



Pilot News

Weather outlook

Thursday High 62, Low 35	Friday High 45, Low 26	Saturday High 52, Low 36

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MC Prosecuting Attorneys Office & Law Enforcement go “All in”

By JAMIE FLEURY
STAFF WRITER

MARSHALL COUNTY — The Marshall County Prosecuting Attorney’s Office, at the discretion of Marshall County Prosecutor E. Nelson Chipman, donated \$10,000 from the deferral and diversion fees fund to the “Funding the Essentials” Campaign to assist Marshall County families who have been economically impacted by the COVID-19 shut down and pandemic.

Chipman personally donated \$2,000 as an original pacesetter at the onset of the campaign. “Here is this pandemic. I see this drive, ‘Fund the Essentials’. It just got me fired up and I said, ‘How can I help?’”

Noting confidence that John J. Oliver of U.S. Granules was leading the effort and that the funds would be allocated efficiently through the Marshall County Community Foundation and United Way to those who need it most; Chipman wanted to do more.

The fees generated



“We’re all in.” The Marshall County Prosecuting Attorney’s Office and law enforcement contributed \$10,000 to the “Funding the Essentials” campaign. Prosecuting Attorney E. Nelson Chipman emphasized that the fund would not exist if law enforcement officers were not doing their job. He wanted to recognize that contribution and arranged for a representative from each town and city to be present. Back row from left to right: Assistant Chief Mark Owen (Plymouth PD), Officer Carl Amsden (Bourbon PD), Sheriff Matt Hassel (Marshall County Sheriff’s Department), Chief Brad Kile (Bremen PD), Officer Rodney Rudd (Argos PD), Chief Wayne Bean (Culver PD). Front row from left to right: Deputy Prosecutor Nick Langowski; Deputy Prosecutor Lynn Berndt; Prosecutor Nelson Chipman; Chief Deputy Prosecutor Tami Napier; and Deputy Prosecutor Matt Sarber.

from deferral fees and pretrial diversion fees which are mainly from misdemeanors go into a pretrial diversion fund. Chipman has discretionary use of the fund to do such things as pay for programs, pay for training for law enforcement personnel and officers, and authorize wages to be paid from within the fund for certain support staff. The hourly wage for the part time deferral secretary, who processes the necessary paperwork, is paid for by the fund generated through fees. The fund has also been used for legitimate wage supplement for additional prosecuting attorneys. Before the pandemic, a portion of the fund sponsored guest speaker Becky Savage of Granger to speak to area students on the dangers of opi-

Ways to give:

- Donate online at www.marshall-countycrossroads.com
- Text “FUNDESSENTIALS” to 443-21 to donate towards the Fund the Essentials campaign.
- Mail a check: Please make checks payable to Marshall County COVID-19 Community Response and Recovery Fund and mail to Marshall County Philanthropy Center, P.O. Box 716, 2680 Miller Drive, Suite 120, Plymouth, Ind. 46563. Please note “Fund the Essentials” on the check.

See All in A3

PHOTO/JAMES MASTER
MCHD Administrator Ashley Garcia (left) and Public Health Nurse Lisa Letsinger (right) address commissioners about Stage 2 of the Back on Track Indiana plan.



MCHD provides requirements for industry and manufacturing in response to COVID-19

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CONTENT PROVIDED

MARSHALL COUNTY — The Marshall County Health Department issued a press release outlining requirements for industry and manufacturing for responding to COVID-19. Here is the press release:

Marshall County Health Department supports local businesses and industry in their efforts to prevent and slow the spread of COVID-19. Employers need to respond in a responsible and flexible way in updated practices and operations. Please remember these are temporary measures and ensuring best practices by following the guidelines below will allow restrictions to be lifted as soon as possible.

