

CLEVELAND HEIGHTS MUNICIPAL COURT

2017

ANNUAL REPORT



JAMES J. COSTELLO
JUDGE

TABLE OF CONTENTS

Comments, Judge James J. Costello

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



Cleveland Heights Municipal Court

Judge J.J. Costello
40 Severance Circle
Cleveland Heights, Ohio 44118

March 28, 2018

Cuyahoga County Executive, Armond Budish
Cuyahoga County Council
Council of the City of Cleveland Heights

Re: Cleveland Heights Municipal Court's 2017 Annual Report

Dear County Executive, Cuyahoga County Council Members, and Cleveland Heights Council Members:

Enclosed is the Annual Report of the Cleveland Heights Municipal Court, which provides complete report of the Court's operation for 2017 as required by Section 1901.14(A)(4) of the Ohio Revised Code. This report describes the work performed by the Court, including the Clerk of Court (which includes the small claims/civil division and the traffic/criminal division), the Bailiff Department, and the Probation Department, along with a statement of receipts and expenditures of the civil and criminal branches, and the number of cases heard, decided, and settled.

This is my first year as the Presiding and Administrative Judge of the Cleveland Heights Municipal Court, and therefore, this report covers a period prior to my taking office. That stated, the Court has always placed, and will continue to place, a premium on providing fair, impartial, and timely resolution of the matters brought before it. In the past, this Court has functioned effectively, and I intend to build upon and increase that functionality.

In this, the Court's 2017 Annual Report, I would like to bring to your attention the following matters:

- In 2017, the Court remitted over \$1,529,261 of revenues to the City of Cleveland Heights and over \$723,500 to Cuyahoga County and the State of Ohio.
- In the criminal division, the total number of cases heard by the Court in 2017 was 2,519 which is down from the previous year. In the traffic division, the total number of cases heard by the Court in 2017 was 10,056, which is up from 2016. Similarly, in the civil division, the total number of cases heard by the Court in 2017 was 1,766, which is up from the previous year.
- In 2017, the Court referred a total of 52 individuals to the Cleveland Heights Public Works Department, and a total of 689 hours of community service was performed.

- The Court conducted remote arraignments on a total of 21 defendants incarcerated in county and prison facilities throughout the State of Ohio so that the Cleveland Heights Police Department does not have to transport prisoners to and from those facilities for a savings in transport costs and officer time.

In closing, I would like to acknowledge the years of public service of Judge A. Deane Buchanan as Judge of the Cleveland Heights Municipal Court. I look forward to continuing that tradition of outstanding public service and presenting and updating you with the Court's activities and improvements in years to come.

Respectfully submitted,

A handwritten signature in cursive script that reads "James J. Costello". The signature is written in black ink and is centered below the text "Respectfully submitted,".

J.J. Costello, Judge

CASE FILINGS IN 2017

MONTH	FELONIES	MISDEMEANORS	O.M.V.I.	TRAFFIC	PERSONAL INJURY & PROPERTY DAMAGE	CONTRACTS	F.E.D	OTHER CIVIL	SMALL CLAIMS
January	15	191	11	495	0	45	44	2	54
February	22	80	10	472	0	33	51	2	62
March	27	124	10	829	0	38	42	3	12
April	18	139	6	604	1	46	34	0	107
May	17	119	6	584	0	34	32	1	9
June	14	120	8	427	0	46	49	2	56
July	13	113	11	401	0	36	49	2	50
August	8	126	6	604	0	53	62	0	57
September	15	104	6	541	1	28	37	1	62
October	18	162	6	730	0	72	46	2	100
November	21	89	11	675	0	40	45	1	14
December	16	112	8	623		39	59	0	57
TOTAL	204	1,479	99	6,985	2	510	550	16	640
Re-Activated	67	769	25	2,947	2	8	34	0	4
Case Total	271	2,248	124	9,932	4	518	584	16	644

