

MARIETTA MUNICIPAL COURT

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WASHINGTON COUNTY, OHIO

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MUNICIPAL COURT
MARIETTA OHIO

ANNUAL REPORT

-2016-



For the Period:
January 1, 2016 – December 31, 2016

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INTRODUCTION

Chapter 1901 of the Ohio Revised Code governs the conduct of Municipal Courts including the Marietta Municipal Court. Section 1901.14(A)(4) provides as follows:

“On or before the last day of March of each year, the Court shall render a complete report of its operation during the preceding year to the Legislative Authority and to the Board of County Commissioners of each county within its territory. The report shall show the work performed by the Court, a statement of receipts and expenditures of the civil and criminal branches, respectively, the number of cases heard, decided, settled and such other data as the Supreme Court, the Secretary of State, the Legislative Authority, and the Board of County Commissioners required.”

JUDGE'S COMMENTS

Court Building

The Court again made its payment of approximately \$175,000 on the capital improvement bond for building renovation. These funds are generated by special project fees imposed in court cases. A reserve fund equal to one annual payment is maintained in this fund to protect against unplanned contingences.

In terms of maintenance, and in cooperation with the Service Director's employees, the emergency systems are checked regularly, filters are replaced as recommended by the manufacturer, and the lot is kept clean of snow and ice. The Court contracts with Jani-Source to regularly clean carpets and to maintain the finish on the vinyl flooring. In addition, security officers are assigned responsibility for monthly checks of alarms and fire extinguishers.

Restitution

The Court collected \$26,607.42 in restitution through the Probation Department. This sum was then paid over to victims of criminal offenses.

Building Wide Training

Marietta Police Chief Rodney Hupp led refresher training for Court staff on the Active Shooter Policy.

Technology Grant

The Ohio Supreme Court awarded the Municipal Court a \$6,000 Technology Grant. With the approval of the Supreme Court, the Court used this grant to replace four commercial printers used by the Clerk's Office Staff.

Pilot Program – Highway Patrol

The Ohio State Highway Patrol pilot program for filing tickets electronically is in its second year. The Court has found this program is successful. The e-filing of tickets presents fewer opportunities for errors, saves staff time and reduces office expenses.

Weddings

The Court officiated forty-two weddings in 2016.

Respectfully submitted,



Janet Dyar Welch, Judge

CIVIL DIVISION

A. New Filings – Comparative Table

Type	2016	2015	2014	2013	2012
Civil	854	764	697	664	893
Small Claims	94	93	121	128	163

B. Hearings – Comparative Table

Held By:	2016	2015	2014	2013	2012
Judge	37	38	38	87	90
Magistrate Small Claims	59	51	69	88	102

C. Receipts and Expenditures

Payee	2016	2015	2014	2013	2012
City – General	84,887.72	75,960.86	70,489.67	77,082.42	86,343.03
Court – Computer	7,504.00	6,784.00	6,384.00	6,080.00	8,168.00
Court – Capital Imp.	13,326.00	12,000.00	11,018.00	10,384.00	14,035.00
Ohio – Legal Aid	22,854.29	20,491.02	18,804.11	17,676.45	23,904.54
Total Disbursements:	128,572.01	115,235.88	106,695.78	111,222.87	132,450.57

CRIMINAL/TRAFFIC DIVISION

A. New Filings – Five Year Comparative Table

Type Offense	2016	2015	2014	2013	2012
Felonies	414	371	376	381	409
Misdemeanors	1,848	1,644	1,550	1,717	1,823
OVI	415	325	264	330	372
Other Traffic	6,917	8,182	8,701	7,960	6,372
Total:	9,594	10,522	10,891	10,388	8,976

B. Trials

The Court conducted 40 preliminary hearings on felony cases, 30 court trials on contested traffic and criminal cases and 5 jury trials. These totals do not include motion hearings, probation violations, contempts, or restitution hearings.

