

# ***BEREA MUNICIPAL COURT***

*Mark A. Comstock*  
*Judge*

*Raymond J. Wohl*  
*Clerk of Courts*



## ***ANNUAL REPORT***

### ***2009***

*Proudly serving the Communities of:  
Berea, Brook Park, Middleburg Heights, Olmsted Falls,  
Olmsted Township, Strongsville, in addition to the  
Cleveland Metropolitan Park District and the Ohio State Patrol*

Pursuant to Section 1901.14(A)(4) of the Ohio Revised Code, the Berea Municipal Court herewith submits its 51<sup>st</sup> Annual Report for the year 2009. The contents of this report are based on data assembled and tabulated by Raymond J. Wohl, the Clerk of Courts and his staff of Deputy Clerks. This report reflects the financial and statistical activity of the Court in detail with respect to all political subdivisions within the Court district.

The Berea Municipal Court has been located in the City of Berea, by an act of the Ohio Legislature, since 1958. The Court district boundaries cover an area of 60.8 square miles and has a total population of 118,125 (per 2000 U.S. Census).

The Court serves the cities of Berea, Brook Park, Middleburg Heights, Olmsted Falls, Olmsted Township, Strongsville, in addition to the Ohio Turnpike (Ohio State Patrol) in Strongsville, Berea, and Olmsted Township; Interstate 71 (Ohio State Patrol) in Brook Park, Middleburg Heights, and Strongsville; and the Cleveland Metropolitan Park System within the Berea Municipal Court's boundaries.

**BEREA MUNICIPAL COURT DISTRICT POPULATION ( 2000 Census)**

City of Berea	18,970
City of Brook Park	21,218
City of Middleburg Heights	15,542
City of Olmsted Falls	7,962
City of Strongsville	43,858
Olmsted Township	<u>10,575</u>

**Total Court District Population                      118,125**



# Berea Municipal Court

11 Berea Commons • Berea, Ohio 44017  
www.bereamunicipal.org

March 1, 2010

**Mark A. Comstock**  
*Judge*

**Raymond J. Wohl**  
*Clerk of Courts*

*Magistrates*

**Ryan A. Glaze**  
**Christopher L. Greene**  
**S. Robert E. Lazzaro**  
**Marisa Mayer**  
**Bruce Zaccagnini**

*Law Clerk*

**Gino Zomparelli**  
**Paul T. Kirner**

To the Cuyahoga County Commissioners, and the Mayors, Trustees, City Council Members, Police Chiefs of the Cities of Berea, Brook Park, Middleburg Heights, Olmsted Falls, Olmsted Township, Strongsville, and the Cleveland Metro Parks and Post Commanders of the Ohio State Patrol.

Dear Ladies and Gentlemen:

It is with great pleasure that we present to you the 2009 Berea Municipal Court Annual Report.

## Highlights

2009 was a year that again reflected the state of the local and national economy in our Civil Department. Although we saw a slight decrease in the number of new cases filed in our Civil Department, collection actions on outstanding judgments increased by 16% compared to 2008. Our Traffic/Criminal Department results showed a slight decrease in new filings compared to 2008.

Our economy continues to have a negative impact on our ability to collect fines and costs. In 2009 we continued a semi-monthly hearing schedule specifically for defendants with outstanding fines and costs. The purpose of these hearings is to allow for regular payments to be made thereby avoiding more serious collection proceedings. We were successful in collecting over \$250,000 at these hearings.

Despite the reductions in new filings we are proud of the fact that the Berea Municipal Court revenues exceeded expenses for 2009. Included in this was a nearly 10% reduction in overall expenses over 2008 and just under a 20% reduction in operating expenses compared to 2007.

During 2009 the Berea Municipal Court received \$129,153 for 854 waiver payments through the use of the Court website. The availability of this resource continues to provide convenience to violators saving a trip to Court to make a payment in person. In addition, our website had over 150,000 visits in 2009 with over 2.0 million pages being accessed in those visits.

**Serving**  
**Berea**  
**Brook Park**  
**Middleburg Heights**  
**Olmsted Falls**  
**Olmsted Township**  
**Strongsville**  
**Ohio State Patrol**  
**Cleveland MetroParks**

As in the past, the Court on the Road initiative was continued at Berea High School with the Junior and Senior class students observing live Court as it was conducted in the school auditorium. This allows the students the opportunity to observe actual cases heard by the Berea Municipal Court and affords them the opportunity to interact with the Judge and Clerk of Courts during a question and answer period.

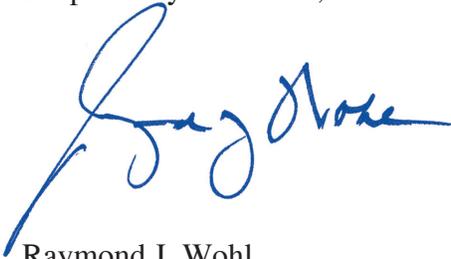
We continue to work, in a positive manner, with Berea Mayor Cyril Kleem. With his cooperation, the Court installed a metal detector in 2008 at no cost to taxpayers with over 80,000 individuals passing through our doors since its installation. By having this device, security for the visitors and employees safety was greatly increased with numerous dangerous items being confiscated or detained by our ever vigilant security staff.

A heartfelt thank you to the entire staff including our Acting Judges, Magistrates, staff of the Traffic/Criminal Division, Civil Division, Probation and Bailiffs for the outstanding service they provided in 2009. Our staff of Deputy Clerks are truly professionals and complete their work in an efficient and business-like manner, and are ever mindful of the people we serve.

Thank you to Mayor Cyril Kleem, his directors, staff and Berea City Council, Police Chief Mark Schultz and his officers for their support. We appreciate your kindness, the confidence you have in us and your cooperation with us in the administration of the Berea Municipal Court.

In conclusion, you can rest assured that we will continue to monitor and evaluate the operations and expenses of the Court and to ensure that the Berea Municipal Court is operated in a fiscally responsible and business-like manner.

Respectfully submitted,



Raymond J. Wohl  
Clerk of Courts



Mark A. Comstock  
Judge

**THE BEREA MUNICIPAL COURT**

Judge Mark A. Comstock and Clerk of Courts Raymond J. Wohl would like to recognize members of the Berea Municipal Court District. It has been our distinct pleasure to work with you in a spirit of cooperation and look forward to our continued work together.

