

MARIETTA MUNICIPAL COURT

WASHINGTON COUNTY, OHIO

FILED

2022 MAR 29 PM 2: 53

MUNICIPAL COURT
MARIETTA, OHIO

ANNUAL REPORT

-2021-



For the Period:
January 1, 2021 – December 31, 2021

TABLE OF CONTENTS

I.	Introduction	1
II.	Judge's Comments	2-3
III.	Civil Division	4
IV.	Criminal/Traffic Division	5
V.	Criminal/Traffic Receipts/Disbursements	6
VI.	Unpaid Fines and Costs and Special Projects Funds	7
VII.	Cost of Operation	8
VIII.	Probation Report	

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

Specialized Docket Approval

In November the Ohio Supreme Court awarded certification to the Court's Mental Health Docket. Participation in this court docket is limited to approved offenders with severe and persistent mental illness who are at a high risk of criminal recidivism. The goals of the Mental Health Court are to end the cycling of defendants diagnosed with mental illness through the local jail, hospital, and legal system, enhance public safety, reduce crime, hold defendants accountable, reduce cost to the community, and provide an opportunity for defendants to develop the skills needed to positively contribute to the community. The Behavioral Health Board and the State both awarded grants to offset the cost of the specialized docket.

Restitution

The Court collected \$44,814.87 in restitution through the Probation Department and the Clerk's Office. This sum was then paid over to victims of criminal offenses.

Court Building

The Court 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 contingencies.

The boiler failed and could no longer be reliably repaired. Its replacement cost was \$40,000.

Live Scan

The Court added Live Scan which permits the Court to digitally capture and transmit fingerprints directly to the Ohio Bureau of Criminal Investigation and Identification. Rev. Code Section 1901.43 imposes a duty on the municipal court to complete this duty in required cases.

Community Connections

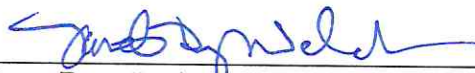
The Judge continued the years long practice involvement with the countywide crisis and de-escalation training. This training is directed by the Washington County Behavioral Health Board.

The Court partnered with Marietta College and Washington State Community College to provide unpaid, experiential learning opportunities to seven students. Chief Probation Officer Jason Hamilton worked with the students to tailor their experiences to include courtroom observation, safety and security, and community corrections field and office practice. The Court is pleased to continue the practice of providing these opportunities to the next generation of court professionals.

Weddings

The Judge officiated three weddings which is a drastic reduction in number from pre-pandemic years.

Respectfully submitted,



Janet Dyar Welch, Judge

CIVIL DIVISION

A. New Filings – Comparative Table

Type	2021	2020	2019	2018	2017
Civil	1011	998	1,317	1,186	1,093
Small Claims	93	100	107	103	93

B. Hearings – Comparative Table

Held By:	2021	2020	2019	2018	2017
Judge	32	32	40	52	47
Magistrate Small Claims	68	53	78	63	48

C. Receipts and Expenditures

Payee	2021	2020	2019	2018	2017
City – General	97,718.87	94,981.33	129,589.77	109,848.33	103,237.91
Court – Computer	8,776	8,736	11,344	10,240	9,432
Court – Capital Imp.	15,727	15,596	20,430	18,392	16,973
Ohio – Legal Aid	26,885.43	26,652.78	34,940.07	31,447.35	29,025.81
Total Disbursements:	149,107.30	145,966.11	196,303.84	169,927.68	158,668.72

CRIMINAL/TRAFFIC DIVISION

A. New Filings – Five Year Comparative Table

Type Offense	2021	2020	2019	2018	2017
Felonies	430	470	472	506	471
Misdemeanors	1,553	1,430	1,763	2,206	1,872
OVI	250	235	359	407	431
Other Traffic	6,703	4,736	7,106	8,292	7,881
Total:	8,936	6,871	9,700	11,411	10,655

B. Trials

The Court conducted 7 preliminary hearings on felony cases, 26 court trials on contested traffic and criminal cases and 3 jury trials. These totals do not include motion hearings, probation violations, contempts, or restitution hearings.

