

CLEVELAND HEIGHTS MUNICIPAL COURT

2010

ANNUAL REPORT



A. DEANE BUCHANAN
JUDGE

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Employee Roster



CASE FILINGS 2010

| MONTH | FELONIES | MISDEMEANORS | O.M.V.I. | TRAFFIC | PER INJURY | CONTRACTS | F.E.D | OTHER CIVIL | SMALL CLAIMS |
|--------------|-----------|--------------|------------|---------------|------------|------------|------------|-------------|--------------|
| January | 5 | 132 | 10 | 1,448 | 2 | 20 | 51 | 2 | 14 |
| February | 0 | 362 | 21 | 1,785 | 4 | 25 | 46 | 2 | 6 |
| March | 5 | 357 | 15 | 1,993 | 1 | 58 | 54 | 9 | 20 |
| April | 3 | 182 | 12 | 1,873 | 0 | 85 | 45 | 1 | 9 |
| May | 5 | 208 | 11 | 1,721 | 1 | 35 | 59 | 2 | 11 |
| June | 3 | 323 | 19 | 1,735 | 1 | 101 | 84 | 3 | 14 |
| July | 1 | 270 | 11 | 1,440 | 1 | 22 | 87 | 4 | 20 |
| August | 3 | 321 | 1 | 1,634 | 0 | 54 | 78 | 3 | 18 |
| September | 0 | 158 | 13 | 1,519 | 1 | 44 | 74 | 4 | 19 |
| October | 3 | 326 | 20 | 1,360 | 1 | 59 | 65 | 8 | 13 |
| November | 1 | 264 | 15 | 1,143 | 0 | 19 | 56 | 5 | 15 |
| December | 4 | 226 | 12 | 1,503 | 0 | 27 | 47 | 5 | 18 |
| TOTAL | 33 | 3,129 | 160 | 19,127 | 12 | 549 | 746 | 48 | 177 |
| Re-Activated | 31 | 703 | 13 | 2,461 | 0 | 0 | 0 | 0 | 0 |
| Case Total | 64 | 3,832 | 173 | 21,588 | 12 | 549 | 746 | 48 | 177 |

These statistics are compiled 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 only counted as ONE CASE. Individual criminal and traffic charges appear elsewhere in this report. Reactivated case are those brought back to the current docket when the Court regains jurisdiction over a defendant such as an arrest on a warrant or a license forfeiture. There are no reactivated cases in the Civil Division of the Court.



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

Re: Cleveland Heights Municipal Court's Annual Report for 2010

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 2010 Annual Report, I would like to bring to your attention the following matters:

- This year the court remitted over \$2,285,559.95 of revenues from all divisions to the City of Cleveland Heights. It should be noted that this year's remittances are about \$228,000 less than the 2009 remittances of funds to the city. The decrease in overall remittances to the city is attributable primarily to the decrease in traffic cases handled by the court during the year.
- In 2009 the number of traffic cases handled by the court was 24,029, in 2010 that number decreased to 21,761 cases processed, about 10.4% fewer cases. The trend of increasing numbers of charges for persons driving under suspension or without valid driver's licenses has leveled off. In 2009 there were 6006 such cases. In 2010 that number slightly increased to 6079. Similarly, the number of speeding charges processed through the court in 2009 was 12,549. In 2010 that number decreased to 9,652, a 23% decrease.
- In the criminal division, there were 2919 cases heard, about 200 fewer than in 2009. Our probation department continues its excellent work of supervising over 1820 probationers in addition to over 975 DUS offenders. The court has continued to utilize home detention as a sentencing alternative in lieu of jail in some cases. Defendants wear ankle bracelets and pay a fee for the GPS service that monitors their confinement. The total savings to the city in jail expenditures as a result is approximately \$43,350.00
- The court continues to be diligent in its efforts to collect monies owed to the city. In some cases the court permits debtors to perform community services in lieu of paying fines and costs due. Many perform services for the city through its Public Works Department. This year 67 persons completed work assignments through the department totaling 2,944 hours of service, saving the department \$54,022.00 in labor costs. Other non-profit agencies in the city have benefitted from similar referrals. We will continue to look for ways to further improve in these categories.
- The court is in the process of upgrading the use of technology in the courtrooms and clerk's office. By year's end we will have available flat screen viewing of exhibits, documents and messaging available to parties, jurors and witnesses. In addition we expect to implement the paperless storage of files and documents this year all at no additional cost to the city.