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 2017

Assured Clear Distance	266	Bicycle/Toy Vehicle	5	Child Restraint	53	Display of License	182
Display of Plates	253	Driving on Sidewalk	32	Driving Under Suspension	2,558	Expired License<6months	101
Expired Plates	939	Failure to Control	202	Failure to Yield	201	Fictitious Plates	109
Fleeing	8	FRA Suspension	368	Hit Skip/Leave Scene	65	Improper Lane Change	34
Improper Passing	26	Improper Turn	189	Improper Use Electronic Device	5	Left of Center	31
No Operator's License	1,604	Other License Violations	325	Other Moving Violations	113	One Way Street	21
OVI/Alcohol/BAC	181	Parking Complaints	595	Pedestrian Violations	28	Reckless Operation	17
Seat Belt Violation	280	Speeding Violations	3,446	Stop Sign Violations	150	Traffic Control Lights	294
Traffic Control Device	23	Turn Signal Violation	9	Unlawful Entrustment	6	Unlawful/Illegal Plates	48
Unsafe Vehicle Violation	285	Vehicle Light Violation	627				

TOTAL CHARGES FOR 2017 13,679

PREVIOUS YEARS:

- 2016 12,772
- 2015 17,780
- 2014 22,246
- 2013 26,456
- 2012 25,464
- 2011 19,622

CRIMINAL OFFENSES BY INDIVIDUAL CHARGE FOR 2017

Aggravated Robbery/Burglary	18	Assault	151	Barking Dog	13	Breaking and Entering	8
Burglary	23	Business Requirements	4	Carrying Concealed Weapon	20	Child Endangering	60
Contempt of Court	4	Criminal Damaging	10	Criminal Mischief	29	Criminal Tools	24
Criminal Trespass	34	Disorderly Conduct	185	Dog/Cat/Animal Offenses	100	Dog Vicious	11
Domestic Violence	122	Drug Instrument	67	Drug Possession	186	Drug Trafficking	18
Falsification	16	Felonious Assault	26	Firearms	37	Housing	366
Housing/Occupancy	62	Intoxication	77	Kidnapping/Unlawful Restraint	8	Menacing/Stalking	62
Murder/Attempt Murder	3	Obstructing Official Business	123	Open Container	70	Receive Stolen Property	32
Riot	14	Robbery	5	Search Warrant/Probable Cause/Extradition	70	Sexual Offenses	22
Telephone Harassment	5	Theft/Petty Theft	97	Unauthorized Use MV/Property	5	Unlawful Conduct with Minor	i
Unreasonable Noise	46	Underage Possession/Consumption	2	Violation of Protection Order	30		

2017 2266

TOTAL CHARGES:

- 2016 2,576
- 2015 2,642
- 2014 3,020
- 2013 3,310
- 2012 3,334
- 2011 2,805

**CRIMINAL/TRAFFIC BRANCH
RECEIPTS AND DISBURSEMENTS FOR 2017**

RECEIPTS:

City of Cleveland Heights	2015	2016	2017
Local Costs	646,820.00	511,699.30	531,588.60
Computer Fund	64,204.50	47,699.50	47,943.50
Indigent Fund	16,148.92	13,983.93	17,147.85
Special Projects Fund	107,159.00	79,515.90	79,907.00
Fines	812,564.00	645,626.70	656,720.90
Sub-Totals	<u>1,646,896.42</u>	<u>1,298,525.33</u>	<u>1,333,307.85</u>
Cuyahoga County			
CRIS	44,227.00	32,422.50	31,145.00
Crime	1,417.00	1,245.00	1,787.00
Sub-Totals	<u>45,644.00</u>	<u>33,667.50</u>	<u>32,932.00</u>
State of Ohio			
Indigent Defense Support Fund	300,500.41	226,885.00	224,807.00
General Revenue	627.00	1,197.00	1,075.50
Victims Crime	88,676.00	65,296.50	64,164.00
Sub-Totals	<u>389,803.41</u>	<u>293,378.50</u>	<u>290,046.50</u>
Other Receipts			
OVI Fines	19,613.00	12,250.00	10,821.00
Miscellaneous	26,286.92	7,921.90	10,275.80
Sub-Totals	<u>45,899.92</u>	<u>20,171.90</u>	<u>21,096.80</u>
GRAND TOTALS	<u><u>2,128,243.75</u></u>	<u><u>1,645,743.23</u></u>	<u><u>1,677,383.15</u></u>

**CRIMINAL/TRAFFIC BRANCH
RECEIPTS AND DISBURSEMENTS FOR 2017**

DISBURSEMENTS;