C. Criminal/Traffic Receipts and Disbursements – Comparative Table

Payee	2021	2020	2019	2018	2017
City of Marietta General Fund	392,179.18	291,406.80	445,317.39	515,276.01	468,180.36
Capital Improvement Fund	172,129.39	126,122.48	181,324.43	211,886.58	202,675.33
Court Computer/ Convenience Fee	91,308.67	67,040.94	94,167.41	109,226.35	101,230.45
Indigent Alcohol Fund	11,171.00	10,482.50	14,305.10	17,166.00	16,537.00
County General Fund	192,471.94	178,203.06	207,753.89	222,366.48	217,876.23
House Arrest	73,656.45	46,300	58,732	49,960	45,864.00
Probation/ Security Fees	113,736.91	122,611.58	155,868.30	135,440.31	128,692.41
Law Library	5,500.00	5,500.00	5,500.00	5,500.00	5,500.00
Sheriff	8,946.15	10,001.90	9,708.12	10,261.50	11,451.04
State of Ohio*	503,480.01	380,323.27	532,478.01	628,846.13	567,279.91
Beverly	373.00	434.00	114.00	392.00	248.00
New Matamoras	498.00	-0-	326.00	643.00	1,003.00
Lowell	65.00	-0-	-0-	-0-	-0-
Macksburg	-0-	-0-	-0-	-0-	-0-
Capital Recovery	24,964.16	25,078.47	31,352.48	48,947.46	42,702.58
Belpre	2,342.00	702.00	1,181.00	3,352.60	4,454.40
College Law Enf.	-0-	-0-	-0-	700.00	450.00
Common Pleas Court	13,958.83	9,536.21	13,854.67	10,666.92	11,387.41
Total Disbursements	1,606,780.69	1,273,743.21	1,751,982.80	1,970,631.34	1,825,532.12

* 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 \$436,317.02 for unpaid fines and costs imposed in calendar year 2021. 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 from the fines and costs it collects. Collection efforts continue for prior years on accumulated fines and costs. Uncollected fines imposed prior to January 1, 2017 are deemed uncollectible but are subject to being reopened if the offender appears in court for another reason.

SPECIAL PROJECTS FUNDS

In 2021 the Court expended \$63,043 from its Computer Fund primarily for conversion of paper files to electronic media. 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

	2021	2020	2019	2018
General Fund Budget	\$936,706.00	\$881,543.00	\$864,977.00	\$779,885.00
General Fund Actually Spent	\$930,786.00	\$864,023.00	\$845,474.00	\$766,870.00
Amount Under Budget:	\$5,920.00	\$17,520.00	\$19,503.00	\$13,015.00

Payments to the General Fund

Payment from Fines and Cost	\$519,923.00	\$437,860.00	\$624,996.00	\$676,935.00
Payment from Probation Funding	\$187,636.00	\$163,624.00	\$200,288.00	\$169,155.00
Total:	\$707,559.00	\$601,484.00	\$825,284.00	\$846,090.00

PROBATION REPORT

The Chief Probation Officer is responsible for security at the court facility. One full-time Court Security Officer provided security in and around the court building during the hours of operation. Security screened 17,536 people in 2021, an average of 237 people a week. The volume of foot traffic was increased by 35 percent in 2021, but still down significantly from pre-pandemic levels. This reduction is the result of the continued use of Zoom Virtual Technology, implemented during the pandemic, but still utilized in both court proceedings as well as probation appointments.

Offenders worked 1,156 hours of community service in lieu of jail for numerous departments. The Washington County Jail inmates worked 1,639 hours of supervised community service totaling \$16,390 which was credited for court fines.

Case Management Services:

A third case manager was added to case management services on a part-time basis. Michelle Caplinger, a 2021 Washington State Community College graduate, began carrying a caseload in November. She was a prior college intern for the municipal court and is currently enrolled and pursuing her Bachelor's Degree from Ohio University in Criminal Justice. Case Managers Wright, Gregory, and Caplinger received 159 new referrals to case management services who were classified moderate to very high risk of future criminal conduct. 215 referrals to outpatient treatment were made. 79 individuals were referred and placed in long-term residential treatment, 21 were referred to Thinking for a Change group. 52 current and post-supervision clients were referred to SMART Recovery group.

