

Cleveland Heights Municipal Court

2013

ANNUAL REPORT



A. Deane Buchanan
JUDGE

TABLE OF CONTENTS

Comments, Judge Buchanan

Supreme Court Case Filings

Traffic Offenses by Charge

Criminal Offenses by Charge

Criminal Receipts/Disbursements

Civil, Small Claims Receipts/Disbursements

Landlord-Tenant & Trusteeship Receipts/Disbursements

Probation Department Report

Employee Roster

To: Council of the City of Cleveland Heights
Cuyahoga County Executive



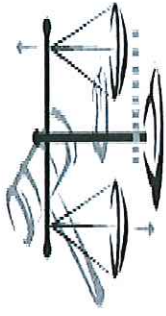
Re: Cleveland Heights Municipal Court's Annual Report for 2013

The Cleveland Heights Municipal Court continues to place a premium on providing efficient and courteous delivery of quality service to all persons who appear before the court. In addition, we have continued to improve courtroom security and collection procedures by improved diligence in these areas. In this, the court's 2013 Annual Report, I would like to bring to your attention the following matters:

- This year the court remitted over \$2,176,131 of revenues from all divisions to the City of Cleveland Heights. This year's remittances are about \$40,172 less than the 2012 remittances of funds to the city.
- In 2012, the number of traffic charges handled by the court was 25,464, in 2013 that number increased to 26,456 charges processed. The number of charges for persons driving under suspension or without valid driver's licenses remains level, in 2012 there were 4,506 such charges. In 2013, that number increased by 12.5% to 5,172. The number of speeding charges processed through the court increased from 9,586 in 2012 to 10,865 in 2013 a 13% increase.
- In the criminal division, the number of cases heard by the court in 2013 was 3,310 which was about the same as in the previous year. Our Probation Department continues its excellent work of supervising over 1,140 active cases.
- The court continues to make significant progress in its efforts to collect monies owed to the court. The court's strict enforcement of the policy that "all fines and costs are due on the day imposed", has resulted in an improved collection rate of fines imposed. The Court continues to refer some persons who are unable to pay fines and costs imposed to the Public Works Department of the City of Cleveland Heights, to perform community service for the city. Of 131 persons referred to Public Works Department (60) successfully completed their assignment, 22 completed a portion of their assignments and (49) never showed up to work. A total of 3,378 hours of community service were performed saving the city approximately \$62,502 in labor costs.
- The Probation Department supervises criminal defendants who have home detention in lieu of serving time in jail. Such defendants are required to pay a registration fee of \$25.00 and a daily fee of \$13.00 while wearing an ankle bracelet and are monitored 24 hours each day by an outside vendor. This is an alternative to jail and saves significant costs to the Cleveland Heights Police Department for not having to feed and monitor these persons in its jail or to pay other jail facilities to house its prisoners.
- The Court technology upgrade is yielding benefits in many ways. Starting in March through October 2013, the Court conducted 35 remote arraignments of defendants incarcerated in county and prison facilities throughout the State of Ohio. We have been able to resolve many cases while seeing and speaking with prisoners while they remain incarcerated. Police officers do not have to transport prisoners to and from facilities, a significant savings in transport costs and allowing officers to spend more time patrolling city streets.

We look forward to further improving the level and quality of services provided in the Cleveland Heights Municipal Court.

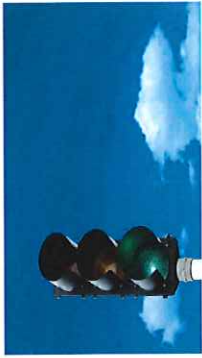
Respectfully submitted,
A. Deane Buchanan, Judge



CASE FILINGS IN 2013

MONTH	FELONIES	MISDEMEANORS	O.M.V.I.	TRAFFIC	PER INJURY	CONTRACTS	F.E.D	OTHER CIVIL	SMALL CLAIMS
January	3	111	6	1,392	2	48	55	2	76
February	10	77	15	1,408	0	36	35	2	42
March	6	112	11	1,778	0	26	40	4	48
April	3	287	9	1,999	4	31	46	5	45
May	4	184	10	1,366	3	31	44	1	35
June	17	156	6	1,010	1	12	56	4	5
July	30	195	5	1,194	0	33	68	3	60
August	23	190	10	1,021	2	50	55	2	49
September	31	264	19	1,079	1	34	56	1	48
October	24	264	10	1,427	0	21	43	2	4
November	29	155	16	1,246	0	33	40	0	82
December	25	370	18	1,434	0	34	40	3	7
TOTAL	205	2,365	135	16,354	13	389	578	29	501
Re-Activated	76	713	27	2,099	1	0	0	0	0
Case Total	281	3,078	162	18,453	14	389	578	29	501