Our employees remain committed to providing excellent service and improving efficiencies in the operation of the Cleveland Heights Municipal Court.

Respectfully submitted,

A. Deane Buchanan, Judge



CASE FILINGS 2010

| MONTH | FELONIES | MISDEMEANORS | O.M.V.I. | TRAFFIC | PER INJURY | CONTRACTS | F.E.D | OTHER CIVIL | SMALL CLAIMS |
|--------------|----------|--------------|----------|---------|------------|-----------|-------|-------------|--------------|
| January | 5 | 132 | 10 | 1,448 | 2 | 20 | 51 | 2 | 14 |
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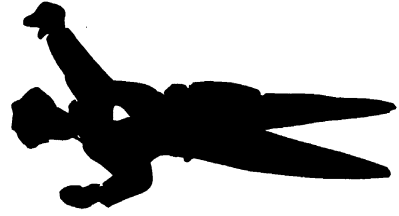
TRAFFIC OFFENSES BY INDIVIDUAL CHARGE FOR 2010

| | | | | | | | |
|--------------------------|-------|--------------------------|-------|-------------------------|-------|--------------------------|-------|
| Assured Clear Distance | 252 | Bicycle | 246 | Child Restraint | 104 | Display of Plates | 501 |
| Driving on Sidewalk | 14 | Driving Under Suspension | 3,092 | Expired License<6months | 250 | Expired Plates | 813 |
| Fail to Display License | 127 | Failure to Control | 240 | Failure to Yield | 192 | Fictitious Plates | 74 |
| Fleeing | 9 | FRA Suspension | 1,101 | Hit Skip/Leave Scene | 53 | Improper Lane Change | 66 |
| Improper Passing | 47 | Improper U Turn | 278 | Improper Turn | 956 | Left of Center | 34 |
| Vehicle Light Violations | 1,557 | No Licensed Driver | 1 | No Operator's License | 1,885 | Other License Violations | 662 |
| Other Moving Violations | 199 | One Way Street | 36 | OVI/Alcohol/BAC | 144 | Parking Complaints | 399 |
| Pedestrian Violations | 86 | Reckless Operation | 128 | Seat Belt Violation | 795 | Speeding Violations | 9,652 |
| Stop for School Bus | 4 | Stop Sign Violations | 484 | Traffic Control Lights | 893 | Traffic Control Device | 53 |
| Turn Signal Violations | 147 | Unattended Vehicle | 10 | Unlawful Entrustment | 19 | Unlawful/Illegal Plates | 77 |
| Unsafe Vehicle/Equipment | 518 | | | | | | |

TOTAL CHARGES FOR 2010 26,198

PREVIOUS YEARS:

- 2009 28,466
- 2008 20,620
- 2007 16,291
- 2006 22,325
- 2005 27,811
- 2004 25,753



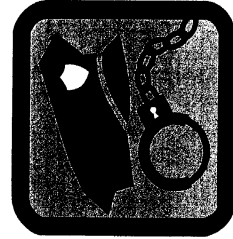
CRIMINAL OFFENSES BY INDIVIDUAL CHARGE FOR 2010

