

MARIETTA MUNICIPAL COURT  
WASHINGTON COUNTY, OHIO

ANNUAL REPORT

-2013-



For the Period:  
January 1, 2013 - December 31, 2013

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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**

### **Digital Recording System:**

The Court replaced its former digital recording system which was based on Windows XP. The Court Administrator and staff developed specifications and accepted six vendor presentations. The Court awarded the bid to Business Information Systems at the price \$7,875. The staff has been quite satisfied with the product including its expanded services, file sharing and compatibility with the case management system.

### **Art Displays:**

The Court Administrator coordinated the continued art outreach in the community. Schools that participated includes Marietta, Warren, Fort Frye, Belpre and Waterford High Schools. Riverside Artists Gallery, the Marietta Photographic Society and Vanessa Brown all presented community art in various media.

### **Capital Replacement Program:**

The Court Administrator working with the Judge, Clerk, and Chief Probation Officer has developed a capital replacement program. This program establishes a replacement plan for updating computers, printers, copiers, servers and other hardware as well as anticipating building upgrades and replacements. Although emergencies will happen,

the goal is to have funds on hand to address anticipated capital expenses. The original goal of saving one year's annual bond payment of approximately \$175,000 for the building renovation has been achieved. This protects both the Court and the City.

**Staff Training:**

The Court and Probation staff received their CPR certificate and AED training. Probation staff attended the Ohio Chief Probation Officer Association Line Training, the Adult Parole and Probation Association Annual Conference, Motivation Interviewing and ORAS training. All Probation Officers, Security Officers and the Bailiff completed Taser and firearms re-certification. Sarah Whittekind attended the Thinking for a Change facilitator training. Jason Hamilton attended the Ohio Association for Court Administration spring and fall conference. Emily Heddleston attended the second year Court Management classes.

**Upcoming Scanning Project:**

The file scanning project was approved in 2013. The project is being implemented carefully and in stages. It should be fully implemented by the end of the year.

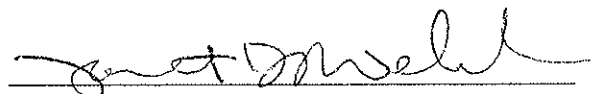
**Internship Program:**

The Court welcomed three interns from Marietta College in 2013. In the past year, interns gained experience in courtroom procedures, technical writing and community service supervision.

**Weddings:**

The Court officiated at thirty-one weddings in 2013.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Janet Dyar Welch", written over a horizontal line.

Janet Dyar Welch, Judge

## CIVIL DIVISION

### A. New Filings – Comparative Table

Type	2013	2012	2011	2010	2009
Civil	664	893	951	1,023	1,111
Small Claims	128	163	219	222	319

### B. Hearings – Comparative Table

Held By:	2013	2012	2011	2010	2009
Judge	87	90	116	108	98
Magistrate Small Claims	88	102	155	149	207

### C. Receipts and Expenditures

Payee	2013	2012	2011	2010	2009
City – General	77,082.42	86,343.03	92,319.33	91,878.10	103,491.51
Court – Computer	6,080.00	8,168.00	9,192.00	9,645.61	11,144.00
Court – Capital Imp.	10,384.00	14,035.00	15,491.00	16,382.00	18,407.00
Ohio – Legal Aid	17,676.45	23,904.54	26,389.44	28,042.99	31,460.32
<b>Total Disbursements:</b>	<b>111,222.87</b>	<b>132,450.57</b>	<b>143,391.77</b>	<b>145,948.70</b>	<b>164,502.83</b>

## CRIMINAL/TRAFFIC DIVISION

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

Type Offense	2013	2012	2011	2010	2009
Felonies	381	409	352	343	330
Misdemeanors	1,717	1,823	1,795	1,836	1,858
OVI	330	372	365	334	339
Other Traffic	7,960	6,372	6,343	6,441	6,331
<b>Total:</b>	<b>10,388</b>	<b>8,976</b>	<b>8,855</b>	<b>8,954</b>	<b>8,858</b>

### B. Trials

The Court conducted 74 preliminary hearings on felony cases, 67 court trials on contested traffic and criminal cases and 6 jury trials. These totals do not include motion hearings, probation violations, contempts, or restitution hearings.