These statistics are from the monthly reports submitted to the Supreme Court of Ohio required under Superintendence Rule 12. Multiple charges filed against an individual as the result of the same act or a series of acts are ONE CASE. Individual criminal and traffic charges appear elsewhere in this report. Reactivated cases are those brought back to the current docket when the Court regains jurisdiction over a defendant such as an arrest on a warrant or license forfeiture.



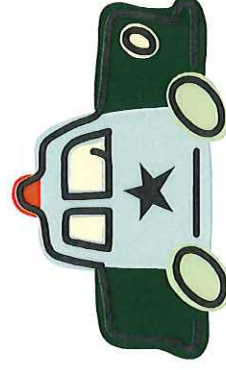
TRAFFIC OFFENSES BY INDIVIDUAL CHARGE FOR 2013

Assured Clear Distance	279	Bicycle/Toy Vehicle	46	Child Restraint	81	Display of License	447
Display of Plates	553	Driving on Sidewalk	37	Driving Under Suspension	2,180	Expired License < 6 months	251
Expired Plates	1,178	Failure to Control	222	Failure to Yield	245	Fictitious Plates	147
Fleeing	7	FRA Suspension	1,183	Hit Skip/Leave Scene	79	Improper Lane Change	49
Improper Passing	17	Improper Turn	480	Improper use of Electronic Device	27	Left of Center	55
No Operator's License	1,809	Operation without Title	8	Other License Violations	668	Other Moving Violations	210
One Way Street	40	OVI/Alcohol/BAC	224	Parking Complaints	941	Pedestrian Violations	57
Reckless Operation	39	Seat Belt Violation	1,333	Speeding Violations	10,865	Stop for School Bus	1
Stop Sign Violations	235	Traffic Control Lights	478	Traffic Control Device	80	Turn Signal Violation	216
Unattended Vehicle	8	Unlawful Entrustment	32	Unlawful/Illegal Plates	17	Unsafe Vehicle Violation	574
Vehicle Light Violation	1,058						

TOTAL CHARGES FOR 2013 26,456

PREVIOUS YEARS:

- 2012 25,464
- 2011 19,622
- 2010 26,198
- 2009 28,466
- 2008 20,620





CRIMINAL OFFENSES BY INDIVIDUAL CHARGE FOR 2013

Aggravated Robbery/Burglary	30	Assault	188	Barking Dog	25	Breaking and Entering	17
Building	38	Burglary	18	Business Requirements	28	Carrying Concealed Weapon	10
Child Endangering	87	Contempt of Court	14	Criminal Damaging	15	Criminal Mischief	29
Criminal Tools	21	Criminal Trespass	78	Disorderly Conduct	275	Dog/Cat/Animal Offenses	79
Dog Vicious	3	Domestic Violence	131	Drug Instrument	87	Drug Possession	216
Drug Trafficking	14	Falsification	28	Felonious Assault	20	Firearms	37
Housing	503	Housing/Occupancy	224	Intoxication	71	Kidnapping/Unlawful Restraint	8
Menacing/Stalking	62	Murder/Attempt Murder	9	Obstructing Official Business	117	Open Container	98
Park Regulations	3	Passing Bad Checks	6	Receive Stolen Property	47	Riot	20
Robbery	9	Search Warrant/Probable Cause/Extradition	90	Sexual Offenses	19	Solicitation	22
Telephone Harassment	2	Theft/Petty Theft	229	Trespass	5	Unauthorized Use	8
Unlawful Conduct with Minor	7	Unreasonable Noise	238	Underage Possession/Consumption	4	MV/Property	8
Violation of Protection Order	13					Vandalism	8



2013 3,310

TOTAL CHARGES:

- 2012 3,334
- 2011 2,805
- 2010 2,919
- 2009 3,123
- 2008 3,047

RECEIPTS AND DISBURSEMENTS FOR 2013

RECEIPTS:

	2011	2012	2013
City of Cleveland Heights			
Local Costs	707,869.90	777,173.00	717,710.90
Computer Fund	83,342.00	96,161.00	92,825.00
Indigent Fund	20,409.71	22,046.49	21,927.00
Special Projects Fund	140,313.50	161,163.00	155,038.00
Fines	<u>933,111.00</u>	<u>1,105,279.00</u>	<u>1,114,549.00</u>
Sub-Totals	1,885,046.11	2,161,822.49	2,102,049.90
Cuyahoga County			
CRIS	59,275.00	68,350.00	66,009.00
Crime	<u>1,874.00</u>	<u>1,952.50</u>	<u>1,569.00</u>
Sub-Totals	61,149.00	70,302.50	67,578.00
State of Ohio			
Indigent Defense Support Fund	389,538.50	443,697.00	426,862.50
General Revenue	1,548.00	790.00	653.00
Victims Crime	<u>118,504.00</u>	<u>134,788.50</u>	<u>129,514.00</u>
Sub-Totals	509,590.50	579,275.50	557,029.50
Other Receipts			
OVI Fines	11,862.00	10,597.00	13,937.00
Miscellaneous	<u>27,368.40</u>	<u>28,243.20</u>	<u>22,525.55</u>
Sub-Totals	39,230.40	38,840.20	36,462.55
GRAND TOTALS	<u><u>2,495,016.01</u></u>	<u><u>2,850,240.69</u></u>	<u><u>2,763,119.95</u></u>





RECEIPTS AND DISBURSEMENTS FOR 2013

DISBURSEMENTS;

City of Cleveland Heights

	2011	2012	2013
Fines	782,818.95	948,686.41	970,045.90
Costs	707,939.88	777,172.96	718,341.25
Housing	6,188.50	5,290.50	2,993.50
Computer Fund	83,342.00	96,161.00	92,825.00
Special Projects Fund	140,313.50	161,163.00	155,038.00
Indigent Fund	20,409.71	22,101.00	21,924.50
Drug Fines	0.00	0.00	200.00
Reimburse/Witness/Jury	366.00	335.00	234.00
Baliff Fees	389.30	346.70	279.70
Community Service	3,245.00	1,610.00	370.00
Visa Convenience Fee	11,613.00	13,870.50	13,474.86
Sub-Total	1,756,625.84	2,026,737.07	1,975,726.71

Cuyahoga County

Regular Fines	44,896.05	48,291.50	40,200.75
Uniform Traffic Fines	88,249.00	82,500.50	86,543.50
CRIS Fund	59,275.00	68,350.00	66,009.00
Crime Stop	1,874.00	1,952.50	1,569.00
1/2 Liquor Fines	876.00	649.00	342.00
Public Defender		212.00	2,102.00
Reimburse/Witness/Jury	773.00	1,563.00	522.00
Sub-Total	195,943.05	203,518.50	197,288.25

State of Ohio

RRF/Victims Fund	118,504.00	134,788.50	129,514.00
Indigent Defense Support Fund	394,507.50	443,697.00	426,862.50
GRF/General Fund	1,548.00	790.00	653.00
Seat Belt	15,100.00	21,047.50	16,275.00
Expungements	1,320.00	1,830.00	1,590.00
1/2 Liquor Fines	876.00	649.00	342.00
BMV Fees	135.00	370.00	195.00
Pharmacy Board (Drug)	295.00	755.00	600.00
Sub-Total	532,285.50	603,927.00	576,031.50

Other Disbursements

Law Library	1,231.74	858.00	983.26
DUI Housing Fund*	3,588.00	3,605.00	4,230.00
DUI Arrest Agency*	1,655.00	1,595.00	1,837.00
Sub-Total	6,474.74	6,058.00	7,050.26

GRAND TOTALS

2,491,329.13	2,840,240.57	2,756,096.72
--------------	--------------	--------------

*Money from these two funds goes directly into accounts for the Cleveland Height Police Department for future D.U.I education and enforcement.