| | | | | | | | |
|-------------------------|-----|-----------------------|----|-------------------------------|----|-------------------------------|-----|
| Abduction | 1 | Aggravated Burglary | 1 | Aggravated Menacing | 21 | Aggravated Robbery | 1 |
| Assault | 121 | Assault on Police | 0 | Barking Dog | 27 | Breaking and Entering | 1 |
| Building | 21 | Burglary | 6 | Business Requirements | 66 | Carrying Concealed Weapon | 5 |
| Child Endangering | 36 | Contempt of Court | 14 | Criminal Damaging | 11 | Criminal Mischief | 28 |
| Criminal Tools | 15 | Criminal Trespass | 53 | Cruelty to Animals | 4 | Disorderly Conduct | 251 |
| Dog/Cat Offenses | 51 | Dog/Vicious | 33 | Domestic Violence | 88 | Drug Instrument | 21 |
| Drug Possession | 113 | Drug Trafficking | 1 | Failure to Comply | 6 | Failure to File Taxes | 24 |
| Falsification | 2 | Felonious Assault | 1 | Firearms | 11 | Housing | 527 |
| Housing/Occupancy | 425 | Intoxication | 73 | Kidnapping | 0 | Menacing/Stalking | 39 |
| Misidentification | 13 | Murder/Attempt Murder | 2 | Obstructing Official Business | 50 | Offense Against Family | 0 |
| Open Container | 114 | Park Regulations | 60 | Passing Bad Checks | 4 | Rape | 1 |
| Receive Stolen Property | 12 | Resisting Arrest | 28 | Riot | 6 | Robbery | 4 |
| Search Warrant | 68 | Sexual Offenses | 3 | Solicitation | 26 | Telephone Harassment | 8 |
| Theft/Petty Theft | 242 | Trespass | 6 | Unauthorized Use MV/Property | 8 | Unlawful Conduct with Minor | 4 |
| Unreasonable Noise | 123 | Underage Possession | 25 | Vandalism | 1 | Violation of Protection Order | 13 |
| Zoning | 0 | | | | | | |

2010 2,919

TOTAL CHARGES:

- 2009 3,123
- 2008 3,047
- 2007: 3,582
-



RECEIPTS AND DISBURSEMENTS FOR 2010

RECEIPTS:

| | 2008 | 2009 | 2010 |
|----------------------------------|----------------------------|----------------------------|----------------------------|
| City of Cleveland Heights | | | |
| Local Costs | 703,083.60 | 897,455.20 | 833,811.70 |
| Computer Fund | 96,193.00 | 116,304.50 | 103,752.00 |
| Special Projects Fund | 160,676.90 | 196,026.50 | 174,538.50 |
| Fines | <u>1,059,774.00</u> | <u>1,249,130.00</u> | <u>1,117,879.00</u> |
| Sub-Totals | <u>2,019,727.50</u> | <u>2,458,916.20</u> | <u>2,229,981.20</u> |
| | | | |
| Cuyahoga County | | | |
| CRIS | 67,556.50 | 84,354.00 | 74,693.00 |
| Crime | <u>2,000.00</u> | <u>1,691.00</u> | <u>2,067.00</u> |
| Sub-Totals | <u>69,556.50</u> | <u>86,045.00</u> | <u>76,760.00</u> |
| | | | |
| State of Ohio | | | |
| Indigent Defense Support Fund | | 244,252.75 | 479,370.25 |
| General Revenue | 223,490.50 | 209,771.50 | 3,541.00 |
| Victims Crime | <u>134,226.50</u> | <u>164,767.00</u> | <u>147,850.50</u> |
| Sub-Totals | <u>357,717.00</u> | <u>618,791.25</u> | <u>630,761.75</u> |
| | | | |
| Other Receipts | | | |
| Bonds Applied/Forfeited | 249,703.00 | 229,866.84 | 286,801.14 |
| OVI Fines | 7,991.00 | 6,253.00 | 12,245.00 |
| Miscellaneous | <u>68,934.30</u> | <u>35,296.40</u> | <u>30,668.90</u> |
| Sub-Totals | <u>326,628.30</u> | <u>271,416.24</u> | <u>329,715.04</u> |
| | | | |
| GRAND TOTALS | <u><u>2,773,629.30</u></u> | <u><u>3,435,168.69</u></u> | <u><u>3,267,217.99</u></u> |



RECEIPTS AND DISBURSEMENTS FOR 2010

DISBURSEMENTS;

