

MARIETTA MUNICIPAL COURT  
WASHINGTON COUNTY, OHIO

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MUNICIPAL COURT  
MARIETTA, OHIO

ANNUAL REPORT

-2018-



For the Period:  
January 1, 2018 – December 31, 2018

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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**

### **Restitution**

The Court collected \$30,320.81 in restitution through the Probation Department and the Clerk's Office. This sum was then paid over to victims of criminal offenses.

### **New Staff**

The Court welcomed new employees: Deputy Bailiff Steve Baumgard, Case Manger Leah Gregory, Deputy Clerk Civil Division Amanda Reiter, Probation Officer Derek Johnson and part-time Deputy Clerk Traffic and Criminal Division Christy Anderson.

I accepted the resignation of Probation Officer Eric Brockmeier with regret. Retired Chief Probation Officer Dale Willson hired new college graduate Mr. Brockmeier. We enjoyed working with Eric as he matured from a rookie to a well-respected probation officer and as he transitioned into administrative responsibilities in addition to his work as a probation officer.

### **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.

### Crisis Intervention Training

The Judge hosted monthly planning meetings for the Crisis Intervention Training Team. Crisis Intervention is a nationally recognized program designed to provide important information on mental health disorders, appropriate methods to recognize and to de-escalate potentially dangerous contacts, to improve diversion to proper community resources and to protect safety of community members, their families and members of law enforcement.

### Appointments and Assignments

Judge Welch serves as co-chair, with Attorney Robin Bozian, of the Washington County hub program to combat opioid addiction. This program is assigned tasks pursuant to Revised Code Section 340.30 to:

1. Strengthen county and community efforts to prevent and treat opioid addiction.
2. Educate youth and adults about the dangers of opioid addiction and its negative effects on society.
3. Promote family building and workforce development as ways of combatting opioid addiction.
4. To encourage community engagement to address these objectives.


The initial hub report is expected to be presented to the Washington County community in mid-2019.

Judge Welch serves a co-chair of the Traffic Law Committee and as a member of the Executive Committee of the Ohio Judicial College.

Weddings

The Court officiated forty-two weddings in 2018.

Respectfully submitted,

  
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Janet Dyar Welch, Judge

## CIVIL DIVISION

### A. New Filings – Comparative Table

Type	2018	2017	2016	2015	2014
Civil	1,186	1,093	854	764	697
Small Claims	103	93	94	93	121

### B. Hearings – Comparative Table

Held By:	2018	2017	2016	2015	2014
Judge	52	47	37	38	38
Magistrate Small Claims	63	48	59	51	69

### C. Receipts and Expenditures

Payee	2018	2017	2016	2015	2014
City – General	109,848.33	103,237.91	84,887.72	75,960.86	70,489.67
Court – Computer	10,240	9,432.00	7,504.00	6,784.00	6,384.00
Court – Capital Imp.	18,392	16,973.00	13,326.00	12,000.00	11,018.00
Ohio – Legal Aid	31,447.35	29,025.81	22,854.29	20,491.02	18,804.11
<b>Total Disbursements:</b>	<b>169,927.68</b>	<b>158,668.72</b>	<b>128,572.01</b>	<b>115,235.88</b>	<b>106,695.78</b>

## CRIMINAL/TRAFFIC DIVISION

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

Type Offense	2018	2017	2016	2015	2014
Felonies	506	471	414	371	376
Misdemeanors	2,206	1,872	1,848	1,644	1,550
OVI	407	431	415	325	264
Other Traffic	8,292	7,881	6,917	8,182	8,701
<b>Total:</b>	<b>11,411</b>	<b>10,655</b>	<b>9,594</b>	<b>10,522</b>	<b>10,891</b>

### B. Trials

The Court conducted 27 preliminary hearings on felony cases, 25 court trials on contested traffic and criminal cases and 13 jury trials. These totals do not include motion hearings, probation violations, contempts, or restitution hearings.



C. Criminal/Traffic Receipts and Disbursements – Comparative Table

Payee	2018	2017	2016	2015	2014
City of Marietta General Fund	515,276.01	468,180.36	400,989.84	440,078.16	477,033.67
Capital Improvement Fund	211,886.58	202,675.33	185,453.51	208,039.26	218,725.89
Court Computer/ Convenience Fee	109,226.35	101,230.45	89,819.65	95,055.50	96,539.14
Indigent Alcohol Fund	17,166.00	16,537.00	14,780.00	15,843.50	16,078.50
County General Fund	222,366.48	217,876.23	197,924.43	191,954.72	220,272.82
House Arrest	49,960	45,864.00	50,780.50	36,599.00	66,506.55
Probation/ Security Fees	135,440.31	128,692.41	126,936.31	103,977.83	109,973.85
Law Library	5,500.00	5,500.00	5,500.00	5,500.00	5,500.00
Sheriff	10,261.50	11,451.04	10,644.88	10,838.14	12,063.13
State of Ohio*	628,846.13	567,279.91	510,468.49	587,234.63	604,375.12
Beverly	392.00	248.00	398.00	289.00	416.00
New Matamoras	643.00	1,003.00	869.00	886.00	770.00
Lowell	-0-	-0-	-0-	50.00	185.00
Macksburg	-0-	-0-	-0-	-0-	-0-
Capital Recovery	48,947.46	42,702.58	38,451.48	38,152.12	34,674.18
Belpre	3,352.60	4,454.40	3,452.00	1,354.00	3,277.50
College Law Enf.	700.00	450.00	350.00	450.00	150.00
Common Pleas Court	10,666.92	11,387.41	15,754.77	7,169.94	11,891.22
<b>Total Disbursements</b>	<b>1,970,631.34</b>	<b>1,825,532.12</b>	<b>1,652,572.86</b>	<b>1,743,466.80</b>	<b>1,878,432.57</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 \$677,878.03 for unpaid fines and costs imposed in calendar year 2018. 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, 2014 are deemed uncollectible but are subject to being reopened if the offender appears in court for another reason.