**CIVIL/SMALL CLAIMS BRANCH
RECEIPTS AND DISBURSEMENTS FOR 2013**

RECEIPTS:

City of Cleveland Heights	2011	2012	2013
Local Costs	165,390.00	154,871.00	165,116.00
Computer Fund	11,166.00	11,604.00	12,084.00
Special Projects Fund	18,610.00	19,340.00	20,140.00
Sub-Total	<u>195,166.00</u>	<u>185,815.00</u>	<u>197,340.00</u>
State of Ohio Legal Aid	26,115.00	27,970.00	30,642.00
Judgements & Refunds	436,855.72	375,929.66	262,392.40
Bailiff Fee	225.00	288.10	386.95
Miscellaneous Receipts	1,500.00	2,150.00	2,600.00
Sub-Total	<u>464,695.72</u>	<u>406,337.76</u>	<u>296,021.35</u>
	<u><u>659,861.72</u></u>	<u><u>592,152.76</u></u>	<u><u>493,361.35</u></u>

GRAND TOTAL

DISBURSEMENTS;

City of Cl	2011	2012	2013
City of Cl Costs	165,390.00	154,871.00	165,116.00
Computer Funds	11,166.00	11,604.00	12,084.00
Bailiff Fees	225.00	288.10	386.95
Marriage Fees	1,500.00	2,150.00	2,600.00
Special Projects Fund	18,610.00	19,340.00	20,140.00
Unclaimed Money	3,530.67	0.00	0.00
Sub-Totals	<u>200,421.67</u>	<u>188,253.10</u>	<u>200,326.95</u>
State of Ohio Legal Aid	26,115.00	27,970.00	30,642.00
Judgements & Refunds	421,663.43	375,929.66	262,392.40
Sub-Totals	<u>447,778.43</u>	<u>403,899.66</u>	<u>293,034.40</u>
GRAND TOTALS	<u><u>648,200.10</u></u>	<u><u>592,152.76</u></u>	<u><u>493,361.35</u></u>



**CIVIL/LANDLORD-TENANT BRANCH
RECEIPTS AND DISBURSEMENTS FOR 2013**

RECEIPTS:

Rent Deposits January 1, 2013	3,663.00
Deposits in 2013	<u>7,784.00</u>
	<u>11,447.00</u>

DISBURSEMENTS:

2013

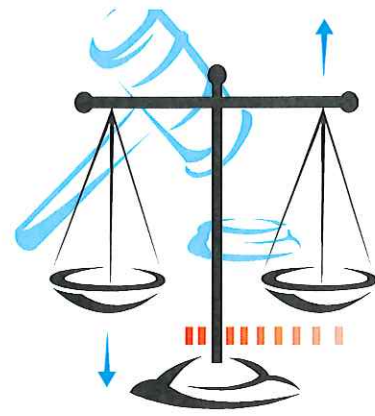
City of Cleveland Heights	77.84
To Landlords	8,297.19
To Tenants	0.00
Repair/Maintenance/Other	0.00
Paid by Court Order	<u>0.00</u>
TOTALS	<u>8,375.03</u>

Rent Deposits on Hand December 31, 2013	<u><u>3,071.97</u></u>
---	------------------------



To: Judge A. Deane Buchanan

From: Valinda T. Garner
Chief Probation Officer



Re: **Probation Office, 2013**

I. PRE-SENTENCE INVESTIGATION/PROBATION VIOLATION, 2013

	2010	2011	2012	2013
Presentence Investigation Reports	448	497	515	483
Probation Violation Reports	8	4	6	4
Expungement Reports	43	50	61	60
Reviews	199	135	169	154

II. SUPERVISION CASELOAD, on December 31, 2013

	12-31-10 Caseload	12-31-11 Caseload	12-31-12 Caseload	12-31-13 Caseload
Active (Supervised)	588	444	416	426
Inactive (Non-Supervised)	826	585	571	508

Supervision caseload, per Probation officer (3) on December 31, 2013

On 12-31-10	On 12-31-11	On 12-31-12	On 12-31-13	% Increase
196	148	139	142	1%

III. **SUPERVISION, 2013 inclusive**
 2012, 2011 and 2010 numbers provided for comparison

	2013	2012	2011	2010
Total active probation cases, supervised, Jan.-Dec.2013 inclusive	1,141	1,267	1,430	1,820
Driving Under Suspension cases Jan-Dec.2013, inclusive count & % of cases	322/29%	481/38%	667/47%	976/54%
Total inactive probation cases, Jan.-Dec. 2013, Inclusive	1,373	1,579	1,895	2,237
New active probation cases added in 2013:	730	810	845	1,191
New inactive probation cases Added in 2013:	811	980	1,068	1,340
* *		*	*	
Number of active probation cases on 12-31-2013, Whose sentences included jail time, with % of caseload		145	34%	
Number of probation cases (active/inactive), on 12-31-13, whose sentences also included jail time, with % of caseload	327	323	367	475
Percentage	36%	35%	34%	37%



