

Fairborn Municipal Court
2018
Annual Report



BETH W. CAPPELLI, Judge
1148 Kauffman Avenue
Fairborn, Ohio 45324

THE FAIRBORN MUNICIPAL COURT MISSION STATEMENT

The mission of the Fairborn Municipal Court is to ensure accessibility and fairness in the administration of justice and to serve all individuals in a courteous and professional manner. To accomplish this mission, the Judge and Magistrate shall in a fair, ethical, impartial, and efficient manner resolve disputes consistent with the Constitutions of the United States of America and the State of Ohio. The Fairborn Municipal Court Clerk of Court's office shall accurately maintain and preserve all court documents as well as collect and disburse all monies as directed by law. The employees of the Fairborn Municipal Court will treat all individuals fairly and respectfully and provide a safe, secure environment while implementing the policies and procedures established by the Judiciary and Legislature.

Fairborn Municipal Court

1148Kauffman Avenue Fairborn, Ohio45324

Beth W. Cappelli - Judge

Tamela Womack –Magistrate

Melissa Litteral - Clerk of Court

Wayne Furay - Chief Bailiff

Daniel Zwiesler - Chief Probation Officer

The Fairborn Municipal Court submits its annual report for the year ending 2018 in compliance with Ohio Revised Code Section 1901.14.

The contents of this report are based upon data assembled by the Clerk of Court, the Probation Department, and the Fairborn Municipal Court staff. The following are noteworthy figures for the year 2018:

Total funds disbursed from all sources (traffic, criminal and civil) in 2018 were \$ 4,332,367.33 up from \$4,315,357.02 in 2017.

The total number of traffic, criminal and civil cases filed in 2018 were 18,839 (not including reactivated cases), down from 19,923 in 2017.

Total funds disbursed to the City of Fairborn's general fund in 2018 were \$1,375,787.36 down from \$1,472,225.11 in 2017.

The Traffic Intervention Program celebrated its 10th year anniversary in 2018 with a ten (10) year average success rate of 74%.

The City of Fairborn, Ohio, is the funding authority for the Fairborn Municipal Court and furnishes the budget for the Court's operation. However, the City of Beavercreek also contributes to the court budget and in 2018, contributed \$76,783.93 by way of reimbursement to the City of Fairborn for its share of the operating expenses of the Court. This was an increase of 23.8 % from 2017. The amount contributed is based upon a formula set forth in Ohio Revised Code Section 1901.026(8), which states that a municipal corporation within the territory of the municipal court is not required to pay that part of its proportionate share of operating costs of the court that exceeds the total amount of costs, fees, fines, bail, or other monies distributed to that municipal corporation.

The Court also utilizes its Special Projects Fund, Court Clerk Computerization Fund, and Legal Research Fund to pay for many of the Court's budget items. An overview of these funds and the manner in which the funds are expended is included within this Annual Report.

INDEX

Authority and Territorial Jurisdiction	1
Court Personnel	2
Statistics and Financial Information	3
2018 Highlights	4
Criminal and Traffic Division	5
Civil and Small Claims Division	6
Cases Filed and Terminated	7
Annual Case Filings	8
Charges Filed by Police Department	9
Criminal / Traffic Receipts and Disbursements	10
Civil / Small Claims Receipts and Disbursements	11
2018 and Ten Year Comparison	12
OVI Cases Filed by Jurisdiction	13
Theft Cases Filed by Jurisdiction	14
Domestic Violence/Protection Order Violations Filed by Jurisdiction	15
2018 Budget for Special Projects Fund	16
2018 Budget for Clerk Computerization Fund	17
2018 Budget for Court Legal Research Fund	18
Probation Department	19-23
Probation Department Terminations	24
Certificate	25

AUTHORITY AND TERRITORIAL JURISDICTION

1. Date of Establishment to include the present territory: January 1, 1978
2. Authority: Ohio Revised Code, Section 1901.01
3. Territorial Jurisdiction with population of each as of the year 2010. The next census with updated populations will occur in calendar year 2020.
4.

Fairborn City	32,352
Beavercreek City	45,193
Bath Township	6,420
Beavercreek Township	5,762
5. Territorial Area by square miles, 78.18

COURT PERSONNEL

Judge	BETH W. CAPPELLI
Magistrate	TAMELA WOMACK
Accounting Clerk	LINDA TURNER/JASON WHILDING
Assignment Commissioners	APRIL STEWART
	PHYLLIS BARLOW
Chief Bailiff	WAYNE FURAY
Court Administrator/Magistrate	MARK DONATELLI
Clerk of Court	MELISSA LITTERAL
Deputy Bailiffs	GERALD TUTTLE
	JAMIE SPICER
	KEVIN GREBNER
Security/Bailiff	CRAIG SHOUP
	BOB SAMPSON
Chief Deputy Clerk	KIMBERLY HUTCHINSON
Deputy Clerks	JESSICA CUMMINS
	BETH GAMBILL
	BRITTANY BARHORST/EMILY MOYER
	SARAH CLEVER
	KRISTIN HOPWOOD
	AMY McCOPPIN
Deputy Clerks-Civil Division	LISA NEVILLE
	DEBBIE CARLTON
Deputy Clerk-Part-Time	OLIVIA THOMAN
Chief of Probation	DAN ZWIESLER
Probation Officer/Traffic Intervention Program	PAM LYNCH/ALEXIS SCOTT
Probation Officer	KEVIN YOUNG
Probation Officer/Drug Court	MARY LYNZY CAMPBELL
Probation Officer	DEVANNE BENTLEY
Probation Officer/Coordinator	RYAN SIMPSON
Probation Officer/Intensive Supervision	ANDY STOCKTON

STATISTICS AND FINANCIAL INFORMATION

The following represents a statistical and financial breakdown of all criminal, traffic, and civil cases filed in the Fairborn Municipal Court in 2018, compared with calendar year 2017 and all monies received and disbursed in said years.