- Beginning on May 4, manufacturers, industrial operations, and other infrastructure that have not been in operation may open following OSHA and CDC guidelines.
- All employees must wear face masks at all times; Such masks must be cleaned or replaced daily.
- Employers must screen and evaluate staff who exhibit signs of illness, such as a fever over 100.4 degrees, a cough or short-

See MCHD A2



Weekly special

Robert Listenberger takes a short break from lunch service at Bob's Cafeteria Food Truck on Jefferson Street in Plymouth Wednesday. Bob's is serving sirloin sandwiches, grilled chicken sandwiches and pulled pork as well as salads and other specials.

PHOTO PROVIDED BY MAGGIE NIXON

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oids after losing her sons to a fatal overdose.

Prosecuting attorneys offices across the nation have been able to enhance the productivity of their offices and benefit the communities they serve with the prudent use of that fund.

Chipman approved the \$10,000 donation from the deferral fund to the “Funding the Essentials” campaign without hesitation. “I would only use it if it is intended to benefit our community. That, of course, is the message of “Fund the Essentials” we’re all in. All the spending will be within Marshall County.”

Chipman emphasized that the donation would not be possible if law enforcement officers were not doing their job. The revenue for the fund is generated from traffic ticket citations and misdemeanor cases that are later determined to be diversion eligible. Chipman said that a negligible amount is from felony diversion. “I want people to know that this is not my money. This is law enforcement. They do their job.”

The deferral fee for infractions and ordinance violations are set by state statute. The fee is \$192.50 for a traffic offense which comprise the bulk of these violations in Marshall County. The breakdown of that fee is a \$50 initial user fee, \$60 monthly user fees, and \$82.50 for court costs. \$110 of that \$192.50 is allocated to the Prosecuting Attorney’s Office pre-trial diversion fund.

Diversion fees are higher for misdemeanors and felonies; with similar proportional breakdowns.

Filing fees and costs for pre-trial diversion cases for certain misdemeanors, level 6 and level 5 felonies are set by state statute and are adhered to. Total pre-trial diversion case fee amounts are set at \$274.00 for non-traffic offenses, \$27.50 for traffic offenses, or \$299.50 if the offense is exceeding a worksite speed limit or failure to merge.

Approximately 20% of infraction cases qualify for deferral. Though infraction deferral programs and misdemeanor pretrial diversion programs are common throughout the state of Indiana and have been for decades, Marshall County is one of a few counties who implemented the felony pretrial diversion program.

The amount generated from felony pretrial diversion is minimal, but the program helps people who adhere to the requirements set forth in the agreement to keep their record unspotted.

Chipman stated the benefits of the programs for both the individual and the department. “There are stringent guidelines to qualify for the program. Not the least of which is to have a clean background which you want and need to maintain. But this is your last chance.”

The individual must pay the fees, adhere to the guidelines of the program successfully, and at the end of six months or a year it will be dismissed. “You’ve got to behave yourself during that time.”

Upon failure to adhere to the agreed upon requirements or found to have violated the law; the offense

will be reinstated. The fees are non-refundable.

Oliver said, “His (Nelson Chipman) creativity and commitment fits perfectly with the spirit we are trying to build.”

Chipman said, “Generally it’s (the fund) to buy equipment, or training, or some salaries of this office and so forth. But occasionally I can do something like this.”

Chipman said his heart goes out to those who were impacted by the pandemic. “My heart goes out. I’m very grateful and very blessed to have this position. The pandemic was never threatening to furlough me.”

The Marshall County Prosecuting Attorneys office adhered to state and county orders to work on a skeleton crew in the office, maintained all health and safety requirements, and had individuals work remotely as they were able.

Chipman arranged for a group photo with representation from each law enforcement office across the county to highlight the team work involved. He arranged for a ladder to accommodate the need for social distance. “I’ve always wanted to do this. It’s their work. The idea of each department being represented. It’s those road officers. It’s their work that generates the cases in which we can call through them and do a deferral. The fees are broken up and paid the way they are supposed to be paid, but yet we have funds that we can use to the betterment of the community.”

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