear members of the St. Joseph County Board of Commissioners:

We the undersigned feel it is time to collectively take a stand regarding an elected member of county government who is an integral piece in the criminal justice system—Prosecutor John McDonough. We hope this letter is interpreted as one based on calm and measured reflection regarding not just one isolated incident, but the continual lack of leadership, lack of work ethic, and mismanagement of the entire office of the prosecuting attorney of this county.

To be very specific, Mr. McDonough's habitual lack of attendance at his workplace for the last several years has resulted in a catastrophic backlog of criminal cases that has clogged the entire criminal justice system. His failure to meet the most basic expectation of showing up for work each day has resulted in many significant issues. His failure to provide the most basic training and guidance to assistant prosecutors has resulted in a revolving door of employees. Additional tax dollars are spent sending the new hires to basic training seminars, but he fails to provide them with the necessary support and guidance. Then, at times, he has fired them before the taxpayers realize a return on the investment. He will then spend months waiting for another suitable candidate to be hired, when the cycle starts again. Perhaps worst of all, as he currently continues to collect full pay and benefits, the county has had to outsource his work to another attorney at the expense of the taxpayers.

He has repeatedly wasted taxpayer dollars by allowing cases to linger and be set for jury trial as he simply hasn't put the time and effort into reviewing the file. His inability to be reached by law enforcement during critical situations has negatively impacted the area police departments' abilities to enforce the law and keep the peace. It has also resulted in serious errors in the protection of constitutional rights and procedures to properly collect evidence. He has cut last-minute deals for serious criminal cases while ignoring the advice of the assistant prosecutors that managed the cases and, even worse, without even consulting the *victims* of the crimes. Make no mistake, this all has harmed the pursuit of justice and, quite simply, Mr. McDonough has brought embarrassment to our county that we call home.

You, as commissioners, have seen this happen multiple times over the past several years and are fully aware of the expenditures on training, hiring, firing, and human resources expended with regards to the previous two paragraphs. The assistant prosecutors that do succeed end up leaving the office for better opportunities because they are so overburdened by doing the majority of the work while Mr. McDonough simply fails to appear.

The average resident unfortunately does not see the inner workings and strife described above. However, Mr. McDonough's decision on May 11, 2020, to consume alcohol during business hours and his subsequent accident and arrest constituted a pivotal incident that brought some light to this extreme dysfunction. More importantly, Mr.

McDonough's choice to reportedly leave the scene of the accident, his behavior during the investigation, and his characterization of the incident in the weeks thereafter underscore his lack of respect for his elected position. According to the preliminary breath test at the scene on May 11, Mr. McDonough was above the legal intoxication limit for driving. Several hours later, the datamaster breath tests indicated it fell below the legal limit. Instead of taking repentant responsibility, though, he bragged to MLive reporter Ryan Boldrey in a June 23 story that "[t]he breathalyzers were both below the legal limit...[t]hat's what counts in court." This clearly demonstrates a lack of respect for his elected office.

Everyone is in agreement in the hope that Mr. McDonough receives the help he needs and that he improves his health for himself and his family. However, his history over the past several *years* demands his replacement and the incident from May 11 underscores that need. The posture he has taken with this recent incident further notably demands his resignation and we are duly asking for just that.

After weeks of careful and thoughtful consideration and much waiting, we are also asking this board to lead, as you have been elected to do. As your constituents and as residents of St. Joseph County, we are calling on you to ask for Mr. McDonough's resignation by official resolution at tomorrow's regular meeting. Your approximately 61,000 total constituents deserve better.

Sincerely,

Your constituent residents of St. Joseph County, as signed below:

Tadd Davis, Colon Township
Aaron Miller, Sturgis, 59th District State Rep.
Jennifer Schwartz, Fawn River Township Treasurer
Joe Schwartz, Fawn River Township
Nicole Edson, Colon Township
Duane Butcher, Fawn River Township
Amy Butcher, Fawn River Township
Dawn Everett, Fabius Township
Darcy Shinen-Howes, Park Township
Kendra Ackerman, Colon Township
Julie Carpenter, Leonidas Township
Ann Susemihl, Fabius Township
Deb Cupp, Nottawa Township
Robbie Hattan, Colon Township
Lyndsey Hattan, Colon Township
Tom Miller, Lockport Township
Gail Miller, Lockport Township
Don Overholt, Leonidas Township Clerk
Mia Gilbert, Leonidas Township Trustee
Rich Baker, Burr Oak Township Trustee
Larry Walton, Nottawa Township
Jack Coleman, Park Township
Steve Carra, Three Rivers

Shanelle Mallen, Branch County*
Desa Middleton-Weed, Branch County*
Dera Weed, Branch County*

*not part of the list of constituents