	<u>2017</u>	<u>2018</u>
Criminal and Traffic Cases	18,156	16,920
Civil Cases	1,665	1,601
Small Claims Cases	102	318
Total Criminal/Traffic Receipts	\$ 3,340,416.70	\$3,171,715.84
Total Civil, Small Claims, Tenant/Landlord Receipts	\$ 1,045,401.85	\$1,115,371.44

Comparative figures are provided for the past ten (10) and five (5) years.

	<u>2008</u>	<u>2013</u>	<u>2018</u>
Number of Criminal & Traffic Cases	19,515	13,516	16,920
Number of Civil Cases	2,123	1,440	1,601
Number of Small Claims Cases	299	232	318
Total Criminal/Traffic Receipt	\$3,245,847.80	\$2,792,206.77	\$3,171,715.84
Total Civil/Small Claims Receipts	\$900,407.29	\$746,807.55	\$1,115,371.44

In 2018, the Court conducted 65 criminal and traffic trials, of which 2 were jury trials. The Court also conducted thousands of arraignments and sentencing hearings where the accused did not request a trial, but the Court received evidence and performed sentencing. There were 25 civil trials held and 49 small claims hearings held. There were also 287 felony cases filed in the Fairborn Municipal Court, which required first appearances. In addition, numerous other hearings were held and motions ruled on in the course of administering justice in matters before the Court. In 2018, the Court also performed 34 weddings.

2018 HIGHLIGHTS

Supreme Court of Ohio awarded the Fairborn Municipal Court a Technology Grant in the amount of \$40,679.06 which was used to update the Court's security equipment. A new X-ray machine, metal detector and hand held metal detectors were purchased with these funds.

The Court in conjunction with the Mental Health & Recovery Board of Clark, Greene, & Madison Counties and TCN, received a \$100,000 grant from the Ohio Department of Mental Health and Addiction Services for treatment and support services for offenders. The Court received this award as Fairborn Municipal Court has the only Drug Court in the jurisdiction of the Mental Health & Recovery Board of Clark, Greene & Madison counties.

The Ohio Sentencing Commission has selected the Fairborn Municipal Court as a participant in a Pre-trial Release Program. We were one of two municipal courts selected for this program.

The Court celebrated the 10th anniversary of the Traffic Intervention Program. Over 2,900 defendants have become valid and insured drivers since the program's inception in 2008, with a ten (10) year average success rate of 74%.

Courtroom 1 and 2 witness stands were updated to become ADA compliant.

Courtroom 2 had a new CODEC installed in 2018, which permits both courtrooms to simultaneously hold video arraignments with different jail facilities.

To increase efficiency and provide defendants additional payment options the Clerk of Courts Office now utilizes Lexis Nexis as a payment vendor to allow defendants to pay by phone and to use other forms of technology to process their payments such as iPhones, and iPads.

During 2018, kiosks were installed in the court and probation lobbies to increase efficiency and to assist defendants and probationers reporting to the court.

The Clerk of Court continued in 2018 with an aggressive scanning project to have cases filed prior to 2014 scanned electronically into the court management system. This project has saved time and efforts as staff continually had to travel off site to locate files.

The Clerk of Court's Office began cross-training all deputy clerks for each position during 2018.

CRIMINAL AND TRAFFIC DIVISION

All criminal and traffic citations are filed with the Criminal and Traffic Division of the Court. Seven (7) full time clerks are assigned to this division, and one (1) permanent part-time clerk.

The Court is also fortunate to be involved in intern programs with Wright State University, and occasionally other area colleges. Periodically, the court has interns assisting the Court in the performance of its daily duties. The intern position is voluntary and the student receives class credit and experience in the criminal justice system as a result of intern participation.

The duties of the personnel in the Criminal and Traffic Division include processing all cases from initial filing to final disposition; receiving, posting, and disbursing all fines and court costs collected; answering questions from the public; and accurately maintaining all court records and documents. They are also responsible for answering the telephones; filing cases; and issuing notices, subpoenas, and warrants. They perform record searches; complete reports and forms required to be transmitted to the Ohio Bureau of Motor Vehicles and the Bureau of Criminal Identification and Investigation; provide for inspection and copying of public records; enter decisions and dispositions into case dockets; and maintain the statistical records that are reported monthly to the Supreme Court of Ohio.

The Assignment Commissioners schedule all pending cases and wedding ceremonies. They are responsible for scheduling hearings, trials, and dispositions and coordinating the calendars of legal counsel to efficiently process cases through the court system. The assignment commissioners have assumed additional responsibilities of drafting entries.

