

MARIETTA MUNICIPAL COURT  
WASHINGTON COUNTY, OHIO

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MUNICIPAL COURT  
MARIETTA, OHIO

ANNUAL REPORT

-2020-



For the Period:  
January 1, 2020 – December 31, 2020

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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 \$60,715.11 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 Court building requires regular maintenance and repairs to preserve the value of the asset and to ward off greater and more expensive projects. The Court approved a \$17,890 contract paid from the Court Capital Improvement Fund for façade maintenance, window sealing and other masonry work.

### Non-Recurring Grants

The Ohio Supreme Court awarded a technology grant of \$106,914.30 to the Municipal Court in 2019. These funds were spent in 2020 for:

1. A major case management software upgrade.
2. To purchase, install and train Probation staff on the OCCS Case Management System.
3. Thirteen desktop computers and related peripherals.
4. A Key and Lock upgrade which integrated with the City Key System.

The Office of Criminal Justice Systems awarded a COVID-19 relief grant of \$34,039 which paid for seven "Zoom" Rooms and a Thermal Temperature Camera.

The COVID-19 response grant permitted the Court to practically eliminate inmate transports between the jail and the Court. This reduced the time police officers are pulled from patrol duty to discharge duties connected to the Court. In addition, the Zoom technology provided an avenue to greatly reduce traffic in the Court building while preserving the rights of the public to meaningfully participate in court matters.

#### Pandemic Response

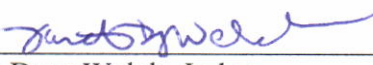
Several measures to address the Court response to the pandemic are outlined in other parts of this report. In addition, the Court adopted and implemented Ohio Department of Health and CDC guidance and orders. The Court used CARES money provided to the City of Marietta to purchase disposable masks for members of the public and staff, a replacement hydrostatic sprayer with approved disinfectants, sanitation supplies and polycarbonate barriers.

In addition, the Court implemented targeted reductions in employee hours. This reduction saved the City General Fund and Probation Fund approximately \$40,000.

#### Weddings

The Court officiated five weddings in 2020. The Court paused this public service at the beginning of the declared pandemic to avoid unnecessary exposure of wedding parties, guests and court personnel to COVID-19.

Respectfully submitted,

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

## CIVIL DIVISION

### A. New Filings – Comparative Table

Type	2020	2019	2018	2017	2016
Civil	998	1,317	1,186	1,093	854
Small Claims	100	107	103	93	94

### B. Hearings – Comparative Table

Held By:	2020	2019	2018	2017	2016
Judge	32	40	52	47	37
Magistrate Small Claims	53	78	63	48	59

### C. Receipts and Expenditures

Payee	2020	2019	2018	2017	2016
City – General	94,981.33	129,589.77	109,848.33	103,237.91	84,887.72
Court – Computer	8,736	11,344	10,240	9,432	7,504
Court – Capital Imp.	15,596	20,430	18,392	16,973	13,326
Ohio – Legal Aid	26,652.78	34,940.07	31,447.35	29,025.81	22,854.29
<b>Total Disbursements:</b>	<b>145,966.11</b>	<b>196,303.84</b>	<b>169,927.68</b>	<b>158,668.72</b>	<b>128,572.01</b>

## CRIMINAL/TRAFFIC DIVISION

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

Type Offense	2020	2019	2018	2017	2016
Felonies	470	472	506	471	414
Misdemeanors	1,430	1,763	2,206	1,872	1,848
OVI	235	359	407	431	415
Other Traffic	4,736	7,106	8,292	7,881	6,917
<b>Total:</b>	<b>6,871</b>	<b>9,700</b>	<b>11,411</b>	<b>10,655</b>	<b>9,594</b>

### B. Trials

The Court conducted 27 preliminary hearings on felony cases, 18 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	2020	2019	2018	2017	2016
City of Marietta General Fund	291,406.80	445,317.39	515,276.01	468,180.36	400,989.84
Capital Improvement Fund	126,122.48	181,324.43	211,886.58	202,675.33	185,453.51
Court Computer/ Convenience Fee	67,040.94	94,167.41	109,226.35	101,230.45	89,819.65
Indigent Alcohol Fund	10,482.50	14,305.10	17,166.00	16,537.00	14,780.00
County General Fund	178,203.06	207,753.89	222,366.48	217,876.23	197,924.43
House Arrest	46,300	58,732	49,960	45,864.00	50,780.50
Probation/ Security Fees	122,611.58	155,868.30	135,440.31	128,692.41	126,936.31
Law Library	5,500.00	5,500.00	5,500.00	5,500.00	5,500.00
Sheriff	10,001.90	9,708.12	10,261.50	11,451.04	10,644.88
State of Ohio*	380,323.27	532,478.01	628,846.13	567,279.91	510,468.49
Beverly	434.00	114.00	392.00	248.00	398.00
New Matamoras	-0-	326.00	643.00	1,003.00	869.00
Lowell	-0-	-0-	-0-	-0-	-0-
Macksburg	-0-	-0-	-0-	-0-	-0-
Capital Recovery	25,078.47	31,352.48	48,947.46	42,702.58	38,451.48
Belpre	702.00	1,181.00	3,352.60	4,454.40	3,452.00
College Law Enf.	-0-	-0-	700.00	450.00	350.00
Common Pleas Court	9,536.21	13,854.67	10,666.92	11,387.41	15,754.77
<b>Total Disbursements</b>	<b>1,273,743.21</b>	<b>1,751,982.80</b>	<b>1,970,631.34</b>	<b>1,825,532.12</b>	<b>1,652,572.86</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 \$411,032.40 for unpaid fines and costs imposed in calendar year 2020. 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, 2016 are deemed uncollectible but are subject to being reopened if the offender appears in court for another reason.

