

MARIETTA MUNICIPAL COURT

FILED

WASHINGTON COUNTY, OHIO

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MUNICIPAL COURT  
MARIETTA, OHIO

ANNUAL REPORT

-2022-



For the Period:  
January 1, 2022 – December 31, 2022

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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**

### Specialized Docket Approval

In November 2021, the Ohio Supreme Court certified the Municipal Court Mental Health Specialized Docket. The program is tailored to serve those qualifying defendants diagnosed with severe and persistent mental illnesses and who are assessed as being moderate to high risk of criminal recidivism. The initial results from the first full year of the docket are encouraging.

### Restitution

The Court collected \$42,913.08 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.

### Grants

The Court applied for and received a technology grant of \$35,320 from the Ohio Supreme Court. This grant was primarily used to upgrade our case management system to make it web based and to add a texting module. As part of the grant the Court entered into a pilot program for failure to appear cases. The Court has been tracking the failures to appear rate for the past seven months with three months of data collection remaining. Data collection to this point has been encouraging showing that text reminders do help to

reduce the failure to appear rate. This saves deputy clerk time, reduces warrants thus saving law enforcement time, and unnecessary expense and arrest of those charged with traffic or misdemeanor offenses.

The Court also received grants in Probation to continue its community corrections program. The Behavioral Health Board provided financial assistance for the Mental Health Docket as did the Ohio Supreme Court.

#### 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, community corrections and office practice. The Court is pleased to continue the practice of providing these opportunities to the next generation of court professionals.

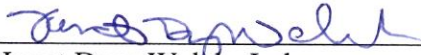
#### Staff Training

The Washington County Career Center provided a day long training and certification to all staff in first aid, CPR and use of AEDs.

#### Weddings

The Judge officiated eight weddings which is a significant reduction in numbers from pre-pandemic years.

Respectfully submitted,

  
\_\_\_\_\_  
Janet Dyar Welch, Judge

## CIVIL DIVISION

### A. New Filings – Comparative Table

Type	2022	2021	2020	2019	2018
Civil	1176	1011	998	1,317	1,186
Small Claims	41	93	100	107	103

### B. Hearings – Comparative Table

Held By:	2022	2021	2020	2019	2018
Judge	27	32	32	40	52
Magistrate Small Claims	27	68	53	78	63

### C. Receipts and Expenditures

Payee	2022	2021	2020	2019	2018
City – General	133,808.14	97,718.87	94,981.33	129,589.77	109,848.33
Court – Computer	9,712	8,776	8,736	11,344	10,240
Court – Capital Imp.	17,890	15,727	15,596	20,430	18,392
Ohio – Legal Aid	30,654.36	26,885.43	26,652.78	34,940.07	31,447.35
<b>Total Disbursements:</b>	<b>192,064.50</b>	<b>149,107.30</b>	<b>145,966.11</b>	<b>196,303.84</b>	<b>169,927.68</b>

## CRIMINAL/TRAFFIC DIVISION

### A. New Filings – Five Year Comparative Table

Type Offense	2022	2021	2020	2019	2018
Felonies	347	430	470	472	506
Misdemeanors	1,168	1,553	1,430	1,763	2,206
OVI	204	250	235	359	407
Other Traffic	4,992	6,703	4,736	7,106	8,292
<b>Total:</b>	<b>6,711</b>	<b>8,936</b>	<b>6,871</b>	<b>9,700</b>	<b>11,411</b>

### B. Trials

The Court issued 135 bindovers of felony cases and transferred 46 connected misdemeanors. In addition, the Court held 21 bench trials on contested traffic and criminal cases and 8 jury trials. These totals do not include motion hearings, probation violations, contempts, or restitution hearings.