CIVIL DIVISION AND SMALL CLAIMS

The Civil Section of the Court accepts complaints to recover money, contract disputes and other collection cases for claims having a monetary value of Fifteen thousand dollars (\$15,000) or less. Also, the Civil Division accepts complaints for eviction for the termination of tenancies and replevin complaints seeking the return of property. Two (2) full time deputy clerks are assigned to the Civil Division. The deputy clerks process all cases from initial filing to final disposition. The deputy clerks also receive monies involved in civil cases, post the funds to the appropriate accounts and ledgers, and disperse said funds as required by law.

The Small Claims Division of the Court handles claims for money due not to exceed Six Thousand Dollars (\$6,000.00). Small claims filings may be made by citizens with or without the assistance of an attorney. The deputy clerks assigned to the Civil Division also handle the complaints filed in the Small Claims Division. They schedule hearings and trials and receive, post, and disperse money as required by law.

In 2018, the Civil Division had total monetary receipts, which includes Civil, Small Claims and Tenant/Landlord, of \$1,115,371.44 and disbursed the sum of \$1,100,930.49 at the conclusion of the cases.

CASES FILED AND TERMINATED

The Court reports monthly the number of cases filed, reactivated, and terminated to the Supreme Court of Ohio. The reporting method established by the Supreme Court is based upon the assumption that the Court has more than one judge, and the Supreme Court requires that this report method be used by all courts even if the court has only one judge. The reports that are required to be filed are called the Administrative Judge Report (AJR) and the Individual Judge Report (IJR).

All cases initially filed with a court are listed as new cases and are filed on the Administrative Judge Report. If a defendant in a criminal or traffic case pleads not guilty to a charge, the case is transferred to the Individual Judge Report and all activity of the case is thereafter reported on the Individual Judge Report. In civil cases, if a defendant answers a complaint or if a motion is filed that would require a ruling by the Judge or Magistrate, the case is transferred to the Individual Judge Report.

There were 26,697 cases filed and reactivated on the Administrative and Individual Judge Reports in 2018. This number includes all new traffic, criminal, civil and small claims cases filed in 2018, and all pending cases that were reactivated. A case is reactivated when a party who was previously unavailable becomes available to proceed with the case. A reactivated case may be from an earlier calendar year.

There were 20,484 cases on the Administrative Judge Report and 4,350 cases on the Individual Judges report that were heard, decided, and settled in 2018. There were 1,863 felony, criminal, and traffic cases and civil and small claims cases pending before the court on December 31, 2018, that had not yet been completed.

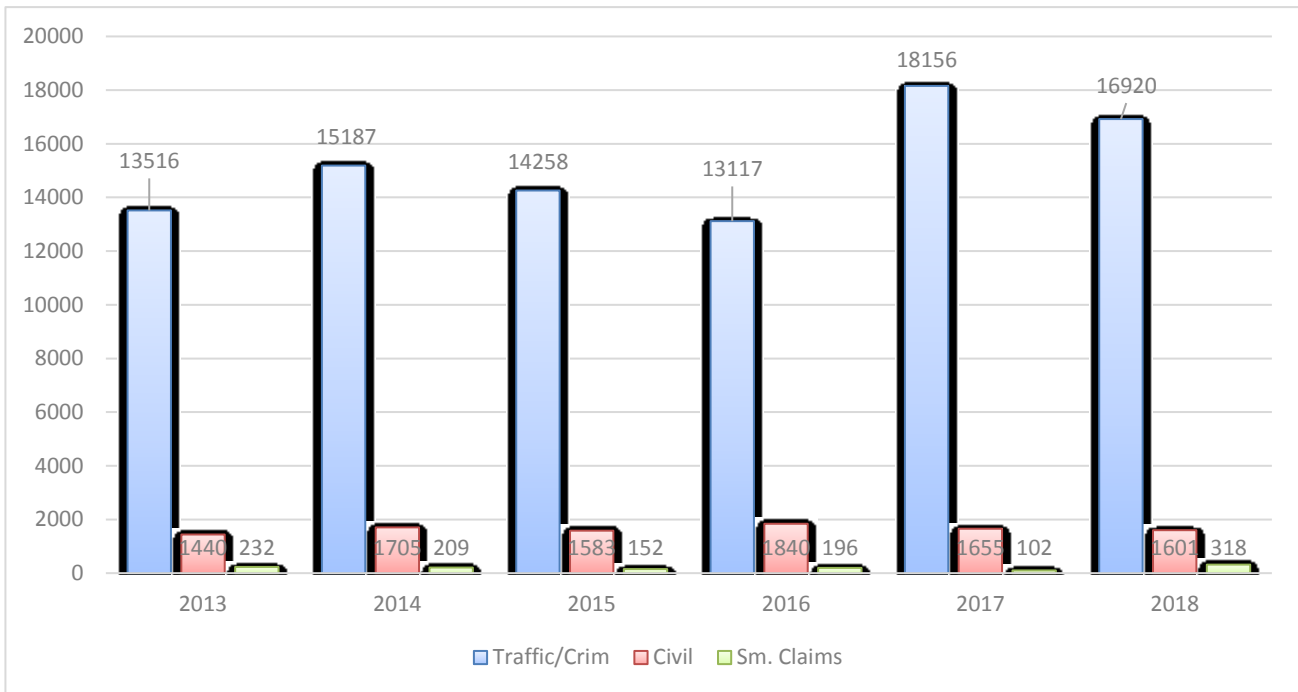
Felony cases and small claims cases are only reported on the Administrative Judge Report.