C. Criminal/Traffic Receipts and Expenditures – Comparative Table

Payee	2016	2015	2014	2013	2012
City of Marietta General Fund	400,989.84	440,078.16	477,033.67	450,498.17	400,754.50
Capital Improvement Fund	185,453.51	208,039.26	218,725.89	206,575.67	171,675.37
Court Computer/ Convenience Fee	89,819.65	95,055.50	96,539.14	91,832.00	76,260.00
Indigent Alcohol Fund	14,780.00	15,843.50	16,078.50	16,008.33	15,068.67
County General Fund	197,924.43	191,954.72	220,272.82	221,713.97	216,146.63
House Arrest	50,780.50	36,599.00	66,506.55	21,181.45	22,487.00
Probation/ Security Fees	126,936.31	103,977.83	109,973.85	126,056.45	139,406.83
Law Library	5,500.00	5,500.00	5,500.00	5,500.00	5,500.00
Sheriff	10,644.88	10,838.14	12,063.13	13,962.10	13,938.55
State of Ohio*	510,468.49	587,234.63	604,375.12	596,735.76	524,250.52
Beverly	398.00	289.00	416.00	860.00	420.00
New Matamoras	869.00	886.00	770.00	355.50	1,237.00
Lowell	-0-	50.00	185.00	365.00	25.00
Macksburg	-0-	-0-	-0-	-0-	-0-
Capital Recovery	38,451.48	38,152.12	34,674.18	32,043.12	28,310.26
Belpre	3,452.00	1,354.00	3,277.50	17,100.00	2,995.80
Belpre Police Sub	-0-	-0-	-0-	-0-	-0-
College Law Enf.	350.00	450.00	150.00	1,155.00	225.00
Common Pleas Court	15,754.77	7,169.94	11,891.22	11,514.80	19,260.75
Total Disbursements	1,652,572.86	1,743,466.80	1,878,432.57	1,803,457.32	1,637,961.88

* State of Ohio includes Ohio State Highway Patrol, Criminal Reparations Account, Child Restraint, Pharmacy Board, Liquor Control, Division of Conservation, etc.

UNPAID FINES AND COSTS

The Court is owed \$512,688.68 for unpaid fines and costs imposed in calendar year 2016. Cases with delinquent fines and costs are assigned to the Court's collection agency, Capital Recovery, and the statutory thirty percent fee is added to the amount due. This collection fee is paid by the offender. The collection agency is not paid a portion of the fines and costs it collects. Collection efforts continue for prior years on accumulated fines and costs. Uncollected fines imposed prior to January 1, 2012 are deemed uncollectible but are subject to being reopened if the offender appears in court for another reason.

SPECIAL PROJECTS FUNDS

In 2016 the Court expended \$41,853.00 from its Computer Fund. The Court paid the annual bond payment for its share of the renovation of the current court facility from its Court Capital Improvement Fund. The Computer Fund and the Capital Improvement Fund are separately generated by the Court through the assessment of fees on offenders and other users of court services.

COST OF OPERATION

General Fund Budget

	2016	2015	2014	2013
General Fund Budget	\$844,357.00	\$892,312.00	\$924,166.00	\$873,532.00
General Fund Actually Spent	\$840,917.00	\$885,144.34	\$887,372.00	\$844,827.00
Amount Under Budget:	\$3,440.00	\$7,167.66	\$36,794.00	\$28,705.00

Payments to the General Fund

Payment from Fines and Cost	\$500,647.00	\$548,526.11	\$557,848.00	\$543,571.00
Payment from Probation Funding	\$164,957.00	\$140,576.83	\$176,481.00	\$249,226.00
Total:	\$665,604.00	\$689,102.94	\$734,329.00	\$792,797.00

As a result of a consistent pattern of constrained expenditures, the Court General Fund was reduced in 2016. Even with the reduction of approximately \$44,000 in the General Fund Budget, the Court still was under budget by \$3,440.

In consideration of the anticipated reduction in the 2017 General Fund, the Court committed to a further budget reduction. The 2017 General Fund budget is \$776,650 and the Court intends to meet this obligation.

PROBATION REPORT

The Chief Probation Officer is responsible for security at the Court Facility. Three part-time Court Security Officers provided security in and around the courthouse during the hours of operation. The security staff screened 39,063 people in 2016, an average of 750 people a week. In addition, the Marietta Police Department as well as the Washington County Sheriff's Office Security Division provided a welcome presence during the hours of peak public presence.

Offenders worked 3,725 hours of community service in lieu of jail for numerous departments, work which is valued at \$29,246. The Washington County Jail had 40 inmates work 2,461 hours of supervised community service totaling \$18,495 which was credited for court fines.