City of Cleveland Heights	2015	2016	2017
Fines	697,137.23	542,138.69	565,079.15
Costs	648,192.50	511,049.80	531,563.61
Housing	5,393.00	3,360.00	6,120.00
Computer Fund	64,096.50	47,702.50	47,937.50
Special Projects Fund	107,159.00	79,515.90	79,907.00
Indigent Fund	19,291.92	15,421.93	18,546.35
Drug Fines	0.00	150.00	100.00
Other Cost	1,322.50	2,522.90	1,412.80
Visa Convenience Fee	10.50	0.00	0.00
Sub-Total	1,542,603.15	1,201,861.72	1,250,666.41
Cuyahoga County			
Regular Fines	28,807.50	30,959.00	31,058.00
Uniform Traffic Fines	75,315.00	65,572.50	55,578.00
REEDS	44,227.00	32,422.50	31,140.00
Crime Stop	1,417.00	1,245.00	1,787.00
1/2 Liquor Fines	400.00	175.00	300.00
Public Defender	936.00	830.00	536.50
Reimburse/Witness/Jury	536.00	917.00	785.00
Sub-Total	151,638.50	132,121.00	121,184.50
State of Ohio			
RRF/Victims Fund	88,675.50	62,296.50	64,155.00
Indigent Defense Support Fund	308,782.41	209,862.00	224,807.00
GRF/General Fund	0.00	0.00	0.00
Seat Belt	10,290.00	6,075.00	4,230.00
Expungements	1,590.00	1,230.00	1,230.00
1/2 Liquor Fines	400.00	175.00	300.00
BMV Fees	135.00	45.00	105.00
Pharmacy Board (Drug)	300.00	434.00	125.00
Sub-Total	410,172.91	280,117.50	294,952.00
Other Disbursements			
DUI Housing Fund*	5,991.00	3,961.00	3,570.00
DUI Arrest Agency*	2,879.00	1,728.00	1,884.00
Sub-Total	8,870.00	5,689.00	5,454.00
GRAND TOTALS	2,113,284.56	1,619,789.22	1,672,256.91

*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 2017**

RECEIPTS:

City of Cleveland Heights	2015	2016	2017
Local Costs	173,723.50	200,683.45	233,145.00
Computer Fund	11,568.00	13,110.00	13,926.00
Special Projects Fund	19,260.00	21,850.00	23,200.00
Sub-Total	204,551.50	235,643.45	270,271.00
State of Ohio Legal Aid	30,685.00	32,391.00	34,322.00
Judgements & Refunds	298,150.10	375,885.47	486,388.32
Bailiff Fee	0.00	0.00	0.00
Miscellaneous Receipts	2,795.00	2,676.00	2,755.00
Sub-Total	331,630.10	410,952.47	523,465.32
	536,181.60	646,595.92	793,736.32

GRAND TOTAL

DISBURSEMENTS;

City of Cleveland Heights	2015	2016	2017
Costs	168,984.76	200,703.45	233,160.00
Computer Funds	11,604.00	13,110.00	13,926.00
Bailiff Fees	0.00	0.00	0.00
Marriage Fees	3,155.00	2,676.70	2,755.40
Special Projects Fund	19,330.00	21,850.00	23,200.00
Sub-Totals	203,073.76	238,340.15	273,041.40
State of Ohio Legal Aid	30,077.00	32,391.00	34,322.00
Judgements & Refunds	298,150.10	375,885.47	485,034.03
Sub-Totals	328,227.10	408,276.47	519,356.03
GRAND TOTALS	531,300.86	646,616.62	792,397.43

**LANDLORD-TENANT AND TRUSTEESHIP
RECEIPTS AND DISBURSEMENTS FOR 2017**

RECEIPTS:

Rent on Deposits January 1, 2017	9,668.76
Deposits in 2016	<u>9,128.55</u>
	18,797.31

DISBURSEMENTS:

2017

City of Cleveland Heights	106.12
To Landlords	10,200.85
To Tenants	<u>4,793.78</u>
TOTALS	15,100.75

Rents on Deposit at December 31, 2017	<u><u>3,696.56</u></u>
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To: Judge James J. Costello

From: William Gibson
Chief Probation Officer

Re: **Probation Office, 2017**

I. **PRE-SENTENCE INVESTIGATION/PROBATION VIOLATION, 2017**

	2014	2015	2016	2017
Presentence Investigation Reports	650	915	608	587
Probation Violation Reports	9	139	175	156
Expungement Reports	45	79	60	
Reviews	124	99	105	153