ANNUAL CASE FILINGS

Calendar Year 2018 Cases

Criminal and Traffic Cases	16,920
Civil Cases	1,601
Small Claims Cases	318

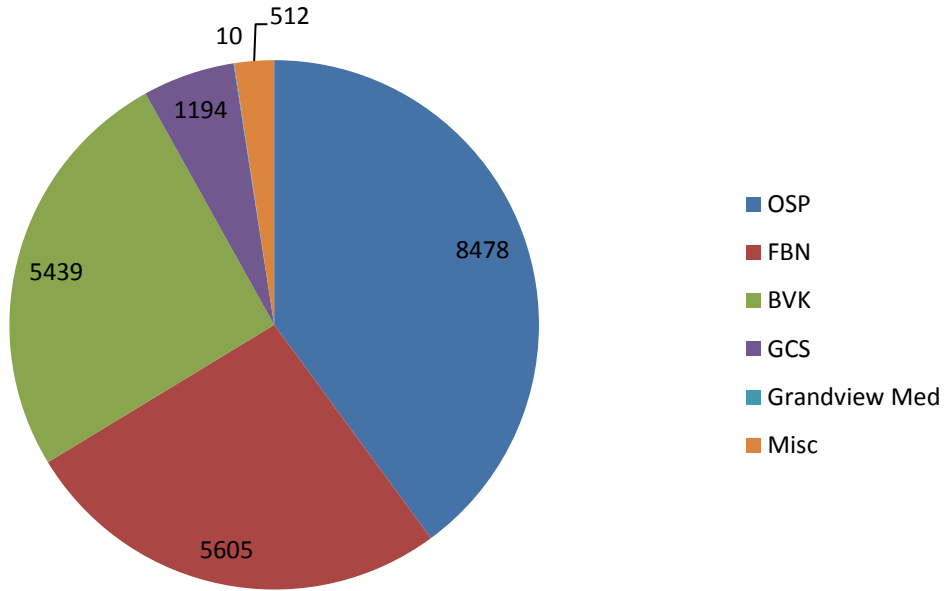
Historical Comparison: Calendar Years 2013-2018



The chart above represents the total number of cases filed in the Fairborn Municipal Court, in all divisions, for the last five calendar years for comparison purposes. The total caseload for 2018 saw a decrease of approximately 5% from calendar year 2017.

Charges Filed by Police Jurisdiction in 2018

Each case filed with the Court may include several individual charges arising out of a single incident. Below is a breakdown by police agency of traffic and criminal charges filed in 2018.



OSP: Ohio State Patrol; *FBN*: Fairborn Police Department; *BVK*: Beavercreek Police Department; *GCS*: Greene County Sheriff; Grandview Medical Center; and Miscellaneous filings.

2018 Receipts and Disbursements

Criminal / Traffic Division

Receipts

Fairborn Parking Tickets	\$8,606.00
Bond Receipts & Overpayments	\$512,937.56
Local Court Costs	\$1,177,132.02
State Court Costs	\$482,172.21
Fines Collected	\$788,242.40
Fees Collected	\$202,625.65
Total Receipts	\$3,171,715.84

Disbursements

City of Fairborn	\$1,536,756.87
City of Beavercreek	\$80,881.89
State of Ohio & State Agencies	\$712,690.49
Greene County & County Agencies	\$315,221.41
Miscellaneous Agencies & Sheriff Fees	\$13,227.62
Bond Refunds, Transfers & Overpayments	\$572,658.56
Total Disbursements	\$3,231,436.84

Civil and Small Claims Division

<u>Receipts</u>			
Civil	Small Claims	Tenant Landlord	Total
\$1,064,203.84	\$34,171.70	\$16,995.90	\$1,115,371.44

<u>Disbursements</u>			
Civil	Small Claims	Tenant Landlord	Total
\$1,051,917.53	\$33,621.56	\$15,391.40	\$1,100,930.49

Includes the sum of \$279,199.56 paid into the City of Fairborn general fund.