Moderate - Very High-Risk Offenders:

Probation Officers Ferrell, Brockmeier, and Johnson provided supervision to moderate risk, high risk, and very high-risk offenders. They worked with Case Management and targeted 79 moderate to very high-risk offenders for extended, inpatient rehabilitation. The inpatient treatment phase averaged ninety days.

Each probation officer carried an average caseload of 144 offenders. With options limited due to the pandemic, reporting probationers were left on a reporting status for a longer

period, creating an increase in average case-loads per officer. 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 moderate to very high-risk offenders were referred to local intensive outpatient treatment providers as appropriate. Probationers were subject to frequent drug testing together with follow up home visits. While house checks were significantly reduced in 2021, there were occasions where contact was made at the residence. The probation officers use evidence-based practices including motivational interviewing and cognitive behavioral intervention techniques to improve rehabilitation objectives.

Pretrial Supervision:

The Judge establishes bond pursuant to Revised Code Chapter 2937 and Rule 46 of the Rules of Criminal Procedure. In 2021, 56 individuals were referred to the probation department for pretrial services. The Court required continuous alcohol monitoring devices, electronically monitored house arrest, weekly reporting, drug and alcohol testing, and counseling/treatment in lieu of cash bonds where appropriate. These tools have been generally successful in deterring criminal conduct while Defendants are awaiting trial and are protective of public safety.

Accomplishments:

The Court was one of 21 criminal justice agencies nationwide that partnered with the Addiction Policy Forum and the Foundation for Opioid Response Efforts in a mobile phone application that placed individual with Addiction to Recovery Services. Individuals who were under the supervision of the court accounted for 5 percent of those included in the study. This mobile app was just another tool that was utilized by the probation department during the peak of Covid-19 during the early months of 2021. The Probation Department increased the web-based options available in the Ohio Community Supervision System for case management. New options for 2021 included computer generated random drug screening, weekly phone-text notifications, remote web-based check-in, and remote camera interviews that can be recorded. The continued implementation and adaption of OCSS technology has allowed for consistent monitoring and supervision of offenders during the pandemic.

Training

Probation employees received Evidence Based Training hours as follows:

J. Hamilton	24
M. Ferrell	24
D. Johnson	24
P. Brockmeier	24
S. Wright	24
L Gregory	24
M. Caplinger	16

2021 Breakdown of Persons Sentenced to Probation

637 persons were placed on probation. 68 Probation Violations were filed, 36 served the balance of jail suspended.

Gender		Age		Race	
Male-----	435	18-21-----	104	White -----	596
Female----	202	22-25-----	78	Black -----	22
		26-35-----	199	Hispanic----	10
		36-45-----	170	Other-----	9
		46-55-----	53		
		56+ -----	33		

Probationers by Officer		Conviction	Total
Melanie Ferrell	116	DUI	179
Derek Johnson	150	Property	15
Patrick Brockmeier	138	Traffic	27
Community Control	233	Domestic Violence	12
		Other	339
Total:	637	Alcohol	19
		Violent/Crimes against Persons	23
		Drug Abuse Offenses	23

4 Year Statistical Report

	Year 2018	Year <u>2019</u>	Year <u>2020</u>	Year <u>2021</u>
Urine Test Performed	881	1115	740	912
Positive Urine Test	334	357	266	237
Electronically Monitored House Arrest	53	24	28	61
Jail Beds Saved on EMHA	1190	545	626	1284
JobberLink	51	70	72	65
Driver Intervention Program Enrollment	124	117	64	88
Ignition Interlock Program Enrollment	51	58	36	43
Total New Probationers (All Levels)	760	795	636	637
Community Service Hours Worked	3216	3185	3862	3274
Fines Credited for Community Service	\$25,102	\$22,100	\$24,076	\$21,169
Court Ordered for Community Service	4204	4020	1442	1156
Jail Beds Saved	3011	2885	1023	770

Jason Hamilton

Jason Hamilton
Chief Probation Officer