C. Criminal/Traffic Receipts and Expenditures – Comparative Table

Payee	2013	2012	2011	2010	2009
<b>City of Marietta</b>					
General Fund	450,498.17	400,754.50	400,008.22	416,120.54	388,903.03
Capital Improvement Fund	206,575.67	171,675.37	171,527.13	180,746.10	176,364.15
Court Computer	91,832.00	76,260.00	76,384.93	79,545.60	78,499.00
Indigent Alcohol Fund	16,008.33	15,068.67	16,107.75	14,561.25	16,836.46
<b>City Subtotal:</b>	<b>764,914.17</b>	<b>663,758.54</b>	<b>664,028.03</b>	<b>690,973.49</b>	<b>660,602.64</b>
<b>County Auditor</b>					
General Fund	221,713.97	216,146.63	197,407.38	200,231.50	226,940.91
House Arrest	21,181.45	22,487.00	41,612.00	69,124.10	12,941.90
Probation Fees	126,056.45	139,406.83	142,858.20	155,462.05	137,833.74
<b>County Subtotal:</b>	<b>368,951.87</b>	<b>378,040.46</b>	<b>381,877.58</b>	<b>424,817.65</b>	<b>377,716.55</b>
Law Library	5,500	5,500.00	5,500.00	5,500.00	5,500.00
Sheriff	13,962.10	13,938.55	14,880.40	16,490.20	12,154.93
State of Ohio*	596,735.76	524,250.52	527,196.55	506,770.43	444,796.35
Beverly	860.00	420.00	175.00	180.00	345.00
New Matamoras	355.50	1,237.00	449.00	401.00	1,592.50
Lowell	365.00	25.00	1,390.00	1,150.00	1,779.00
Macksburg	-0-	-0-	-0-	-0-	150.00
Capital Recovery	32,043.12	28,310.26	33,927.68	32,612.78	35,139.11
Belpre	17,100.00	2,995.80	3,676.00	2,964.50	1,044.00
Belpre Police Sub	-0-	-0-	-0-	-0-	0.00
College Law Enf.	1,155.00	225.00	300.00	150.00	575.00
Common Pleas Court	11,514.80	19,260.75	11,821.19	16,003.10	16,000.19
<b>Subtotal:</b>	<b>669,591.28</b>	<b>596,162.88</b>	<b>599,315.82</b>	<b>582,222.01</b>	<b>519,076.08</b>
<b>Total Disbursements</b>	<b>1,803,457.32</b>	<b>1,637,961.88</b>	<b>1,645,221.43</b>	<b>1,698,013.15</b>	<b>1,557,395.27</b>

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

## **UNPAID FINES AND COSTS**

The Court is owed \$388,472.26 for unpaid fines and costs imposed in calendar year 2013. 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, 2008 are deemed uncollectible but are subject to being reopened if the offender appears in court for another reason.

## **COST OF OPERATION**

### **General Fund Budget**

	2013	2012	2011
General Fund Budget	\$873,532.00	\$778,720.00	\$849,798.00
General Fund Actually Spent	\$844,827.00	\$769,613.47	\$764,576.77
<b>Amount Under Budget:</b>	<b>\$28,705.00</b>	<b>\$9,106.53</b>	<b>\$85,221.23</b>

### **Payments to the General Fund**

Payment from Fines and Cost	\$543,571.00	\$508,738.11	\$513,142.70
Payment from Probation Funding	\$249,226.00	\$229,230.90	\$218,128.00
<b>Total:</b>	<b>\$792,797.00</b>	<b>\$737,969.01</b>	<b>\$731,270.70</b>

## **SPECIAL PROJECTS FUNDS**

In 2013 the Court expended \$49,183.00 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.