2018 and Ten Year Comparison-Cases and Distribution

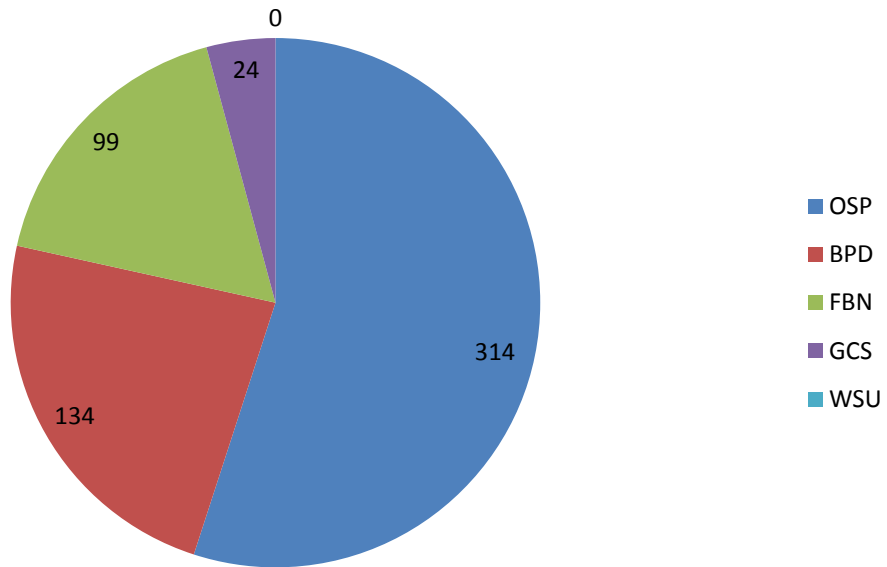
Criminal / Traffic / Civil / Small Claims / Tenant Landlord / Miscellaneous Cases

<u>Year</u>	<u>Total Cases</u>	<u># of Charges</u>	<u>Total Distributions</u>	<u>Paid to City of Fairborn General Fund</u>
2008	21,937	26,018	\$4,073,998.15	\$1,301,590.81
2009	19,188	22,237	\$3,835,738.34	\$1,174,994.28
2010	17,885	19,740	\$3,738,091.72	\$1,143,415.78
2011	16,747	18,772	\$3,709,783.04	\$1,105,398.58
2012	16,948	19,436	\$3,476,880.00	\$1,038,468.42
2013	15,188	19,154	\$3,541,967.08	\$1,008,155.73
2014	17,101	21,677	\$3,497,516.00	\$1,070,397.62
2015	15,993	20,452	\$3,656,482.78	\$1,106,465.09
2016	15,153	19,160	\$3,699,921.44	\$1,157,263.21
2017	19,923	24,933	\$4,315,357.02	\$1,472,225.11
2018	18,839	23,157	\$ 4,332,367.33	\$ 1,375,787.36

CASE STATISTICS BY OFFENSE TYPE

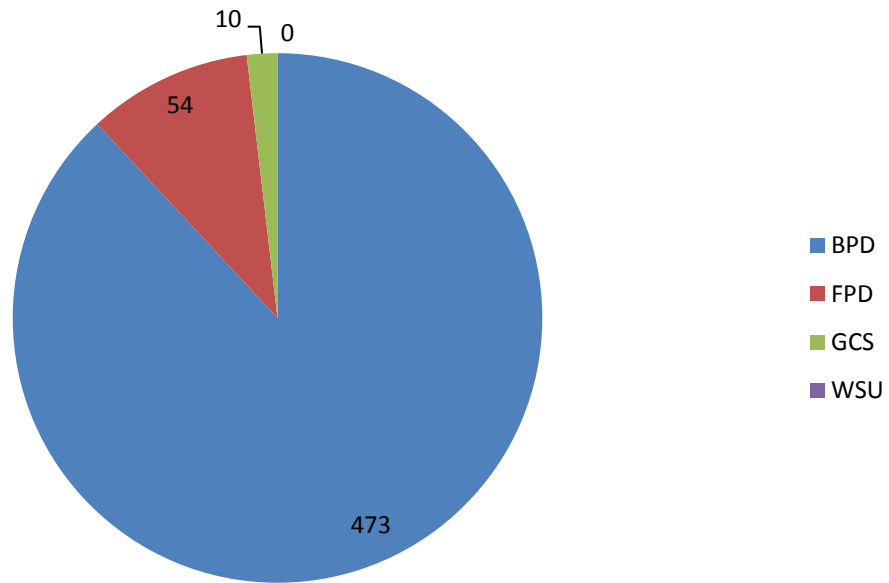
The charts and graphs set forth in the following three pages represent a breakdown by police agency of certain types of cases filed with the Court in 2018. Each case may contain several charges arising out of the same incident. These charts consider only cases filed, regardless of the number of charges associated with an individual case. The chart below represents cases involving Operating a Vehicle While under the Influence of Alcohol and/or Drugs of Abuse.

2018 OVI Cases filed by Jurisdiction



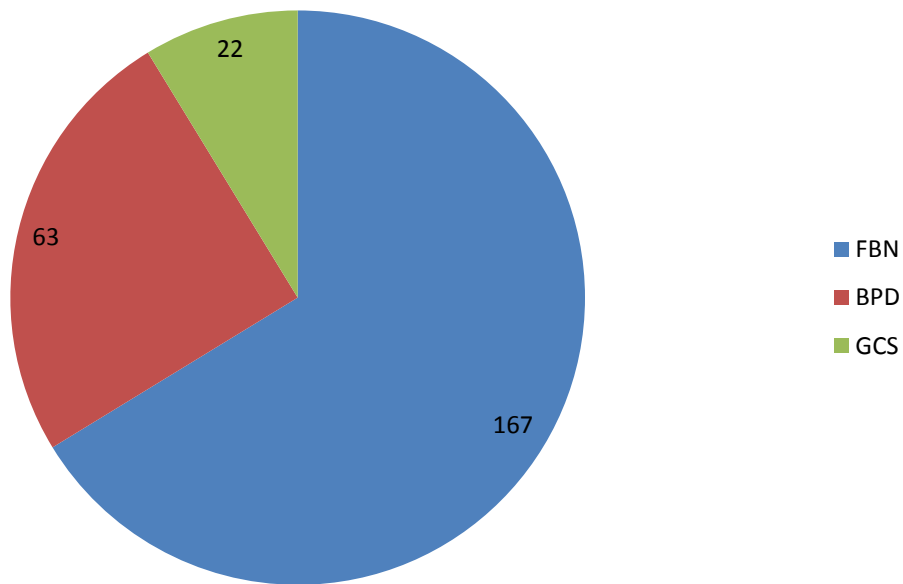
2018 Theft Cases Filed By Jurisdiction

The chart below represents a breakdown of all the property theft and related crimes filed in 2018.