## **SPECIAL PROJECTS FUNDS**

In 2018 the Court expended \$96,528 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

	2018	2017	2016	2015
General Fund Budget	\$779,885.00	\$807,435.00	\$844,357.00	\$892,312.00
General Fund Actually Spent	\$766,870.00	\$782,877.00	\$840,917.00	\$885,144.34
<b>Amount Under Budget:</b>	<b>\$13,015.00</b>	<b>\$24,558.00</b>	<b>\$3,440.00</b>	<b>\$7,167.66</b>

### Payments to the General Fund

Payment from Fines and Cost	\$676,935.00	\$600,134.00	\$500,647.00	\$548,526.11
Payment from Probation Funding	\$169,155.00	\$166,556.00	\$164,957.00	\$140,576.83
<b>Total:</b>	<b>\$846,090.00</b>	<b>\$766,690.00</b>	<b>\$665,604.00</b>	<b>\$689,102.94</b>

## **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. The security staff screened 32,459 people in 2018, an average of 624 people a week.

Offenders worked 3,216 hours of community service in lieu of jail for numerous departments, work which is valued at \$26,130. The Washington County Jail had 36 inmates work 1,954 hours of supervised community service totaling \$17,734.50 which was credited against court fines.

### **Case Management Services:**

Case Managers Sarah Wright and Leah Gregory managed 191 new referrals to case management services for offenders who were classified moderate to very high risk of future criminal conduct. They made 344 referrals to outpatient treatment. 49 individuals were referred and placed in long-term residential treatment, 9 referrals were made to Veterans Programs, 61 were referred to Thinking for a Change group.

### **Moderate - Very High Risk Offenders:**

Melanie Ferrell, Patrick Brockmeier and Derek Johnson provided supervision to moderate risk, high risk, and very high risk offenders. They worked with Case Management and targeted 49 moderate to very high risk offenders for extended, inpatient rehabilitation. The inpatient treatment phase is generally ninety days.

Each probation officer carried an average caseload of 116 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 referred to local intensive outpatient treatment providers as appropriate. Probationers were subject to frequent drug testing together with follow up home visits. The probation officer uses 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 the past year, the Court has 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 deterring criminal conduct while Defendants are awaiting trial and are protective of public safety. The Probation Department provides the services and supervision associated with these bond conditions.

**New Staff:**

A second Case Manager, Leah Gregory, was hired in February to assist with the increasing demands of the Probation Department. Ms. Gregory served for over six years in Washington County Juvenile Court and has a Bachelor's degree in both Psychology and Sociology. She will graduate with a Masters in Psychology in May 2019. Ms. Gregory was appointed Program Director in July 2018 and oversees both the Community Corrections Grant as well as the JRIG Grant.

Derek Johnson was hired in July to fill the Probation Officer position previously held by Eric Brockmeier. Mr. Johnson holds a Bachelor's degree in Criminal Justice and is OPOTA certified. He has served as a reserve officer for the Belpre Police Department for the past five years. He will complete his Probation Officer Training with the Supreme Court of Ohio in April of 2019.

**Training:**

Probation employees received Evidence Based Training hours as follows:

J. Hamilton	31.75
M. Ferrell	30.5
D. Johnson	50
P. Brockmeier	30.5
S. Wright	42
L Gregory	72.5

### 2018 Breakdown of Persons Sentenced to Probation

760 persons were placed on probation. 43 Probation Violations were filed, 29 served the balance of jail suspended.

<b>Gender</b>		<b>Age</b>		<b>Race</b>	
Male-----	532	18-21-----	88	White -----	731
Female----	228	22-25-----	123	Black -----	18
		26-35-----	248	Hispanic----	7
		36-45-----	159	Other-----	4
		46-55-----	86		
		56+ -----	58		

<b>Probationers by Officer</b>		<b>Conviction</b>	<b>Total</b>
Melanie Ferrell	113	DUI	291
Derek Johnson	100	Property	105
Patrick Brockmeier	136	Traffic	38
Community Control	411	Domestic Violence	45
		Other	174
<b>Total:</b>	<b>760</b>	Alcohol	29
		Violent/Crimes against Persons	24
		Drug Abuse Offenses	51
		Sex Offenses	3

## 4 Year Statistical Report

	<u>Year 2015</u>	<u>Year 2016</u>	<u>Year 2017</u>	<u>Year 2018</u>
Urine Test Performed	1034	1001	1239	881
Positive Urine Test	382	340	441	334
Electronically Monitored House Arrest	20	17	25	53
Jail Beds Saved on EMHA	400	510	560	1190
Soberlink	95	58	68	51
Driver Intervention Program Enrollment	128	154	192	124
Ignition Interlock Program Enrollment	24	37	43	51
Total New Probationers (All Levels)	622	733	768	760
Community Service Hours Worked	3244	3725	3883	3216
Fines Credited for Community Service	\$25,267	\$29,246	\$29,693	\$25,102
Court Ordered for Community Service	2,972	3239	4497	4204
Jail Beds Saved	2613	4787	3764	3011



**Jason Hamilton**  
Chief Probation Officer