**City of Berea**

Mayor Cyril Kleem  
Prosecutor Gregory Sponseller  
Police Chief Mark Schultz

**City of Brook Park**

Mayor Mark Elliott  
Prosecutor Bruce Courey  
Police Chief Kevin McQuaid

**City of Middleburg Heights**

Mayor Gary Starr  
Prosecutor Peter Hull  
Police Chief John Maddox

**City of Olmsted Falls**

Mayor Robert Blomquist  
Prosecutor Bradley Burland  
Police Chief Dan Gilles

**City of Strongsville**

Mayor Thomas Perciak  
Prosecutor George Lonjak  
Police Chief Charles Goss

**Olmsted Township**

Trustees – Tom Bush Jim Carr Sherri Lippus  
Prosecutor Gregory Sponseller  
Acting Police Chief John Minek

**MetroParks**

Prosecutor Joseph Feighan  
Chief Ranger Gregory Loftus

**The Ohio State Patrol**

**Post Commanders**

**Division Headquarters**

Captain Roger Hannay

**Post 52**

Lt. Joshua Swindell

**Post 90**

Lt. Chester Engle

**Post 91**

Lt. William Butts

**BEREA MUNICIPAL COURT  
STAFF SERVING DURING 2009**

**MARK A. COMSTOCK**

**Presiding Judge**

Anthony Bialowas  
Ryan Glaze  
Christopher Greene  
Matthew Kaczor  
Paul Kirner  
Paul Kortan  
S. Robert E. Lazzaro  
Marisa Mayer  
Kenneth Preston  
Gino Zomparelli

Bailiff  
Magistrate  
Magistrate/Acting Judge  
Part-time Deputy Bailiff  
Law Clerk  
Bailiff  
Magistrate/Acting Judge  
Magistrate  
Acting Judge  
Law Clerk

**Probation Department**

Denise McCarthy  
Jenelle Baker  
Stacia Bellini  
Julie Diulus  
Loretta Mikoloski

Chief Community Control Officer  
Community Control Officer  
Judge/Probation Administrative Assistant  
Part-time Secretary  
Part-time Assistant Community Control Officer

**RAYMOND J. WOHL**

**Clerk of Courts**

Alan Budney  
Rhonda Burch  
Denise Bernath

Chief Deputy Clerk  
Financial Officer - Deputy Clerk  
Traffic/Criminal Department Supervisor

**Civil Department**

Danielle Colonna  
Harry Endrulas  
Karen Higgins  
Susan Norton  
Sally Peterson  
Christina Salvatore  
Joseph Volosyn

Deputy Clerk  
Part-time Deputy Clerk  
Deputy Clerk  
Part-time Deputy Clerk  
Administrative Assistant - Deputy Clerk  
Deputy Clerk  
Deputy Clerk

**Traffic/Criminal Department**

Colleen Coyne  
Elizabeth Dittler  
DeAnna McKinley  
Nancy Modory  
Nicole Sidari

Part-time Deputy Clerk  
Deputy Clerk  
Deputy Clerk  
Assignment Department Deputy Clerk  
Deputy Clerk

**Summer Interns**

Albert Ciccone  
Ashley Gammella

# SECTION ONE

# FINANCIAL

## CASH RECEIPTS ALL SOURCES - 2009

TRAFFIC/CRIMINAL ACCOUNT	\$2,479,950	
CIVIL AND SMALL CLAIMS ACCOUNT	1,616,035	
TRUSTEESHIP ACCOUNT	6,576	
BOND ACCOUNT	202,658	
RENT ESCROW ACCOUNT	4,575	
<b>TOTAL RECEIPTS FOR 2009</b>		<b>\$4,309,794</b>

## TOTAL RECEIPTS DISBURSED TO THE CITY OF BEREA - ALL SOURCES

### Disbursed to the General Fund of the City of Berea

Traffic/Criminal	\$999,554	
Civil/Small Claims	343,851	
Marriage	2,950	
Poundage (Trustee & Rent Escrow)	101	
Legal Aid Fees	821	
Convenience Fees	27,233	
Dismissals	(2,792)	
<b>Sub-Total</b>		<b>\$1,371,718</b>

### Disbursed to Other Funds within the City of Berea

Fines	\$67,466	
Probation	442,883	
State Highway Patrol	14,172	
Unclaimed Funds	1,750	
Indigent Drunk Driving School	14,445	
Indigent DUI Fines	11,377	
Alcohol Education Programs	1,890	
Expungements	0	
Construction Fund	278,013	
Computer Research Funds	41,802	
Computer Maintenance Fees	96,938	
Special Projects Fund	135,545	
Driver Interlock & Alcohol Monitoring SB17	13,100	
Miscellaneous	0	
<b>Sub-Total</b>		<b>\$1,119,381</b>

**ALL MONIES DISBURSED TO THE CITY OF BEREA** **\$2,491,099**

## OTHER TRAFFIC AND CRIMINAL DISBURSEMENTS

### CUYAHOGA COUNTY

Regular State Cases	\$46,160
Uniform Traffic Cases	90,077
10% State Highway Patrol Cases	14,990
50% Liquor Control Cases	1,908
HSG OMVI	22,042
Olmsted Township Cases	20,973
Cuyahoga Regional Information System	26,588
Crime Stoppers	1,172
Indigent Application Fee	4,596
Expungement Filing Fees	300
Dismissals	(86,387)

### TOTAL CUYAHOGA COUNTY

**\$142,419**

### STATE OF OHIO

45% State Highway Patrol Cases	\$74,618
50% Liquor Control Cases	1,728
Child Safety Restraint Fund	130
Department of National Resources	0
Board of Pharmacy	2,186
General Revenue	86,535
Victims of Crime	58,932
Ohio State Patrol DUI Education	0
Indigent Defense Support Fund	65,643
Indigent Driver Alcohol Treatment	7,137
State Highway Safety Fund SB17	320
Mandatory Court Costs HB562	9,065
Drug Law Enforcement Funds	7,592
Seat Belt Fines	7,870
Civil Legal Aid	81,351
Law Library	755

### TOTAL STATE OF OHIO

**\$403,862**

### METROPARKS

Fines	\$8,234
Law Enforcement Education	75
Drug Split	0
Dismissals	0

### TOTAL METROPARKS

**\$8,309**

### CITY OF MIDDLEBURG HEIGHTS

Fines	\$44,464
Law Enforcement Education	1,989
Drug Split	0
Expungements	0
Dismissals	(8,540)

### TOTAL MIDDLEBURG HEIGHTS

**\$37,913**

**OTHER TRAFFIC AND CRIMINAL DISBURSEMENTS (CONT'D)**

**CITY OF STRONGSVILLE**

Fines	\$67,852
Law Enforcement Education	4,846
Drug Split	0
Expungements	0
Dismissals	(2,787)