Domestic Violence/Protection Order Cases by Jurisdiction

The chart below represents a breakdown of Domestic Violence/Protection Order crimes filed in 2018.



Court Fund Receipts and Expenditures

Special Projects Fund

2018

Balances and Revenues

This fund is utilized for the Magistrate Salary, Court Administrator Salary, and the Court's Paperless Initiative. This fund can also be used for any structural building changes which may be necessary in the future.

Fund Balance as of 01/01/2018	\$255,433.42
Year to Date Revenue	\$208,988.49
Year to Date Expense	\$97,072.38
Outstanding Encumbrances	<u>\$ 10,890.00</u>
Ending Balance 12/31/2018	\$ 356,459.53

Court Clerk's Computerization Fund

2018
Balances and Revenues

This fund is utilized for the paperless process and conversion of files to electronic form.

Fund Balance as of 01/01/2018	\$426,606.46
Year to Date Revenue	\$100,403.54
Year to Date Expense	\$192,387.00
Outstanding Encumbrances	<u>\$ 62,715.63</u>
Ending Balance 12/31/2018	\$ 271,457.37

Legal Research Fund

2018

Balances and Revenues

Fund Balance as of 01/01/2018	\$ 96,891.31
Year to Date Revenue	\$ 17,519.17
Year to Date Expense	\$ 33,014.02
Outstanding Encumbrances	\$ 39,971.12
Ending Balance 12/31/2018	\$ 41,245.34

FAIRBORN PROBATION DEPARTMENT

2018

The Fairborn Municipal Court Probation Department has many responsibilities and duties in connection with the operation of the Court. The basic responsibility of the Probation Department is to supervise those persons convicted of misdemeanor offenses who have been placed on community control sanctions (probation) by the Court. The Court during the course of sentencing may impose specific conditions upon an individual, which are relevant to that individual's specific life circumstances and the offense for which the individual was convicted. For example, for someone convicted of operating a vehicle while under the influence of alcohol or drugs (OVI offense), the Court may require that a drug and alcohol assessment be completed, and that as a specific condition of community control, the person complete any recommended treatment. It is the responsibility of the assigned probation officer to ensure that these orders of the Judge are followed and also to assist the person in accomplishing any other conditions of probation supervision. Probation supervision ensures that the person receives a level of care that will enable the person to avoid repetitive criminal behavior in the future.

The Fairborn Municipal Court Probation Department was assigned 877 new clients for probation during the calendar year of 2018. The average total monthly number of probationers supervised was 801. In an effort to service these individuals, there were 836 treatment referrals made during the calendar year of 2018, with the majority of the referrals made to drug and alcohol treatment service providers.

The Probation Department has a responsibility to ensure that the Court's orders are followed, but also to provide some measure of public safety if a probationer has failed to meet the obligations of community control. Whenever a probationer has violated the terms or conditions of community control, it is incumbent upon the probation officer to provide a written report to the Court outlining the violations which have occurred and requesting that probation be terminated. This may include issuing an arrest warrant for the probationer for violating the terms and conditions of probation. In 2018, 54 individuals had their probation revoked and their suspended sentences imposed by the Court for failure to comply with the Court's orders and community control requirements.

In April of 2018, a Pretrial Program was implemented. The pretrial program has three primary functions: collect and analyze incarcerated defendant's information to determine risk level and needs of the defendant; address the public's safety; and supervise defendants who are released from custody during the pretrial phase if ordered by the Court. This program is essential before trial in achieving the central goal, which is to minimize unnecessary detention of defendants before trial who are likely to appear for scheduled court dates and who do not pose a safety issue to the public. The Probation Department assessed 984 incarcerated defendants in 2018.

Another responsibility handled by the Probation Department is the preparation of Pre-Sentence Investigation (PSI) Reports. These reports are prepared at the direction of the Court for the purpose of assisting the Court in determining the appropriate sentence for a particular individual. The Court refers a case to the Probation Department after a guilty plea or finding of guilt has been entered on the record for a particular individual. After an offender is referred for a PSI, he or she is interviewed by the Probation Department and certain basic social background information is obtained from the offender. The offender is also provided the opportunity to provide a written statement to the Court as to the circumstances of the offense of which he or she has been found guilty. The follow-up investigation would consist of reviewing all police reports and victim impact statements which may be submitted, as well as interviewing the victims or victim advocates. Restitution figures are determined during the course of the PSI as well as a determination made as to any special needs of this particular defendant relating to treatment or counseling. This information is compiled into a report and provided to the Judge, along with a recommendation as to sentencing for this particular offender. There were six (6) PSI's ordered and completed for the 2018 calendar year.