| | 2008 | 2009 | 2010 |
|--|---------------------|---------------------|---------------------|
| City of Cleveland Heights | | | |
| Fines | 886,775.00 | 1,064,066.30 | 944,418.50 |
| Costs | 703,206.13 | 884,413.20 | 833,811.70 |
| Housing | 5,445.00 | 7,080.00 | 5,818.00 |
| Computer Fund | 96,181.00 | 116,304.50 | 103,752.00 |
| Special Projects Fund | 161,391.90 | 193,980.50 | 174,538.50 |
| Drug Fines | 870.00 | 700.00 | 800.00 |
| Reimburse/Witness/Jury | 460.00 | 262.30 | 1,221.70 |
| Baliff Fees | 1,016.30 | 1,307.10 | 787.00 |
| Community Service | 4,355.00 | 5,258.00 | 3,158.00 |
| Visa Convenience Fee | 12,610.50 | 15,086.50 | 12,922.00 |
| Unclaimed Funds | | 5,345.00 | 0.00 |
| Sub-Total | 1,872,310.83 | 2,293,803.40 | 2,081,227.40 |
| Cuyahoga County | | | |
| Regular Fines | 66,408.05 | 60,718.50 | 50,237.90 |
| Uniform Traffic Fines | 92,953.50 | 107,962.34 | 111,746.21 |
| CRIS Fund | 67,551.50 | 84,354.00 | 74,693.00 |
| Crime Stop | 2,000.00 | 1,691.00 | 2,067.00 |
| ¹ / ₂ Liquor Fines | 1,572.50 | 3,459.50 | 1,017.50 |
| Reimburse/Witness/Jury | 2,092.00 | 640.00 | 936.00 |
| Sub-Total | 232,577.55 | 258,825.34 | 240,697.61 |
| State of Ohio | | | |
| RRF/Victims Fund | 134,190.50 | 164,767.00 | 147,850.50 |
| Indigent Defense Support Fund | | 244,252.75 | 479,370.25 |
| GRF/General Fund | 223,430.50 | 209,771.50 | 3,541.00 |
| Seat Belt | 9,180.00 | 8,438.50 | 8,625.00 |
| Expungements | 900.00 | 890.00 | 1,090.00 |
| ¹ / ₂ Liquor Fines | 1,572.50 | 3,459.50 | 1,017.50 |
| BMV Fees | 525.00 | 360.00 | 282.00 |
| Pharmacy Board (Drug) | 225.00 | 175.00 | 16.00 |
| Sub-Total | 370,023.50 | 632,114.25 | 641,792.25 |
| Other Disbursements | | | |
| Law Library | 933.00 | 1,059.00 | 1,201.50 |
| DUI Housing Fund* | 3,298.00 | 2,158.00 | 3,948.00 |
| DUI Arrest Agency* | 1,813.00 | 973.00 | 1,771.00 |
| DUI Indigent Fund | 1,300.00 | 13,010.00 | 22,600.00 |
| Sub-Total | 7,344.00 | 17,200.00 | 29,520.50 |
| GRAND TOTALS | 2,482,255.88 | 3,201,942.99 | 2,993,237.76 |

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

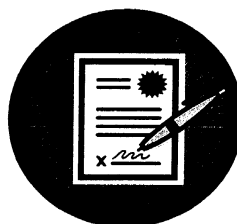
**CIVIL/SMALL CLAIMS BRANCH
RECEIPTS AND DISBURSEMENTS FOR 2010**

RECEIPTS:

| City of Cleveland Heights | 2008 | 2009 | 2010 |
|----------------------------------|--------------------------|--------------------------|--------------------------|
| Local Costs | 172,576.00 | 184,781.00 | 170,693.00 |
| Computer Fund | 12,366.00 | 12,576.00 | 11,628.00 |
| Special Projects Fund | <u>20,610.00</u> | <u>20,960.00</u> | <u>19,380.00</u> |
| Sub-Total | 205,552.00 | 218,317.00 | 201,701.00 |
| | | | |
| State of Ohio Legal Aid | 32,150.00 | 31,763.00 | 27,807.00 |
| Judgements & Refunds | 418,679.55 | 424,536.13 | 365,958.94 |
| Bailiff Fee | 272.60 | 143.90 | 100.40 |
| Miscellaneous Receipts | <u>1,870.88</u> | <u>9,542.93</u> | <u>11,015.01</u> |
| Sub-Total | 452,973.03 | 465,985.96 | 404,881.35 |
| | | | |
| GRAND TOTAL | <u><u>658,525.03</u></u> | <u><u>684,302.96</u></u> | <u><u>606,582.35</u></u> |