**TOTAL STRONGSVILLE** **\$69,911**

**CITY OF BROOK PARK**

Fines	\$29,699
Law Enforcement Education	1,525
Drug Split	0
Expungements	0
Dismissals	(4,015)

**TOTAL BROOK PARK** **\$27,209**

**CITY OF OLMSTED FALLS**

Fines	\$8,346
Law Enforcement Education	358
Drug Split	0
Expungements	0
Dismissals	(1,060)

**TOTAL OLMSTED FALLS** **\$7,644**

**OLMSTED TOWNSHIP**

Fines	\$1,172
Law Enforcement Education	421
Drug Split	0
Expungements	0
Dismissals	(234)

**TOTAL OLMSTED TOWNSHIP** **\$1,359**

**REFUNDS** **\$4,435**

**GARNISHMENT AND BANK ATTACHMENT PAYOUTS** **\$1,083,371**

**CAPITOL RECOVERY FEES \*\*** **\$12,014**

**RETURNED CHECKS** **\$14,399**

**JURY/WITNESS FUND REIMBURSEMENT** **\$4,573**

**TOTAL DISBURSEMENTS FOR 2009** **\$4,308,517**

\*\*Capitol Recovery Systems Inc. recovers past due accounts for the Court.  
CRS fees are added to the defendants case and paid solely by the defendant.

**COURT EXPENDITURES 2007, 2008, and 2009**

Expenditure	2007 Actual Expense	2008 Actual Expense	2009 Actual Expense
<b>Salaries</b>			
Regular	\$920,649	\$780,734	\$744,151
Overtime	0	0	0
Part-time	69,974	80,800	87,848
<b>Total</b>	<b>\$990,623</b>	<b>\$861,534</b>	<b>\$831,999</b>
<b>Benefits</b>			
Workers Compensation	\$44,594	\$33,090	\$30,938
Medicare	14,883	12,403	12,049
PERS	149,016	151,197	117,500
Hospitalization	253,341	217,256	196,952
Hospitalization Reimbursement	(14,213)	(12,672)	(12,489)
Life Insurance	2,056	1,672	1,712
<b>Total</b>	<b>\$449,677</b>	<b>\$402,946</b>	<b>\$346,662</b>
<b>General</b>			
Stationary & Supplies	\$41,942	\$26,802	\$16,085
Membership & Subscriptions	1,435	1,505	1,944
Travel Expense	9,019	8,382	5,490
Contracts	50,701	99,946	71,718
Postage	40,000	40,000	51,000
Special Counsel	81,373	27,475	8,119
Publications	103	244	191
Motor Vehicle R.M.	310	12	6
Gas & Oil	2,871	3,769	2,474
Jury & Witness Fees	41	1,275	875
Law Library	758	0	0
Unemployment Compensation	0	6,792	5,377
Immobilization Expense	0	0	0
State Exam Fee	3,565	3,276	3,179
Other	2,356	0	640
Subcontractor Expense	1,426	693	0
<b>TOTAL</b>	<b>\$235,900</b>	<b>\$220,171</b>	<b>\$167,099</b>
<b>COURT TOTAL</b>	<b>\$1,676,200</b>	<b>\$1,484,651</b>	<b>\$1,345,760</b>

SECTION TWO  
CIVIL / SMALL CLAIMS

## CIVIL DIVISION CASE COUNT REPORT

<b>Cases Pending - January 1, 2009</b>		<b>1,519</b>
<b>New Cases Filed - 2009</b>		
Civil	2,214	
Small Claim	783	
Eviction	601	
<b>Sub-Total</b>		<b>3,598</b>
<b>TOTAL</b>		<b>5,117</b>

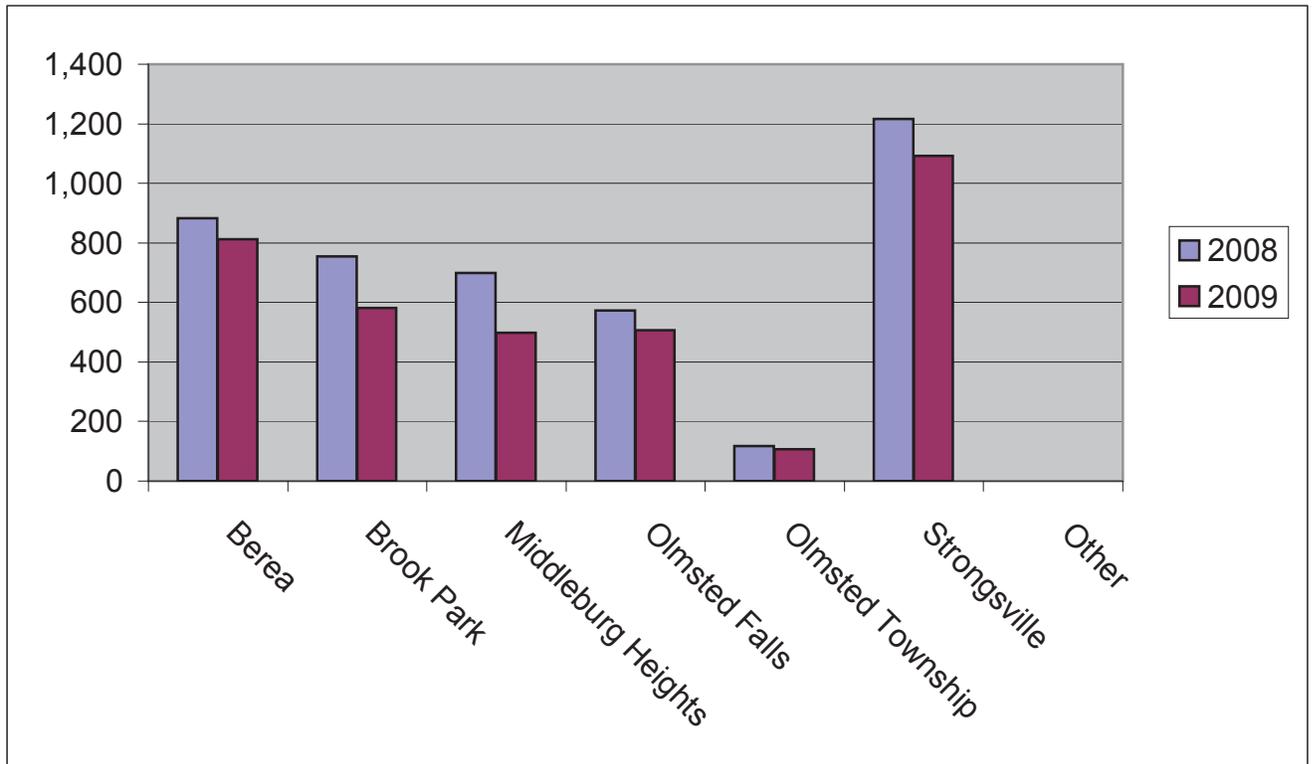
## DISPOSITIONS OF CIVIL CASES BEFORE THE COURT DURING 2009

Default Judgments	2,488	
Dismissals	1,190	
Stayed by Reason of Bankruptcy	263	
Transferred to Other Courts	34	
Judgments Vacated	18	
<b>Total Dispositions</b>		<b>3,993</b>