The Traffic Intervention Program (TIP) was implemented in August, 2008, and celebrated its 10th anniversary in 2018. This program provides information and assists offenders who have been issued citations for Driving under Suspension or Failure to Reinstate. The goals of the program are to divert cases from the court's docket, to determine what is needed to obtain a valid driver's license, and to provide this information to the offender so they can obtain a valid driver's license within 120 days of their first arraignment date. The defendant is also required to obtain insurance, thereby increasing the number of valid licensed drivers in our community. The success of the program is determined by the number of offenders who are able to obtain a valid driver's license within 120 days. In 2018, 470 cases were referred to the program, and 375 individuals successfully completed the program, for a 79% success rate.

There are a number of other tasks which have fallen upon the Probation Department to assist the Court in achieving its goals. One such responsibility is the referral of those offenders who may have been ordered to a specific treatment program, but have not been placed on community control. Examples include referrals to attend a Driver's Intervention Program (DIP) for offenders convicted of OVI, or attendance and completion of a parenting class for those persons who have been convicted of Child Endangering. While the Court may feel that community control supervision may not be necessary in these individual cases, there is still a requirement for the offender to complete the program as instructed, and it is the responsibility of the Probation Department to see to it that the Court's orders have been followed.

The Probation Department has also been responsible for the processing of applications for sealing the records by those people who have been convicted of criminal offenses and are requesting that their records of conviction be sealed. This process includes verification of their eligibility as well as determining the appropriate timeliness of the application. There were a total of 158 applications for sealing of record filed during the 2018 calendar year.

The Community Service Program was established in the Fairborn Municipal Court in 1978 and is administered through the Court's Probation Department. The Program is designed to give nonviolent offenders the opportunity to perform some type of labor for government agencies and nonprofit organizations in lieu of incarceration. The Court sentences an offender to a jail term and suspends the jail term on the condition the offender perform work in the Community Service Program. Community Service allows the Court to assign community service hours in lieu of jail, thus avoiding jail costs. All Community Service referrals are interviewed by the Court's Probation staff. This process allows determination of the type of work the offender is able to perform. When possible, the defendant has a work assignment that fits his/her special talents. Release of Claims forms are signed by the offender releasing the Court, the City, and the participating agency from any and all claims. The offenders are provided a date to return to Court at the time of the initial interview. This procedure is to ensure compliance with the planned hours. During 2018, the Court assigned 47 participants to the program. A total of 1,239 community service hours were completed. There were no participants revoked from the program or jail time imposed.

The Court may use the option of Electronic Monitored House Arrest (EMHA) in lieu of jail or in conjunction with a jail sentence, providing the Court with more flexibility in sentencing an offender while also helping to alleviate the jail overcrowding situation. The offender is responsible for the cost of the EMHA, currently set at \$9.00 to \$11.00 per day, depending on the level of usage. EMHA consists of the offender being outfitted with a radio transmitter, placed around his/her ankle or wrist, which transmits a signal to a base unit in the offender's residence. The offender on EMHA can also be afforded the opportunity of a work release which allows the offender to continue with his employment while on house arrest. The Court also has the option of requiring that an alcohol monitoring system be installed in conjunction with EMHA, so that the Court can ensure that an offender cannot consume alcoholic beverages while on house arrest. There is an additional fee per day for this service. There were 139 individuals placed on EMHA during 2018. This resulted in a savings of \$350,882.00 to the Greene County Jail. Of those placed on EMHA, 1 offender was revoked for violation of the conditions of EMHA.

The Probation Department has also been assigned the responsibility of monitoring Court ordered restitution payments. In certain cases, as part of the sentence imposed, the Court may instruct a particular offender to make restitution for financial losses that were incurred as a result of his/her actions. The Probation staff monitors this restitution payment and, when proof of restitution has not been provided by the offender as instructed by the Court, will notify the Court of this lapse. The total number of restitution cases supervised for the year 2018 was forty-one (41). A total of \$19,022.94 was collected and paid to victims.

The Fairborn Municipal Drug Court (FMDC) was implemented on September 15, 2015, and received final certification from The Ohio Supreme Court as a specialized docket on December 11, 2015. The Drug Court was recertified on September 8, 2017. The mission of the FMDC is to provide a therapeutically oriented, court managed, medically assisted drug intervention treatment and monitoring program that assists participants with a drug dependency diagnosis in developing a sober life style through evidence based intervention and the appropriate alcohol/drug/mental health treatment in a non-adversarial approach, as an alternative to traditional case processing. Since 2016, Fairborn Municipal Court has received a Specialized Dockets Payroll Subsidy Project grant from the Ohio Department of Mental Health and Addictions Services.

This grant helps cover personnel expenses, both salary and fringe benefits, for the probation officer who supervises the Fairborn Municipal Drug Court caseload.