DISBURSEMENTS;

| City of Cleveland Heights | 2008 | 2009 | 2010 |
|----------------------------------|--------------------------|--------------------------|--------------------------|
| Costs | 172,560.00 | 184,781.00 | 170,667.00 |
| Computer Funds | 12,372.00 | 12,576.00 | 11,628.00 |
| Bailiff Fees | 272.60 | 143.90 | 100.40 |
| Marriage Fees | 1,870.88 | 1,975.00 | 2,500.00 |
| Special Projects Fund | <u>20,620.00</u> | <u>20,960.00</u> | <u>19,380.00</u> |
| Sub-Totals | 207,695.48 | 220,435.90 | 204,275.40 |
| | | | |
| State of Ohio Legal Aid | 32,150.00 | 31,763.00 | 27,833.00 |
| Judgements & Refunds | <u>418,520.74</u> | <u>424,536.13</u> | <u>365,958.94</u> |
| Sub-Totals | 450,670.74 | 456,299.13 | 393,791.94 |
| | | | |
| GRAND TOTALS | <u><u>658,366.22</u></u> | <u><u>676,735.03</u></u> | <u><u>598,067.34</u></u> |



**CIVIL/LANDLORD-TENANT BRANCH
RECEIPTS AND DISBURSEMENTS FOR 2010**

RECEIPTS:

| | | |
|---------------------------------------|----------------|-----------------|
| Rent Deposits on Hand January 1, 2010 | | 3,167.10 |
| Rent Deposits in 2010 | | <u>4,320.00</u> |
| | Total Deposits | <u>7,487.10</u> |

DISBURSEMENTS:

| | | | |
|---------------------------|-----------------|--|-----------------|
| | 2009 | | 2,010.00 |
| City of Cleveland Heights | 43.82 | | 57.15 |
| To Landlords | 1,738.30 | | 4,437.68 |
| To Tenants | 2,163.01 | | 2,992.27 |
| Repair/Maintenance/Other | 0.00 | | |
| Paid by Court Order | 0.00 | | |
| | <u>3,945.13</u> | | <u>7,487.10</u> |
| TOTALS | | | |

| | | |
|---|--|--------------------|
| Rent Deposits on Hand December 31, 2010 | | <u><u>0.00</u></u> |
|---|--|--------------------|



To: Judge A. Deane Buchanan

From: Valinda T. Garner
Chief Probation Officer

Call Me!

Re: **Probation Office, 2010**

I. PRE-SENTENCE INVESTIGATION/PROBATION VIOLATION, 2010

| | 2007 | 2008 | 2009 | 2010 |
|-----------------------------------|------|------|------|------------|
| Presentence Investigation Reports | 479 | 534 | 450 | 448 |
| Probation Violation Reports | 10 | 7 | 10 | 8 |
| Case Sealing Reports | 34 | 20 | 24 | 43 |
| Reviews | 30 | 20 | 75 | 100 |

II. SUPERVISION CASELOAD, on December 31, 2010

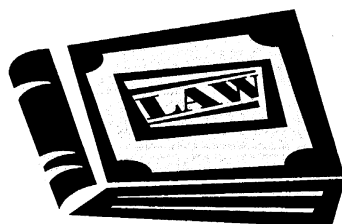
| | 12-31-07 Caseload | 12-31-08 Caseload | 12-31-09 Caseload | 12-31-10 Caseload |
|------------------------------|----------------------|----------------------|----------------------|----------------------|
| Active (Supervised) | 435 | 623 | 626 | 588 |
| Inactive (Non-Supervised) | 881 | 849 | 899 | 826 |

Supervision caseload, per Probation officer (3) in 2010

| On 12-31-07 | On 12-31-08 | On 12-31-09 | On 12-31-10 | % Decrease |
|-------------|-------------|-------------|-------------|------------|
| 217 | 208 | 209 | 196 | 9% |

III. **SUPERVISION, 2010 inclusive**
 2009, 2008 and 2007 numbers provided for comparison

| | 2010 | 2009 | 2008 | 2007 |
|--|----------------|------------|------------|-------|
| Total active probation cases, supervised, Jan.-Dec.2010 inclusive | 1,820 | 1,777 | 1,566 | 1,186 |
| Driving Under Suspension cases, Jan-Dec.2010,inclusive count &%of cases | 976/54% | 899/58% | 659/45% | |
| Total inactive probation cases, Jan.-Dec. 2010, Inclusive | 2,237 | 2,106 | 1,769 | 1,689 |
| New active probation cases added in 2010: | 1,191 | 1,155 | 1,113 | 810 |
| New inactive probation cases Added in 2010: | 1,340 | 1,262 | 1,130 | 881 |
| * * * * | | | | |
| Number of active probation cases on 12-31-2010, Whose sentences included jail time, with % of caseload | | 189 | 34% | |
| Number of probation cases (active/inactive), on 12-31-10, whose sentences also included jail time, with % of caseload | 475 | 561 | 693 | 422 |
| Percentage | 34% | 37% | 47% | 32% |