<b>CASES PENDING - DECEMBER 31, 2009</b>		<b>1,124</b>
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**Civil, Small Claims and Eviction Cases Filed  
2008 vs. 2009 By Municipality**

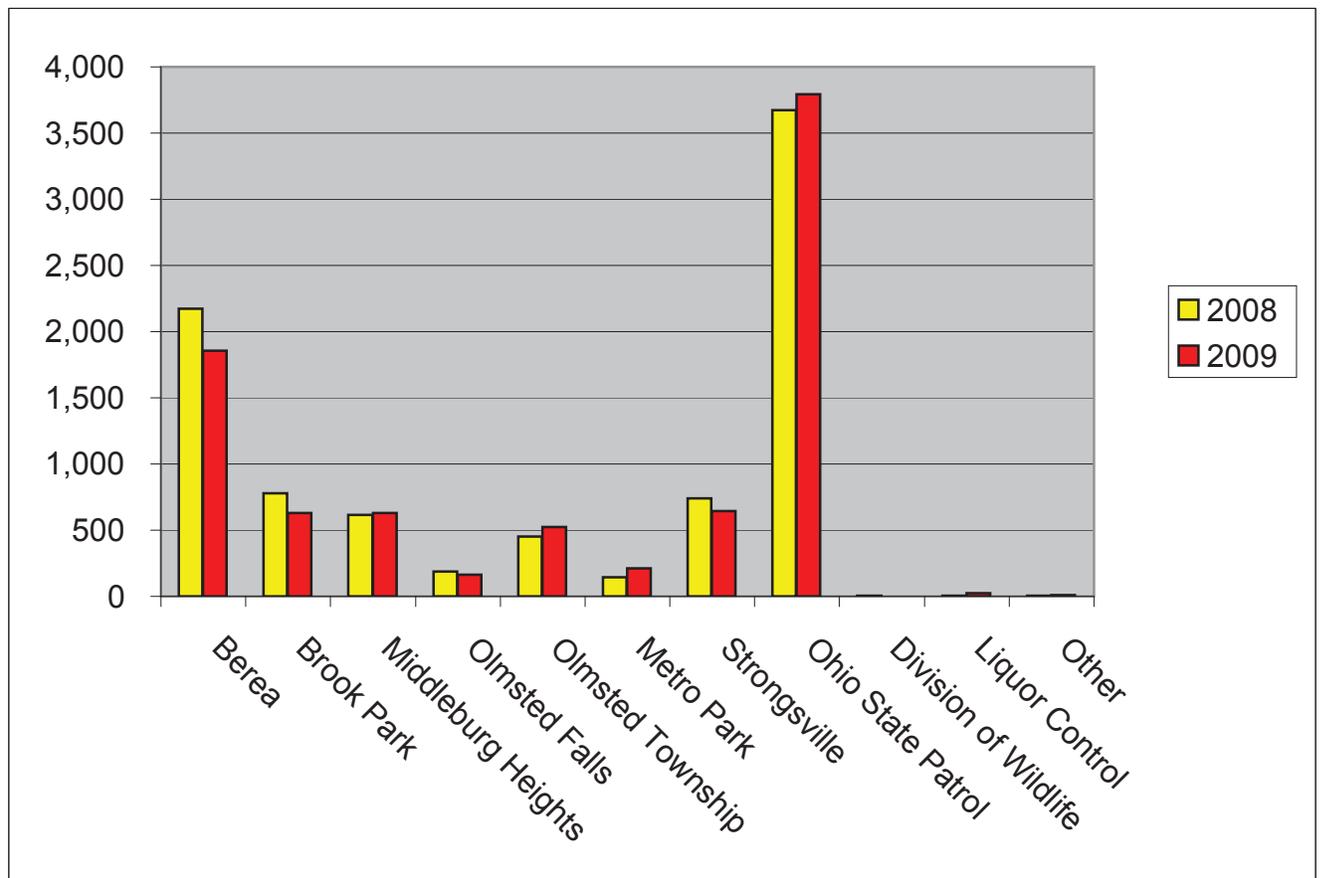
MUNICIPALITY	CIVIL		SMALL CLAIMS		EVICTION		TOTAL	
	2008	2009	2008	2009	2008	2009	2008	2009
<b>Berea</b>	550	438	204	233	128	141	882	812
<b>Brook Park</b>	613	462	40	16	102	104	755	582
<b>Middleburg Heights</b>	437	243	148	159	115	96	700	498
<b>Olmsted Falls</b>	421	344	101	119	51	43	573	506
<b>Olmsted Township</b>	43	37	14	7	61	63	118	107
<b>Strongsville</b>	786	690	269	249	162	154	1,217	1,093
<b>Other</b>	0	0	0	0	0	0	0	0
<b>TOTAL</b>	<b>2,850</b>	<b>2,214</b>	<b>776</b>	<b>783</b>	<b>619</b>	<b>601</b>	<b>4,245</b>	<b>3,598</b>