In 2018, the Ohio Department of Mental Health and Addiction Services announced the expansion of the Addiction Treatment Program (ATP) to all eligible counties in Ohio. Fairborn Municipal Court, TCN, and the Mental Health & Recovery Board of Clark, Greene & Madison Counties applied for and were granted \$100,000 of ATP funds. The ATP funds addiction treatment and recovery support services to clients who are involved with selected drug and family dependency dockets, have an opioid and/or alcohol addiction, and are deemed eligible for medication-assisted treatment. Time-limited recovery supports may be utilized to help eliminate barriers to treatment and are specific to the participant's needs, including assistance with housing, transportation, child care, job training, obtaining a driver's license or state identification card, or any other matter considered relevant by the provider. In 2018, there were 3 successful drug court completions, 6 unsuccessful completions, and 3 neutral completions. There are 11 currently active drug court participants.

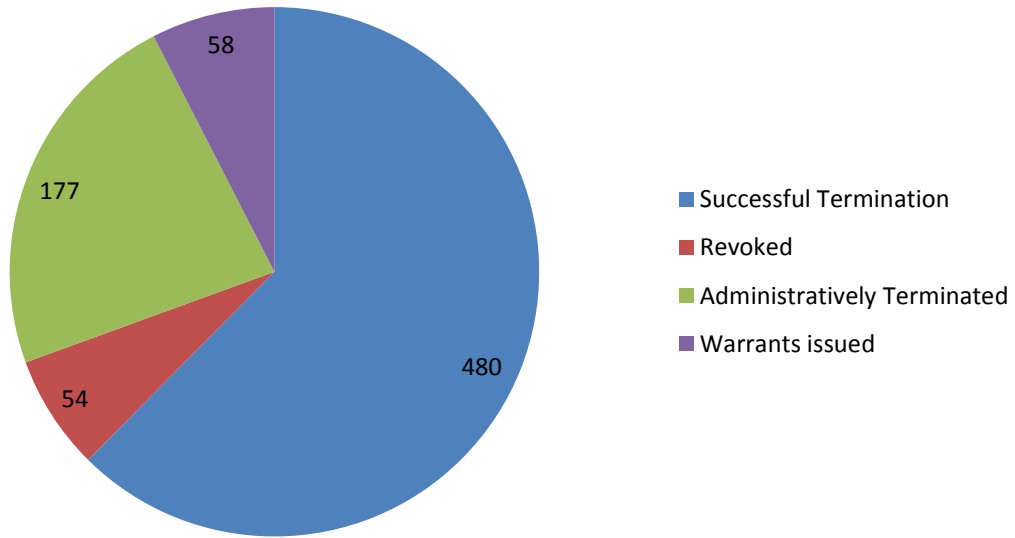
Another sentencing tool used by Fairborn Municipal Court is the Greene Leaf Program. The Greene Leaf Therapeutic Community was established in 2002 by the Greene County Common Pleas Court and the Fairborn Municipal Court began participating in the program in 2008. The program is a jail-based therapeutic community which lasts either 90 days or six (6) months. The therapeutic community is a specific treatment modality used widely throughout the United States. This modality uses a "community of peers" to change thinking and reshape behavior, thereby promoting pro-social living. A therapeutic community is a highly structured, disciplined, yet positive environment in which people who have similar treatment issues learn to live and work together to better their lives. The adherence to a disciplined, orderly environment fosters treatment for offenders and addicts who have lived in chaotic, disruptive and anti-social settings. This treatment modality holds people immediately accountable for aberrant thinking and behavior, and then challenges them to make positive changes, and to achieve satisfaction through personal and group accomplishment. "Community Members" earn privileges and rewards as they progress through a program that has high expectations of each participant and for the "community". In this way, participants learn that they are responsible for their actions. Further, they learn how to take charge of their lives in a pro-social manner and learn how to be role models for others. Although the individual is in the Greene County jail for this program, the individual is learning positive skills to utilize upon his/ her release. In 2018, there were 28 defendants referred to this program. Twenty Four (24) individuals completed the program successfully. Four were administratively discharged, and 6 are still in the program, for a graduation rate of 86%.

In September of 2018, the Ohio Criminal Sentencing Commission (OCSC) and Ohio Criminal Justice Services (OCJS) received a grant to study pretrial bond/bail issues in Ohio, including utilization of an evidenced based risk assessment tool and collection of data. Fairborn Municipal Court was chosen to participate in this grant and will be working directly with the Sentencing Commission.

In addition to the other highlights mentioned during 2018, long time employee Pam Lynch retired from the court. Her vacancy was filled by Alexis Scott who joined us from Greene County Common Pleas Court. Ryan Simpson completed the Ohio Supreme Court Probation Officer training program to become a fully certified Probation Officer. Officer Simpson and Officer Bentley successfully completed Ohio Peace Officer firearms training.

It is incumbent upon the Court and its Probation Department to work in close cooperation so that the responsibility for protection of society as well as the rehabilitation of the offender can be met. Community Control can be effective as long as it remains flexible in meeting the needs of the Court, as well as meeting the needs of the clients it serves.

Fairborn Municipal Court Probation Department Terminations



Certificate

I, Melissa A. Litteral, Clerk of Court of the Fairborn Municipal Court, do hereby certify that the foregoing statistical and financial statements for the calendar year of 2018 were prepared from records maintained in the office of the Clerk of Court and accurately reflect all collections and distributions of the Court as recorded in its official records.

Completed at Fairborn, Ohio, this 19th day of March, 2019.

Melissa A. Litteral, Clerk of Court