## **2013 PROBATION REPORT**

The Chief Probation Officer is responsible for building security at the Court Facility. He is aided by three part-time Court Security/Community Control Officers. The security staff screened 41,889 people in 2013, an average of 805 people a week. In addition, the Marietta Police Department and the Washington County Sheriff's Officer Security Division provide a welcome presence during the house of peak public presence.

Working with the Marietta Police Department Sgt. Rodney Hupp and volunteer Retired Safety and Health Engineer Mark Booth, Chief Probation Officer Dale Willson developed an emergency safety response based on the ALICE principle. ALICE is the acronym for Alert, Lockdown, Inform, Counter and Evacuate. Both Chief Probation Officer Willson and Bailiff Gary Turner attended a two day training course and are now ALICE instructors.

The Probation Department supervised a summer community service project, which consisted of cleaning and revitalizing the Washington County Fairgrounds by collecting trash, power washing, scraping and painting the utility buildings and ticket booths and raking and replacing mulch at the playground. Fifty community service workers worked a total of 1,148 hours on the project.

Offenders worked 2,548 hours of community service in lieu of jail for numerous departments, work which is valued at \$19,248. The Washington County Jail had 54 inmates work 14,714 hours of supervised community service totaling \$16,220 which was credited for court fines.

Finally, the Court obtained grant funding for Case Management Services. This program provides intensive supervision and provides additional services through a specialized program called "Thinking for a Change." The first three quarters of this program are summarized as follows:

**Case Management Services:**

Of the 65 served 38 were referred to counseling, 4 were referred to inpatient treatment, 1 was referred to the suboxone program, 13 were referred to the ABLE program for their GED classes, 28 were referred for employment and 35 were referred to Thinking for a Change group.

**Thinking for a Change:**

Of the 35 people 6 women and 5 men graduated, 5 did not qualify for services, 3 had their probation revoked before starting the group and 14 are in the current group.

## 2013 Breakdown of Persons Sentenced to Probation

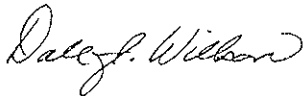
719 persons placed on probation. Probation Violations filed were 58 with  
31 revoked.

<b>Gender</b>		<b>Age</b>		<b>Race</b>	
Male	496	18-21	216	White	692
Female	223	22-25	150	Black	17
		26-35	246	Hispanic	8
		36-45	142	Other	2
		46-55	102		
		56+	45		

<b>Probationers by Officer</b>		<b>Conviction</b>	<b>Total:</b>
Ferrell	124	DUI	296
E. Brockmeier	141	Property	97
P. Brockmeier	134	Traffic	21
Community Control	320	Domestic Violence	46
		Other	177
Total:	719	Alcohol	50
		Violent/Crimes against Persons	37
		Drug	22
		Sex	3

## 4 Year Statistical Report

	<u>Year 2010</u>	<u>Year 2011</u>	<u>Year 2012</u>	<u>Year 2013</u>
<b>Urine Test Performed</b>	858	1083	616	370
<b>Positive Urine Test</b>	224	287	178	126
<b>Electronically Monitored House Arrest</b>	13	21	27	19
<b>Jail Beds Saved on EMHA</b>	0	0	0	381
<b>Soberlink</b>	0	0	0	19
<b>SCRAM</b>	63	46	36	17
<b>Driver Intervention Program Enrollment</b>	139	194	170	170
<b>Ignition Interlock Program Enrollment</b>	29	20	22	21
<b>Total New Probationers (All Levels)</b>	863	832	902	719
<b>Community Service Hours Worked</b>	10,308	7,579	6,770	3,945
<b>Fines Credited for Community Service</b>	\$45,863	\$36,270	\$43,983	\$34,233
<b>Court Ordered for Community Service</b>	3,266	2,330	4,920	6,141
<b>Jail Beds Saved</b>	5,678	3,906	3,678	2,414



**Dale J. Willson, Chief Probation Officer**