SECTION THREE  
TRAFFIC / CRIMINAL

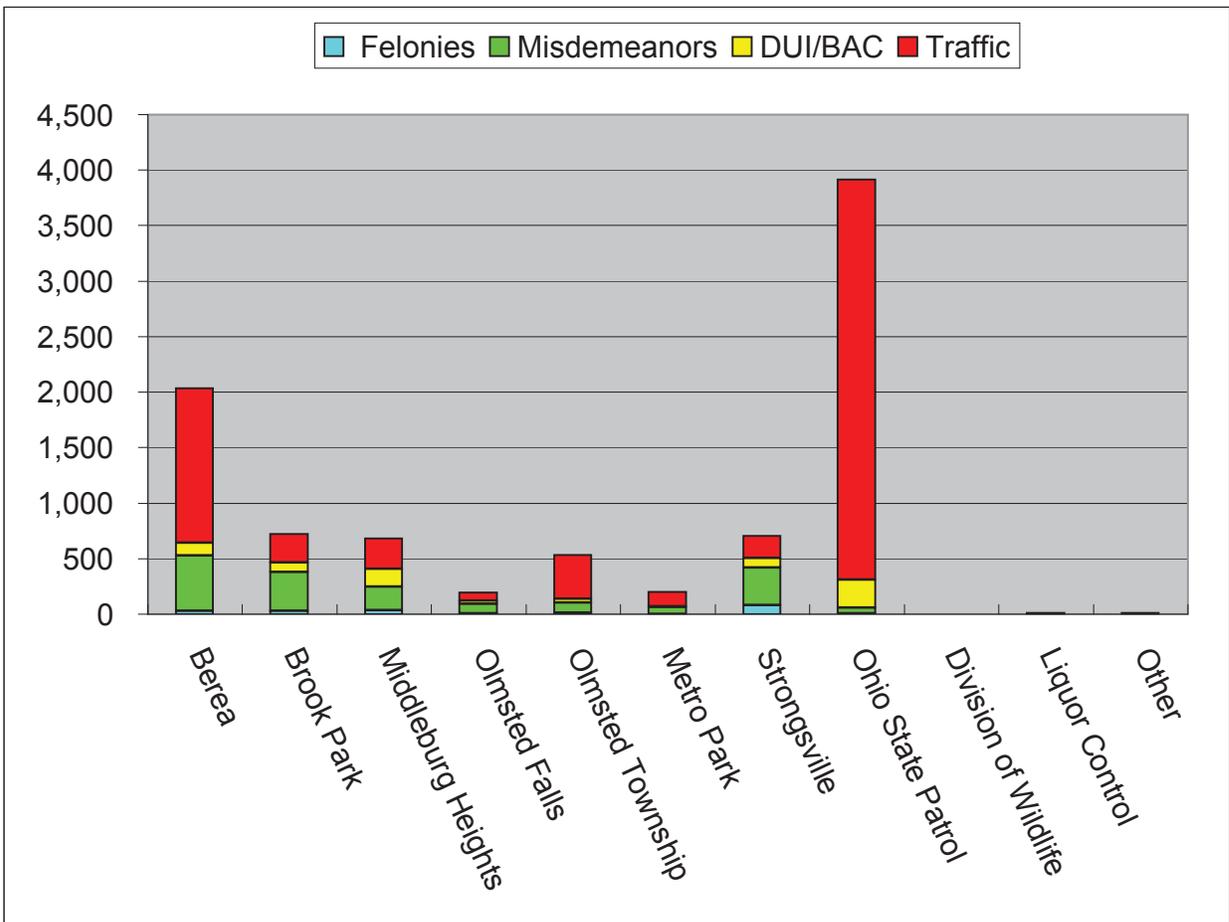
**TRAFFIC AND CRIMINAL CASES FILED  
2008 vs. 2009 CASES BY MUNICIPALITY**

MUNICIPALITY	Criminal				Traffic				TOTALS	
	Felonies		Misdemeanors		DUI / BAC		Uniform Tickets		2008	2009
	2008	2009	2008	2009	2008	2009	2008	2009		
Berea	61	30	557	435	113	100	1,442	1,291	2,173	1,856
Brook Park	76	28	339	320	103	69	262	214	780	631
Middleburg Heights	26	31	179	208	135	144	275	245	615	628
Olmsted Falls	7	7	80	66	33	24	67	67	187	164
Olmsted Township	17	11	102	95	29	47	305	373	453	526
Metro Park	0	2	49	65	1	7	94	136	144	210
Strongsville	140	75	302	313	86	69	211	187	739	644
Ohio State Patrol	5	6	37	48	211	267	3,421	3,470	3,674	3,791
Division of Wildlife	0	0	4	1	0	0	0	0	4	1
Liquor Control	0	0	7	23	0	1	0	0	7	24
Other	0	0	4	9	0	0	0	0	4	9
<b>TOTAL</b>	<b>332</b>	<b>190</b>	<b>1,660</b>	<b>1,583</b>	<b>711</b>	<b>728</b>	<b>6,077</b>	<b>5,983</b>	<b>8,780</b>	<b>8,484</b>



## TRAFFIC AND CRIMINAL CASES COMPLETED IN 2009

MUNICIPALITY	Criminal		DUI/BAC	Traffic	Totals by Agency
	Felonies	Misdemeanors			
Berea	31	498	111	1,394	2,034
Brook Park	30	351	86	256	723
Middleburg Heights	33	211	163	275	682
Olmsted Falls	7	85	29	75	196
Olmsted Township	13	90	34	398	535
Metro Park	2	63	6	132	203
Strongsville	82	337	87	200	706
Ohio State Patrol	7	51	251	3,609	3,918
Division of Wildlife	0	1	0	0	1
Liquor Control	0	12	0	0	12
Other	0	10	0	0	10
<b>TOTAL</b>	<b>205</b>	<b>1,709</b>	<b>767</b>	<b>6,339</b>	<b>9,020</b>



**TRAFFIC AND CRIMINAL REPORT - CITY OF BEREA - 2009 COMPLETED CASES**

**CRIMINAL**

**Felonies**

Aggravated Assault	1	Possessing Criminal Tools	3
Burglary	1	Receiving Stolen Property	3
Domestic Violence	1	Robbery	1
Dui/Alcohol And/Or Drugs	1	Tampering With Evidence	1
Felonious Assault	2	Theft	3
Forgery	1	Trafficking In Drugs	5
Kidnapping	1	Unlawful Sexual Conduct W/Minor	2
Permitting Drug Abuse	1	Vandalism	1
Poss Of Firearm In Liq Perm Prem	1	Weapons Under Disability	2
		<b>TOTAL FELONY CASES</b>	<b>31</b>