Case Management Services:

Sarah Wright provided case management services to 160 offenders who were classified moderate to very high risk. Of the 160 served, 122 were referred to counseling, 19 were referred to inpatient treatment, 25 were referred to intensive outpatient treatment, 37 were referred for employment, 13 for housing programs, 22 for Medicaid, 4 were referred to Veterans programs, 6 received utility assistance, 4 received GED and educational tutoring, and 17 were referred to Thinking for a Change group. Ms. Wright also obtained her CDCA Preliminary Licensure for Chemical Dependency Counseling.

Quality Assurance:

2016 was the first full year in-house auditing was conducted by a full-time quality assurance officer. This position, held by Eric Brockmeier, conducted case file audits, monitored staff delivery of services provided to the offender, and confirmed accurate data entry mandated by the State of Ohio. He served as the court liaison to local service providers as well as the Ohio Department of Rehabilitation and Corrections. Along with quality assurance, he was responsible for providing supervision to low risk offenders and kiosk reporting.

Alcohol and Drug Assessments:

2016 was the first year that Marietta Municipal Court had an on-site, independent alcohol and drug assessment provider. Dr. Eric Limegrover completed 86 assessments at the court. 68 males and 18 females, who were identified as moderate to very high-risk offenders, were assessed. The findings and recommendations of those assessments were immediately provided to the probation department and included as a key component to the offender case plan. The quick turnaround has proven to be a key factor in the success of our moderate to very high risk offenders.

Kiosk Reporting:

75 individuals were referred to the self-reporting Kiosks located at the Marietta City Building and the Belpre City Building. These individuals were deemed low risk based on the Ohio Risk Needs Assessment which is conducted on each person under the supervision of the Court. Out of the 75 referred, only 2 were found to be non-compliant during 2016. By diverting offenders who were deemed low risk, the probation department has been able to spend more time serving moderate to very high risk offenders.

Moderate - Very High Risk Offenders:

Melanie Ferrell and Patrick Brockmeier provided supervision to moderate risk, high risk, and very high risk offenders. They worked with Case Manager Wright and targeted nineteen moderate to very high risk offenders for extended, inpatient opiate abuse rehabilitation. Both carried an average caseload of 85 offenders. These offenders reported to their assigned officer based on their assessed risk level with targeted offenders reporting several times weekly. In accordance with established policies based on criminal risk factors these offenders were often referred to intensive outpatient treatment providers. Probationers were subject to frequent drug testing along with follow up home visits. Motivational interviewing along with cognitive behavioral intervention techniques were frequently utilized with these offenders.

Training:

Probation employees received training hours as follows:

M. Ferrell	24
E. Brockmeier	24
P. Brockmeier	24
S. Wright	24 *Obtained CDCA Preliminary Licensure

All training hours were held in the State of Ohio and were fully funded by the Community Corrections Grant.

2016 Breakdown of Persons Sentenced to Probation

733 persons were placed on probation. 71 Probation Violations were filed, 17 served the balance of jail suspended.

Gender		Age		Race	
Male-----	525	18-21-----	82	White -----	698
Female----	208	22-25-----	143	Black -----	23
		26-35-----	217	Hispanic----	2
		36-45-----	148	Other-----	10
		46-55-----	105		
		56+ -----	38		

Probationers by Officer		Conviction	Total
Ferrell	84	DUI	336
E. Brockmeier	118	Property	83
P. Brockmeier	109	Traffic	27
Community Control	422	Domestic Violence	40
		Other	151
Total:	733	Alcohol	21
		Violent/Crimes against Persons	46
		Drug	24
		Sex	5

4 Year Statistical Report

	<u>Year 2013</u>	<u>Year 2014</u>	<u>Year 2015</u>	<u>Year 2016</u>
Urine Test Performed	370	396	1034	1001
Positive Urine Test	126	142	382	340
Electronically Monitored House Arrest	19	12	20	17
Jail Beds Saved on EMHA	381	241	400	510
Soberlink	19	71	95	58
Driver Intervention Program Enrollment	170	130	128	154
Ignition Interlock Program Enrollment	21	22	24	37
Total New Probationers (All Levels)	719	678	622	733
Community Service Hours Worked	3,945	3046	3244	3725
Fines Credited for Community Service	\$34,233	\$24,368	\$25,267	\$29,246
Court Ordered for Community Service	6,141	5,696	2,972	3239
Jail Beds Saved	2,414	2,448	2613	4787



Jason Hamilton, Chief Probation Officer