II. **SUPERVISION CASELOAD, on December 31, 2016**

	12-31-14 Caseload	12-31-15 Caseload	12-31-16 Caseload	12-31-17 Caseload
Active (Supervised)	322	387	422	338
Inactive (Non-Supervised)	444	483	553	449

Supervision caseload, per Probation officer (3) on December 31, 2016

On 12-31-14	On 12-31-15	On 12-31-16	On 12-31-17	% Decrease
107	107	108	100	1%

III. **SUPERVISION, 2017 inclusive**
 2016, 2015 and 2014 numbers provided for comparison

	2017	2016	2015	2014
Total active probation cases, supervised, Jan.-Dec.2017 inclusive	788	958	1,103	994
Driving Under Suspension cases Jan-Dec.2017, inclusive count & % of cases	450/27%	574/19%	465/42%	260/22%
Total inactive probation cases, Jan.-Dec. 2017, Inclusive	895	1,056	1,295	1,186
New active probation cases added in 2017:	382	422	720	615
New inactive probation cases Added in 2017:	471	553	802	751
2017 788	Number of active probation cases on 12-31-2017, Whose sentences included jail time, with % of caseload		23	3%
Number of probation cases (active/inactive), on 12-31-17, whose sentences also included jail time, with % of caseload	84	92	322	324
Percentage	5%	10%	30%	41%

IV. MAJOR OFFENSES OF PROBATIONERS on supervision, Dec. 31, 2017

	2017 Cases/%	2016 Cases/%	2015 Cases/%	2014 Cases/%	2013 Cases/%
Driving Under Suspension	450/27%	475/31%	143/20%	77/23%%	91/22%
Petty Theft	307/19%	280/18%	143/20%	69/21%	103/25%
Domestic Violence	81/5%	53/3%	22/3%	9/3%	11/2%
Assault	223/14%	335/26%	78/11%	34/10%	44/10%
OVI	348/21%	211/29%	211/29%	86/27%	63/15%
Menacing/Harassment	43/3%	44/3%	6/1%	2/1%	9/2%
Trespassing	24/1%	23/1%	8/1%	2/1%	4/1%
Other	207/12%	92/6%	109/15%	43/13%	94/23%

V. RESTITUTION/COMMUNITY SERVICE, 2017 inclusive
(2015, 2014, 2013 and 2012 total year numbers provided for comparison)

	2017	2016	2015	2014	2013
Restitution transferred to victims,	\$3,912	\$6,803	\$898	\$1,500	\$4,186
Community Service referred by Court to CCS	0	0	4	0	2
Total Community Service hours worked in Cleveland Heights non-profit agencies through CCS by all courts in county area.	2952	2,167.5	4,328	8,656	8,279
	2017	2016	2015	2014	2013
Total additional Community Service hours worked in Cleveland Heights, CCS Work: Crew litter collection.	689	984	1,041.5	584	353

Community Service/Public Works Referrals 2017

- As of December 31, 2017 the court referred **52** individuals to the Cleveland Heights Public Works Department. A total of **689** hours were completed.

Alternative to Jail/Home Detention Referrals:

- As of December 31, 2017, 11 defendants were referred to the Home Detention Program Sponsored by COURTMON. Each defendant paid a \$25.00 registration fee. Total fees collected \$275.00. These funds are used to assist in supporting indigent defendants referred to this and other community control based service providers.

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

Larry Allen, Retired Assigned Judge
Mabel Jasper, Retired Assigned Judge

Russell Baron
Alan Kraus
Mark L Hoffman
James J. Costello
Acting Judge

Richard Baker, Court Security

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

William Gibson, Chief Probation Officer
Ernest Jones Jr., Probation Officer
Emily Stanley, Probation Officer
Clovice Ramsey, Probation Administrative Assistant

Karen Szekely, Chief Deputy Clerk
Lisa Walker, Chief Deputy Clerk
Arlene Frierson, Deputy Clerk
Antionette Jones, Deputy Clerk
Carole Motyka, Deputy Clerk
Lorraine Mumaw, Deputy Clerk
Kristy Napier, Deputy Clerk
Maria Parker, Deputy Clerk
Samira Parker, Deputy Clerk
Kimberly Rudolph, Deputy Clerk
Jasmine Vaughn, Deputy Clerk
Lora Watts, Deputy Clerk