**Misdemeanors**

Abandoned Animal	1	Nuisance Conditions	2
After Hours Consumption	2	Obstructing Off. Business	1
Aggravated Menacing	4	Obstructing Official Business	5
Alcohol Underage	5	Open Container	14
Allowing Underage Consumption	5	Open Container In Motor Vehicle/Consumption	1
Animal At Large	8	Open Container In Mv	2
Assault	17	Open Container In Public Place	1
Audible Noise In M/V	8	Passing Bad Checks	1
Building Reconstruction Not Permitted	3	Possess Drug Abuse Instruments	1
Carrying Concealed Weapons	8	Possessing Criminal Tools	1
Consent To Perform Procedure On Minor	1	Possession Drug Paraphernalia	7
Consumption In Motor Vehicle	3	Possession Of Marijuana	1
Contributing Delinquency/Child	12	Possession Open Container/Mv	2
Counterfeit Controlled Substance	1	Prostitution	1
Criminal Damaging/Endangering	14	Public Indecency	1
Criminal Mischief	3	Purchase Of Alcohol-Underage	1
Criminal Simulation	1	Purchase/Consume/Possess Minor	1
Criminal Trespass	10	Purchase/Consume/Possess Underage	4
Deception/Obtain Dangerous Drugs	2	Rabies Vac Req'd Dog/Cat	2
Dis. Conduct (Persisting)	17	Receiving Stolen Property	10
Dis. Conduct (Persisting)	1	Resisting Arrest	11
Dis. Conduct With Persisting	1	Sale Or Furnish To Underage Persons	1
Disorderly Conduct	53	Sale To Underage Persons	3
Disorderly Conduct - Fighting	2	Sale/Use Liquor Underage	6
Disorderly Conduct W Persisting	1	School Attendance Ordinance	1
Disorderly Conduct- Intoxicated	3	Serving Intox Beer/Liq To Minor	1
Disorderly Conduct-Fighting	1	Soliciting Without Permit	2
Disorderly Conduct/Intoxication	2	Telecommunications Harassment	1
Domestic Violence	13	Telephone Harassment	7
Drug Abuse	14	Temporary Protection Order	1
Drug Abuse/Controlled Sub	17	Theft	46
Drug Paraphernalia Offense	9	Theft W/O Consent	1
Endangering Children	4	Underage Alcohol Sales	3
Exterior Surfaces	7	Underage Consumption	8
Failure To Comply	1	Underage Consumption Of Alcohol	1
Falsification	9	Underage Consumption-Possession Of Alcohol	8
Grass And Weeds Nuisance	5	Underage Liquor Possession	1
Imp Handle Firearm In M/V	1	Underage Possession	1
Improper Animal Care	1	Underage Possession Of Alcohol	5
Improper Use Of 911 System	1	Underage Possession Or Consumption Of Alcohol	13
Inducing Panic	1	Unlicensed Dog	1
Interference With Custody	1	Unruly Child Defined	1
Leasing Permit Required	5	Use Of Alcohol Underage	1
Littering	3	Violating Protection Order	2
Littering From M/V	2	Wrongful Influence Of A Minor	2
Misuse Of Credit Cards	1	Zoning	8
Noise Disturbance	8	Zoning Violation	11
		<b>TOTAL MISDEMEANOR CASES</b>	<b>498</b>
		<b>TOTAL CRIMINAL CASES</b>	<b>529</b>

**TRAFFIC**

DUI/BAC	111	Uniform Traffic Tickets	1,394
		<b>TOTAL TRAFFIC CASES</b>	<b>1,505</b>
<b>TOTAL CITY OF BEREA - CASES HEARD AND COMPLETED IN 2009</b>			<b>2,034</b>

**TRAFFIC AND CRIMINAL REPORT - CITY OF BROOK PARK - 2009 COMPLETED CASES**

**CRIMINAL**

**Felonies**

Burglary	4	Receiving Stolen Property	2
Complicity To Robbery	1	Resisting Arrest	1
Deception/Obtain Dangerous Drugs	1	Robbery	1
Domestic Violence	2	Theft	1
Drug Abuse	3	Trafficking In Drugs	5
Dui/Alcohol And/Or Drugs	3	Violating Protection Order	1
Felonious Assault	3	Willfully Fleeing And Eluding	2
		<b>TOTAL FELONY CASES FOR 2006</b>	<b>30</b>

**Misdemeanors**

Adult-No Touch Law	7	Fail To Comply	2
Agg. Trespass	1	Falsification	8
Aggravated Menacing	1	Impersonating Police Officer	1
Animal At Large	1	Interference With Custody	2
Assault	22	Locomotive Obstructing Roadway	34
Attempted Criminal Damaging Endangering	1	Maintenance Of Exterior	5
Attempted Domestic Violence	2	Menacing	2
Attempted Drug Abuse	1	Mv Audio-Disturbing Peace	1
Attempted Falsification	1	Obstructing Official Business	5
Attempted Theft	4	Open Container	4
Attempted Trespass	2	Open Container In Motor Vehicle	1
Bldg. Permit Required	1	Passing Bad Checks	2
Carrying Concealed Weapons	3	Petty Theft	2
Consumption In Motor Vehicle	2	Possess Drug Abuse Instruments	1
Criminal Damage	2	Possession Of Drugs	1
Criminal Damaging/Endangering	7	Possession Of Marijuana	2
Criminal Mischief	2	Possession Open Container/Mv	4
Criminal Simulation	2	Public Indecency	1
Criminal Trespass	4	Resisting Arrest	6
Cruelty To Animals	1	Telephone Harassment	10
Dis. Conduct (Persisting)	1	Theft	17
Dis. Conduct W/Persisting	6	Theft W/O Consent	21
Discharge Firearms Within City	1	Theft W/O Express/Implied Consent	1
Disorderly Conduct	48	Theft-Deprive Owner Of Prop/Svcs	3
Disorderly Conduct - Intox	3	Trespass On Railroad	5
Disorderly Conduct - Intoxicated	17	Unauth Display/Law Enforce Emblem	1
Domestic Violence	21	Underage Consumption	4
Drug Abuse	23	Underage Consumption-Possession Of Alcohol	1
Drug Paraphernalia	2	Unsafe Vehicle	1
Drug Paraphernalia Offense	11	Violating Protection Order	1
Endangering Children	1	Zoning Violation	1
		<b>TOTAL MISDEMEANOR CASES</b>	<b>351</b>
		<b>TOTAL CRIMINAL CASES</b>	<b>381</b>

**TRAFFIC**

DUI/BAC	86	Uniform Traffic Tickets	256
		<b>TOTAL TRAFFIC CASES</b>	<b>342</b>

**TOTAL CITY OF BROOK PARK - CASES HEARD AND COMPLETED IN 2009 723**

**TRAFFIC AND CRIMINAL CASES - CITY OF MIDDLEBURG HEIGHTS - 2009 COMPLETED CASES**

**CRIMINAL**

**Felonies**

Aggravated Assault	1	Importuning	1
Aggravated Burglary	1	Possession Of Cocaine	1
Assault	1	Possession Of Drugs	3
Burglary	2	Receiving Stolen Property	2
Carrying Concealed Weapons	1	Theft	9
Domestic Violence	2	Theft In Office	1
Drug Abuse	2	Trafficking In Drugs	1
Dui/Alcohol And/Or Drugs	1	Violating Protection Order	1
Escape	1	Weapons Under Disability	1
Felonious Assault	1		