### **SPECIAL PROJECTS FUNDS**

In 2020 the Court expended \$22,017 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

	2020	2019	2018	2017
General Fund Budget	\$881,543.00	\$864,977.00	\$779,885.00	\$807,435.00
General Fund Actually Spent	\$864,023.00	\$845,474.00	\$766,870.00	\$782,877.00
<b>Amount Under Budget:</b>	<b>\$17,520.00</b>	<b>\$19,503.00</b>	<b>\$13,015.00</b>	<b>\$24,558.00</b>

### Payments to the General Fund

Payment from Fines and Cost	\$437,860.00	\$624,996.00	\$676,935.00	\$600,134.00
Payment from Probation Funding	\$163,624.00	\$200,288.00	\$169,155.00	\$166,556.00
<b>Total:</b>	<b>\$601,484.00</b>	<b>\$825,284.00</b>	<b>\$846,090.00</b>	<b>\$766,690.00</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 13,121 people in 2020, an average of 252 people a week. The volume of foot traffic was reduced by 46 percent in 2020. This is the result of both the Covid-19 pandemic as well as the aggressive implementation of Zoom Virtual Technology that was utilized in both court proceedings as well as probation appointments.

Offenders worked 1442 hours of community service in lieu of jail for numerous departments. The hours ordered from the bench were lower due to Covid-19. The Washington County Jail inmates worked 1497 hours of supervised community service totaling \$14,972 which was credited for court fines.

### **Case Management Services:**

Case Managers Wright and Gregory received 165 new referrals to case management services who were classified moderate to very high risk of future criminal conduct. 250 referrals to outpatient treatment were made. 70 individuals were referred and placed in long-term residential treatment, 35 were referred to Thinking for a Change group, and 45 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 70 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 159 offenders. This was an increase from 2019 due to extending probation terms and conditions due to the pandemic. 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. Due to the Covid-19 pandemic, the reporting requirements were met with Zoom Technology. For those who were not as technically inclined, phone appointments as well as “Face-Time” and “Skype” phone apps were utilized. 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 2020, 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 2019, 98 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 able to start a SMART (Self-Management and Recovery Training) Recovery Group held weekly and facilitated by Peer Recovery Support Specialists. SMART Recovery’s 4-Point Program® is designed to support individuals who have chosen to abstain, or are considering abstinence from any type of addictive behaviors (substances or activities), by teaching how to change self-defeating thinking, emotions, and actions; and to work towards long-term satisfactions and quality of life.

The Probation Department Successfully transitioned to Ohio Community Supervision System for case management. This web-based system allows for Probation staff to effectively access probationer files from the field, office, as well as while working remotely. The addition of OCSS has improved the Probation Departments ability to quickly and accurately record probationer information as well as run reports for the purpose of communication within the courts and with external agencies.

### **Training**

Probation employees received Evidence Based Training hours as follows:

J. Hamilton	24
M. Ferrell	24
D. Johnson	24
P. Brockmeier	24
S. Wright	29.5
L Gregory	29.5

### 2020 Breakdown of Persons Sentenced to Probation

636 persons were placed on probation. 51 Probation Violations were filed, 30 served the balance of jail suspended.

<b>Gender</b>		<b>Age</b>		<b>Race</b>	
Male-----	458	18-21-----	96	White -----	601
Female----	178	22-25-----	78	Black -----	17
		26-35-----	221	Hispanic----	12
		36-45-----	144	Other-----	6
		46-55-----	61		
		56+ -----	36		

<b>Probationers by Officer</b>		<b>Conviction</b>	<b>Total</b>
Melanie Ferrell	103	DUI	194
Derek Johnson	136	Property	71
Patrick Brockmeier	131	Traffic	20
Community Control	266	Domestic Violence	27
		Other	263
<b>Total:</b>	<b>636</b>	Alcohol	19
		Violent/Crimes against Persons	23
		Drug Abuse Offenses	15
		Sex Offenses	4



## 4 Year Statistical Report

	Year 2017	Year 2018	Year <u>2019</u>	Year <u>2020</u>
Urine Test Performed	1239	881	1115	740
Positive Urine Test	441	334	357	266
Electronically Monitored House Arrest	25	53	24	28
Jail Beds Saved on EMHA	560	1190	545	626
SoberLink	68	51	70	72
Driver Intervention Program Enrollment	192	124	117	64
Ignition Interlock Program Enrollment	43	51	58	36
Total New Probationers (All Levels)	768	760	795	636
Community Service Hours Worked	3883	3216	3185	3862
Fines Credited for Community Service	\$29,693	\$25,102	\$22,100	\$24,076
Court Ordered for Community Service	4497	4204	4020	1442
Jail Beds Saved	3764	3011	2885	1023



Jason Hamilton  
Chief Probation Officer