IV. MAJOR OFFENSES OF PROBATIONERS on supervision, Dec. 31, 2010

| | 2010 Cases/% | 2009 Cases/% | 2008 Cases/% | 2007 Cases/% | 2006 Cases/% |
|--------------------------|-------------------------|-----------------|-----------------|-----------------|-----------------|
| Driving Under Suspension | 294/51% | 315/50% | 252/40% | 143/33% | 148/37% |
| Petty Theft | 109/19% | 127/20% | 138/29% | 127/29% | 57/14% |
| Domestic Violence | 30/5% | 23/4% | 42/7% | 44/10% | 44/11% |
| Assault | 38/7% | 34/5% | 41/7% | 26/6% | 31/8% |
| OVI | 38/7% | 25/4% | 31/5% | 25/6% | 24/7% |
| Menacing/Harassment | 35/6% | 23/4% | 13/2% | 12/3% | 12/4% |
| Trespassing | 14/2% | 8/1% | 6/1% | 2/1% | 8/3% |
| Other | 20/3% | 74/12% | 55/9% | 56/12% | 66/16% |

V. RESTITUTION/COMMUNITY SERVICE, 2010 inclusive
(2009, 2008, 2007 and 2006 total year numbers provided for comparison)

| | 2010 | 2009 | 2008 | 2007 | 2006 |
|---|----------------|---------|---------|---------|---------|
| Restitution transferred to victims, | \$3,825 | \$1,876 | \$4,970 | \$5,500 | \$3,215 |
| Community Service referrals to Court | 57 | 97 | 280 | 125 | 90 |
| Total Community Service hours worked in Cleveland Heights non-profit agencies through CCS by all courts in county area, | 7,003 | 6,570 | 4,608 | 3,302 | 2,892 |
| Total additional Community Service hours worked in Cleveland Heights, CCS Work crew litter collection | 361 | 307 | 499 | 449 | 595 |

Community Service/Public Works Referrals 2010

- Between January 1, 2010 and December 31, 2010, the Court has referred 67 individuals to Cleveland Heights Public Works Department who successfully completed their assigned community service hours. These individuals performed a total of 2,944 hours of service and in turn saved the Public Works Department approximately \$54,022 in labor costs.

In comparison, between January 1, 2009 and December 31, 2009, the court referred 60 individuals to Cleveland Heights Public Works Department to perform community service hours. These individuals performed a total of 1,233 hours of service and in turn saved the Public Works Department approximately \$22,625 in labor cost.

Alternative to Jail/Home Detention Referrals:

- In 2010 seventy (70) defendants were referred to Global Tracking to complete our Home Detention Program. Each defendant paid a registration fee of \$25.00, total collected, \$1,750.00 to be used towards future probation programming. There also was a total savings \$43,350.00 of jail expenditures for the City of Cleveland Heights.



CLEVELAND HEIGHTS MUNICIPAL COURT
IN AN OFFICIAL CAPACITY DURING 2010

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
Cassandra Jones, Court Information Specialist
Richard Baker, Court Security

Lawrence Jasper, Deputy Bailiff
Virginia Journee', Deputy Bailiff
Leo Krejci, Deputy Bailiff

Valinda Garner, Chief Probation Officer
Charles Cox, Probation Officer
Exodus Lett, Probation Officer
Clovice Ramsey, Probation Administrative Assistant

Jeanette Politi, Chief Deputy Accounting Clerk
Karen Szekely, Chief Deputy Clerk/Criminal Division
Arlene Frierson, Criminal Deputy Clerk
Darlene Horton, Accounting Deputy Clerk
Elaine Kessler, Civil Deputy Clerk
Carole Motyka, Criminal Deputy Clerk
Samira Parker, Criminal Deputy Clerk
Jane Shaveyco, Criminal Deputy Clerk
Andrea Swift, Civil Deputy Clerk
Lisa Walker, Criminal Deputy Clerk
Julie Zawadzki, Criminal Deputy Clerk