**TOTAL FELONY CASES 33**

**Misdemeanors**

Aggravated Menacing	4	Falsification	3
Assault	4	Inducing Panic	1
Attempted Theft	1	Littering From Mv	1
Attempted Theft W/O Consent	1	Menacing	1
Building Code Viol.	1	Menacing By Stalking	5
Building Code Violation	1	Misuse Of Credit Cards	1
Consumption In Motor Vehicle	1	Obstructing Official Business	4
Contribute To The Delinquency Of A Minor	2	Open Burning Prohibited	1
Contributing Delinquency/Child	2	Open Container	4
Criminal Damaging	1	Passing Bad Check	1
Criminal Damaging/Endange	1	Passing Bad Checks	6
Criminal Damaging/Endangering	3	Permitting Drug Abuse	2
Criminal Mischief	1	Petty Theft	6
Criminal Trespass	3	Possess Drug Abuse Instruments	1
Deception/Obtain Dangerous Drugs	1	Possession Of Marijuana	1
Dis. Conduct (Persisting)	2	Possession Open Container/Mv	8
Disorderly Conduct	12	Public Indecency	1
Disorderly Conduct- Intoxicated	3	Telecommunications Harassment	1
Dogs: Owner's Obligation	4	Telephone Harassment	6
Domestic Violence	33	Theft	25
Drug Abuse	2	Theft W/O Consent	13
Drug Abuse/Possessing Marijuana	3	Unauthorized Use Of Property	1
Drug Paraphernalia	2	Unlicensed Contractor	1
Drug Paraphernalia Offense	5	Using Weapons/Intoxicated	1
Duties/Responsibilities	5	Violating Protection Order	7
Endangering Children	2	Violation Of Zoning	1
Fail To Obtain Permit	1	Zoning Violation	5
Failure To Comply	1	Zoning/Building Violation	1

**TOTAL MISDEMEANOR CASES 211**

**TOTAL CRIMINAL CASES 244**

**TRAFFIC**

DUI/BAC	163	Uniform Traffic Tickets	275
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**TOTAL TRAFFIC CASES 438**

**TOTAL CITY OF MIDDLEBURG HEIGHTS - CASES HEARD AND COMPLETED IN 2009 682**

**TRAFFIC AND CRIMINAL REPORT - CITY OF OLMSTED FALLS - 2009 COMPLETED CASES**

**CRIMINAL**

**Felonies**

Aggravated Arson	1	Kidnapping	1
Attempted Aggravated Murder	1	Trafficking In Drugs	1
Domestic Violence	1	Unlawful Sexual Conduct W/Minor	1
Dui-Bac Refusal With Prior	1		

**TOTAL FELONY CASES** 7

**Misdemeanors**

Alcohol Underage	1	Open Container In Mv	2
Animal At Large	1	Parking Of Commercial Veh On Residential Lot	1
Assault	4	Passing Bad Checks	2
Attempted Child Endangering	1	Possess Drug Abuse Instruments	3
Compliance	1	Possession Of Drug Paraphernalia	1
Consumption Alcohol M/V	1	Possession Of Marijuana	1
Contributing To Del Of Minor	1	Public Indecency	1
Criminal Trespass	2	Receiving Stolen Property	1
Dis Conduct- Intoxicated-Persisting	1	Sales To And Or Use Underage Person	2
Disorderly Conduct	5	Telephone Harassment	5
Disorderly Conduct - Persisting	2	Theft	4
Disorderly Conduct/Intoxication	14	Theft-Deprive Owner Of Prop/Svcs	4
Domestic Violence	7	Unauth Access To Computer	1
Drug Abuse	2	Unauthorized Use Of Property	2
Drug Paraphernalia Offense	2	Violating Protection Order	3
Falsification	1	Willfully Fleeing And Eluding	1
Fireworks Possession	1		
Littering	1		
Locomotive Obstructing Roadway	1		
Menacing	1		
Open Container	1		

**TOTAL MISDEMEANOR CASES** 85

**TOTAL CRIMINAL CASES** 92

**TRAFFIC**

DUI/BAC	29	Uniform Traffic Tickets	75
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**TOTAL TRAFFIC CASES** 104

**TOTAL CITY OF OLMSTED FALLS - CASES HEARD AND COMPLETED IN 2009** 196

**TRAFFIC AND CRIMINAL REPORT - CITY OF STRONGSVILLE - 2009 COMPLETED CASES**

**CRIMINAL**

**Felonies**

Aggravated Vehicular Assault	1	Imp Handle Firearm In M/V	1
Assault	3	Kidnapping	2
Attempted Breaking And Entering	1	Menacing By Stalking	1
Attempted To Obtain A Dangerous Drug	1	Misuse Of Credit Cards	1
Breaking And Entering	1	Passing Bad Checks	1
Burglary	4	Possessing Criminal Tools	1
Corrupting Another W/Drugs	1	Possession Of Cocaine	1
Deception/Obtain Dangerous Drugs	1	Possession Of Drugs	3
Disrupting Public Services	1	Receiving Stolen Property	6
Domestic Violence	4	Robbery	2
Drug Abuse	2	Tampering With Evidence	4
Dui Alcohol And Or Drugs	2	Theft	18
Felonious Assault	5	Theft W/O Consent	6
Forgery	2	Trafficking In Drugs	2
Ill. Convey Of Illegal Items In Detention Facility	1	Vandalism	1
Ill. Convey Of Weapons In Detention Facility	1	Willfully Fleeing And Eluding	1
		<b>TOTAL FELONY CASES</b>	<b>82</b>

**Misdemeanors**

Aggravated Menacing	3	Possession Of Drugs	5
Alcohol Underage	1	Possession Of Marijuana	2
Animal At Large	4	Prohibitions Concerning Companion Animals	1
Assault	13	Property Maintenance	1
Attempted Poss Drugs	1	Public Indecency	1
Attempted Theft 2923.02\2913.02	1	Receiving Stolen Property	5
Attempted Theft By Deception	1	Reckless Operation	1
Carrying Concealed Weapons	2	Resisting Arrest	3
Complicity	2	Sales To/Use By Underage Person	3
Criminal Damage	2	Telecommunications Harassment	2
Criminal Damaging/Endangering	4	Telephone Harassment	6
Criminal Mischief	4	Theft	66
Criminal Trespass	7	Theft By Deception	3
Cultivation Of Marijuana	1	Theft W/O Consent	17
Dis. Conduct (Persisting)	34	Theft-Deprive Owner Of Prop/Svcs	1
Dis. Conduct With Persisting	3	Threatening Domestic Violence	1
Disorderly Conduct	17	Unauth Access To Computer	1
Domestic Violence	29	Underage Consumption	2
Drug Paraphernalia	6	Underage Consumption-Possession Of Alcohol	1
Drug Paraphernalia Offense	11	Vending Lic. Req	1
Endangering Children	6	Violating Protection Order	11
Failure To Disclose Information	1		
Falsification	9		
Fictitious Operators License	1		
Gasoline Theft	1		
Impersonating A Peace Officer Or Private Poli	1		
Interference With Custody	2		
Menacing	2		
Obstructing Official Business	8		
Open Container	1		
Open Container In Mv	1		
Open Container/Motor Vehicle	5		
Passing Bad Checks	3		
Petty Theft	9		
Possess Drug Abuse Instruments	4		
Possessing Criminal Tools	3		
		<b>TOTAL MISDEMEANOR CASES</b>	<b>337</b>
		<b>TOTAL CRIMINAL CASES</b>	<b>419</b>