C. Criminal/Traffic Receipts and Disbursements – Comparative Table

Payee	2022	2021	2020	2019	2018
City of Marietta General Fund	321,636.91	392,179.18	291,406.80	445,317.39	515,276.01
Capital Improvement Fund	132,404.11	172,129.39	126,122.48	181,324.43	211,886.58
Court Computer/ Convenience Fee	72,325.83	91,308.67	67,040.94	94,167.41	109,226.35
Indigent Alcohol Fund	10,212.00	11,171.00	10,482.50	14,305.10	17,166.00
County General Fund	180,030.66	192,471.94	178,203.06	207,753.89	222,366.48
House Arrest	42,590	73,656.45	46,300	58,732	49,960
Probation/ Security Fees	130,940.38	113,736.91	122,611.58	155,868.30	135,440.31
Law Library	5,500.00	5,500.00	5,500.00	5,500.00	5,500.00
Sheriff	7,773.29	8,946.15	10,001.90	9,708.12	10,261.50
State of Ohio*	396,297.89	503,480.01	380,323.27	532,478.01	628,846.13
Beverly	101.00	373.00	434.00	114.00	392.00
New Matamoras	690.00	498.00	-0-	326.00	643.00
Lowell	150.00	65.00	-0-	-0-	-0-
Macksburg	-0-	-0-	-0-	-0-	-0-
Capital Recovery	20,549.17	24,964.16	25,078.47	31,352.48	48,947.46
Belpre	1,788.00	2,342.00	702.00	1,181.00	3,352.60
College Law Enf.	-0-	-0-	-0-	-0-	700.00
Common Pleas Court	5,997.37	13,958.83	9,536.21	13,854.67	10,666.92
<b>Total Disbursements</b>	<b>1,328,986.61</b>	<b>1,606,780.69</b>	<b>1,273,743.21</b>	<b>1,751,982.80</b>	<b>1,970,631.34</b>

\* 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 \$394,510.85 for unpaid fines and costs imposed in calendar year 2022. 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, 2018 are deemed uncollectible but are subject to being reopened if the offender appears in court for another reason.

## **SPECIAL PROJECTS FUNDS**

In 2022 the Court expended \$85,767 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

	2022	2021	2020	2019
General Fund Budget	\$1,055,940.00	\$936,706.00	\$881,543.00	\$864,977.00
General Fund Actually Spent	\$965,276.00	\$930,786.00	\$864,023.00	\$845,474.00
<b>Amount Under Budget:</b>	<b>\$90,644.00</b>	<b>\$5,920.00</b>	<b>\$17,520.00</b>	<b>\$19,503.00</b>

### Payments to the General Fund

Payment from Fines and Cost	\$475,353.00	\$519,923.00	\$437,860.00	\$624,996.00
Payment from Probation Funding	\$154,495.00	\$187,636.00	\$163,624.00	\$200,288.00
<b>Total:</b>	<b>\$634,848.00</b>	<b>\$707,559.00</b>	<b>\$601,484.00</b>	<b>\$825,284.00</b>

## **PROBATION REPORT**

The Chief Probation Officer is responsible for security at the Court. One full-time Court Security Officer provided security in and around the court building during the hours of operation. Security screened 16,186 people in 2022, an average of 311 people a week. The volume of foot traffic decreased by 9 percent in 2022. 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 1,745 hours of community service in lieu of jail for numerous departments. The Washington County Jail inmates worked 1,877 hours of supervised community service totaling \$18,223 which was credited for court fines.

### **Case Management Services:**

After working for nine years in the Clerk's office, Angela Grasley joined the probation staff as a case manager in August of 2022. The case managers received 79 new referrals to case management services who were classified moderate to very high risk of future criminal conduct. 98 referrals to outpatient treatment were made. 78 individuals were referred and placed in long-term residential treatment, 120 were referred to a Certified Driver Intervention Program, 192 Alcohol/Drug assessment referrals, 73 Mental Health Assessment referrals, 39 were referred to Thinking for a Change group. 30 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 78 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 129 offenders. This was a slight reduction in caseloads from 2021. One factor was the implementation of a Probation Department within the Court of Common Pleas. With felony offenders being directly supervised within the felony court, the number of felony reductions sent to our Court had an

impact on our caseloads. 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. The probation officers use evidence-based practices including motivational interviewing and cognitive behavioral intervention techniques to improve rehabilitation objectives. The probation department continued to place a priority and emphasis on continuing education hours with each probation officer and case manager receiving at a minimum 24 hours in evidence-based practices within the field of corrections.

### **Pretrial Supervision:**

The Probation Department was awarded new grant funding for pretrial supervision through the Office of Criminal Justice Services. These funds will allow for two full-time officers as well as funding for electronic monitoring of offenders while under supervision awaiting trial.

### **Accomplishments:**

The Probation Department volunteered to participate with the research team at the Center for Injury Research and Policy at the Abigail Wexner Research Institute of Nationwide Children's Hospital in Columbus. The research team was recently awarded a multi-year grant from the Centers for Disease Control and Prevention to evaluate rapid fentanyl test strip (FTS) use in Ohio. FTS allows individuals who use drugs to test their drugs for fentanyl before consumption. If the test is positive, this alerts the user that they should take measures to reduce their risk of an overdose, preferably by not using the drug. This strategy to prevent fatal overdoses aligns with recommendations of The Supreme Court of Ohio. All information gathered for the study is kept confidential and the Probation Department, as well as the Court, does not have access to any participant information.

**Chief Probation Officer**

*Jason Hamilton*

**Jason Hamilton**