IV. MAJOR OFFENSES OF PROBATIONERS on supervision, Dec. 31, 2013

	2013 Cases/%	2012 Cases/%	2011 Cases/%	2010 Cases/%	2009 Cases/%
Driving Under Suspension	91/22%	111/27%	174/39%	294/51%	315/50%
Petty Theft	103/25%	102/25%	109/25%	109/19%	127/20%
Domestic Violence	11/2%	25/6%	24/5%	30/5%	23/4%
Assault	44/10%	39/9%	37/8%	38/7%	34/5%
OVI	63/15%	26/6%	40/9%	38/7%	25/4%
Menacing/Harassment	9/2%	13/3%	29/7%	35/6%	23/4%
Trespassing	4/1%	23/5%	4/1%	14/2%	8/1%
Other	94/23%	77/19%	27/6%	20/3%	74/12%

V. **RESTITUTION/COMMUNITY SERVICE, 2013 inclusive** (2012, 2011, 2010 and 2009 total year numbers provided for comparison)

	2013	2012	2011	2010	2009
Restitution transferred to victims,	\$4,186	\$1,230	\$1,306	\$3,825	\$1,876
Community Service referred by Court to CCS	2	8	48	57	97
Total Community Service hours worked in Cleveland Heights non-profit agencies through CCS by all courts in county area.	8,279	4,313	4,845	7,003	6,507
Total additional Community Service hours worked in Cleveland Heights, CCS Work: Crew litter collection.	353	329	239	361	307

Community Service/Public Works Referrals 2013

- As of December 31, 2013 the court referred 131 individuals to the Cleveland Heights Public Works Department, (60) successfully completed their assigned community service hours. Twenty two (22) completed partial hours and (49) never showed up to work. A total of 3,378.5 hours were completed saving Public Works \$62,502.25 in labor cost.
- In Comparison, December 31, 2012 the court referred 164 individuals to the Cleveland Heights Public Works Department. The workers performed a total of 4,291 hours saving the Public Works Department approximately \$81,915.09 in labor costs.

Alternative to Jail/Home Detention Referrals:

- As of December 31, 2013, 13 defendants were referred to the Home Detention Program Sponsored by Ohio Interlock. Each defendant paid a \$25.00 registration fee. Total fees collected \$325.00. These funds are used to assist in supporting indigent defendants referred to this and other community control based service providers.



CLEVELAND HEIGHTS MUNICIPAL COURT
IN AN OFFICIAL CAPACITY DURING 2013

A. Deane Buchanan, Judge
Georgeann Schmidt, Magistrate
Juanita Bryant, Court Administrator/Chief Bailiff
Sandra Draper Berry, Clerk

Mabel Jasper
Assigned Judge

Russell Baron
Alan Kraus
Mark L Hoffman
Dennis Niermann
Acting Judge

Lincoln Scott, Housing & Special Projects Coordinator
Richard Baker, Court Security

Lawrence Jasper, Deputy Bailiff
Cassandra Jones, Deputy Bailiff
Virginia Journee', Deputy Bailiff

Valinda Garner, Chief Probation Officer
Charles Cox, Probation Officer
Ernest Jones Jr., Probation Officer
Clovice Ramsey, Probation Administrative Assistant

Karen Szekely, Chief Deputy Clerk
Arlene Frierson, Deputy Clerk
Darlene Horton, Deputy Clerk
Antionette Jones, Deputy Clerk
Elaine Kessler, Deputy Clerk
Carole Motyka, Deputy Clerk
Samira Parker, Deputy Clerk
Kimberly Rudolph, Deputy Clerk
Jane Shaveyco, Deputy Clerk
Lisa Walker, Deputy Clerk
Julie Zawadzki, Deputy Clerk

