

STATE OF MICHIGAN
DEPARTMENT OF ATTORNEY GENERAL



DANA NESSEL
ATTORNEY GENERAL

P.O. Box 30212
LANSING, MICHIGAN 48909

April 5, 2024

Representative Angela Witwer
House Appropriations Committee
H-351 Capitol Building
Lansing, MI 48933
angelawitwer@gouse.mi.gov

Mary Ann Cleary, Director
House Fiscal Agency
House Office Building
124 N. Capitol Ave, #4
Lansing, MI 48933
mcleary@house.mi.gov

Representative Felicia Brabec
House Appropriations Subcommittee on
General Government
797 House Office Building
Lansing, MI 48933
FeliciaBrabec@house.mi.gov

Katharyn Summers, Director
Senate Fiscal Agency
Victor Office Center
201 N Washington Square # 800
Lansing, MI 48933
ksummers@senate.michigan.gov

Senator Sarah Anthony
Senate Appropriations Committee
S-324 Capitol Building
Lansing, MI 48933
SenSAthony@senate.michigan.gov

Jen Flood
State Budget Director
George W. Romney Building
111 South Capitol Avenue
Lansing, MI 48933
FloodJ3@michigan.gov

Senator John Cherry
Senate Appropriations Subcommittee on
General Government
3600 Binsfeld Office Building
Lansing, MI 48933
senjcherry@senate.michigan.gov

Sent by email only

Dear Representatives, Senators, and Directors;

Pursuant to 2019 PA 10, the Department is directed to provide a quarterly report on the wrongful imprisonment compensation fund. The specific report language and the department's responses for the Second Quarter of Fiscal Year 2024 (January 1, 2024 – March 31, 2024) are as follows:

Dear Representatives, Senators, and Directors;

Page 2

April 5, 2024

(a) All payments made from the wrongful imprisonment fund in each prior quarter of the fiscal year, and the total of those payments, including if each payment is part of a new settlement or part of an installment plan.

1. *Louis Wright v State of Michigan*, Court of Claims No. 23-000163-MZ. On January 10, 2024, a Stipulated Order of Judgment was issued providing that the State pay compensation in the amount of \$1,752,513.07.

On February 13, 2024, a Stipulated Order of judgment for Attorney Fees and Costs was entered providing for the payment of attorney fees in the amount of \$5,520.00, and costs in the amount of \$180.25.

2. *Richard Phillips v State of Michigan*, Court of Claims No.23-000085-MZ. On December 18, 2023, a Stipulated Order of judgment for Attorney Fees and Costs was entered providing for the payment of attorney fees in the amount of \$9,750.00, and costs in the amount of \$175.00. That payment was made on January 8, 2024.

TOTAL PAYMENTS OUT OF THE FUND: \$1,768,138.32

(b) Total payments made from each prior fiscal year and the total of all payments to date (per Treasury):

FY17:	\$2,101,235.47
FY18:	\$2,177,139.49
FY19 Total	\$5,913,335.04
FY20 Total	\$13,096,204.52
FY21 Total	\$10,297,740.23
FY22 Total	\$9,804,160.04
FY23 Total	\$5,190,308.39
FY24 Total	\$3,330,842.91

CUMULATIVE TO DATE: \$51,910,966.09

Dear Representatives, Senators, and Directors;

Page 3

April 5, 2024

(c) Any settlements that have been decided but have yet to receive a payment.

1. *Kenneth Webb v State of Michigan*, Court of Claims No. 23-000146-MZ. On April 1, 2024, a Stipulated Order of Judgment was issued providing that the State pay compensation in the amount of \$1,753,882.97. The amount will be paid by Treasury in the next quarter.

(d) The number of known cases seeking a settlement, but do not have a final judgment, and the dollar amount of each potential payment for these known cases, and the total of these payments.

See Appendix A.

(e) The balance in the wrongful imprisonment fund at the end of the previous quarter.

Pursuant to the Department of Treasury's records, as of March 31, 2024, there was \$18,164,989.34, in the Wrongful Imprisonment Compensation Fund.

Sincerely,

A handwritten signature in blue ink that reads "Ashley Steffen". The signature is written in a cursive, flowing style.

Ashley Steffen
Director, Office of Legislative Affairs
Department of Attorney General

AS/sg
Attachments

APPENDIX A

List of known cases seeking a settlement, but do not have a final judgment, and the dollar amount of each potential payment for these known cases, and the total of these payments, at the end of the Second Quarter of the fiscal year 2024 (October 1, 2023 – December 31, 2023).

PLAINTIFF	COMPENSATION SOUGHT
Avery, Chamar**	\$383,500.00 in compensation, plus costs and attorney fees.
Christian, Kino	\$674,520.55 in compensation, plus costs and attorney fees.
Clark, Alphonso	\$892,465.75 in compensation, plus costs and attorney fees.
Edwards, Joshun	\$674,538.76 in compensation, plus costs and attorney fees.
Edwards, Dartanian	\$651,935.41 in compensation, plus costs and attorney fees.
Griffin, Michael	\$638,904.11 in compensation, plus costs and attorney fees.
Hinton, C-Quan	\$676,182.64 in compensation, plus costs and attorney fees.
Searcy, Thelonious*	\$892,763.83 in compensation, plus costs and attorney fees.
Webb, Kenneth	\$1,802,465.82 in compensation, plus costs and attorney fees.

TOTAL AMOUNT OF POTENTIAL CLAIMS: \$7,287,276.87 (plus attorney fees and costs in each case up to \$50,000.00 or 10% of the compensation awarded whichever is less)

* Plaintiff did not specify the amount of compensation sought in his complaint. Consequently, the State has calculated the potential compensation.

**pending on appeal