**TRAFFIC**

DUI/BAC	87	Uniform Traffic Tickets	200
		<b>TOTAL TRAFFIC CASES</b>	<b>287</b>

**TOTAL CITY OF STRONGSVILLE CASES - HEARD AND COMPLETED IN 2009 706**

**TRAFFIC AND CRIMINAL CASES - OLMSTED TOWNSHIP - 2009 COMPLETED CASES**

**CRIMINAL**

**Felonies**

Burglary	3	Rape	1
Domestic Violence	1	Robbery	1
Falsification	1	Sexual Battery	1
Felonious Assault	2	Theft W/O Express/Implied Consent	1
Kidnapping	1	Vandalism	1

**TOTAL FELONY CASES 13**

**Misdemeanors**

Assault	5	Open Container	1
Criminal Damaging/Endangering	3	Open Container In Mv	1
Dis. Conduct (Persisting)	1	Possession Of Marijuana	2
Dis. Conduct With Persisting	14	Possession Open Container/Mv	1
Disorderly Conduct	8	Resisting Arrest	1
Disorderly Conduct- Intoxicated	2	Underage Consumption-Possession Of Alcohol	5
Dog(S) At Large	3	Unlawful Possession Of Alcohol	1
Domestic Violence	11	Using Weapons/Intoxicated	1
Domestic Violence Menacing	1	Violating Protection Order	1
Drug Abuse	3		
Drug Paraphernalia Offense	14		
Endangering Children	2		
Fail To Comply	2		
Falsification	3		
Forgery	1		
Obstructing Official Business	3		

**TOTAL MISDEMEANOR CASES 90**

**TOTAL CRIMINAL CASES 103**

**TRAFFIC**

DUI/BAC	34	Uniform Traffic Tickets	398
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**TOTAL TRAFFIC CASES 432**

**TOTAL OLMSTED TOWNSHIP CASES - HEARD AND COMPLETED IN 2009 535**

**TRAFFIC AND CRIMINAL REPORT- OHIO STATE PATROL - 2009 COMPLETED CASES**

**CRIMINAL**

**Felonies**

Carrying Concealed Weapons	1	Imp Handle Firearm In M/V	1
Drug Abuse	1	Possession Of Cocaine	2
Dui Alcohol And Or Drugs	1	Possession Of Marijuana	1
		<b>TOTAL FELONY CASES</b>	<b>7</b>

**Misdemeanors**

Child Endangering	1	Littering	1
Consumption In Motor Vehicle	2	Open Container	3
Dis.Conduct (Persisting)	2	Possession Of Marijuana	1
Disorderly Conduct	5	Possession Open Container/Mv	1
Drug Abuse	20	Underage Consumption	2
Drug Abuse/Possessing Marijuana	1	Underage Consumption-Possession Of Alcohol	1
Drug Paraphernalia Offense	8	Willfully Fleeing And Eluding	1
Endangering Children	2		
		<b>TOTAL MISDEMEANOR CASES</b>	<b>51</b>
		<b>TOTAL CRIMINAL CASES</b>	<b>58</b>

**TRAFFIC**

DUI/BAC	251	Uniform Traffic Tickets	3,609
		<b>TOTAL TRAFFIC CASES</b>	<b>3,860</b>
<b>TOTAL OHIO STATE PATROL - CASES HEARD AND COMPLETED IN 2009</b>			<b>3,918</b>

**TRAFFIC AND CRIMINAL REPORT - METROPARKS - 2009 COMPLETED CASES**

**CRIMINAL**

**Felonies**

Possessing Criminal Tools 1

Theft 1

**TOTAL FELONIES 2**

**Misdemeanors**

After Hours 1

Fishing Lic. Required 7

Consumption In Motor Vehicle 1

Fishing Without License 1

Criminal Damaging/Endangering 2

Littering 2

Disorderly Conduct 7

Misconduct At An Emergency 1

Disorderly Conduct - Persisting 1

Possession Of Alcohol 2

Dogs At Large 4

Possession Of Marijuana 2

Drug Abuse 10

Public Indecency 10

Drug Paraphernalia 6

Drug Paraphernalia Offense 5

Fail To Comply 1

**TOTAL MISDEMEANOR CASES 63**

**TOTAL CRIMINAL CASES 65**

**TRAFFIC**

DUI/BAC 6

Uniform Traffic Tickets 132

**TOTAL TRAFFIC CASES 138**

**TOTAL METRO PARKS - CASES HEARD AND COMPLETED IN 2009 203**

0

**TRAFFIC AND CRIMINAL REPORT- OHIO DIVISION OF WILDLIFE - 2009 COMPLETED CASES**

**CRIMINAL**

**Felonies**

**TOTAL FELONIES 0**

**MISDEMEANORS**

Disorderly Conduct 1

Wild Animal Violation 0

**TOTAL MISDEMEANOR CASES 1**

**TOTAL CRIMINAL CASES 1**

**TRAFFIC**

DUI/BAC 0

Uniform Traffic Tickets 0

**TOTAL TRAFFIC CASES 0**

**TOTAL OHIO DIVISION OF WILDLIFE - CASES HEARD AND COMPLETED IN 2009 1**

**TRAFFIC AND CRIMINAL REPORT-OHIO DEPARTMENT OF LIQUOR CONTROL - 2009 COMPLETED CASES**

**CRIMINAL**

**Felonies**

**TOTAL FELONIES 0**

**Misdemeanors**

Dis.Conduct (Persisting) 2

Sale Of Tobacco To Under Age 18 1

Distrib. Of Tobacco Products 1

Sale To Underage Persons 2

Drug Abuse 1

Underage Consumption-Possession Of Alcohol 4

Restrictions On Sale Of Beer & Liquor 1

**TOTAL MISDEMEANOR CASES 12**

**TRAFFIC**

DUI/BAC 0

Uniform Traffic Tickets 0

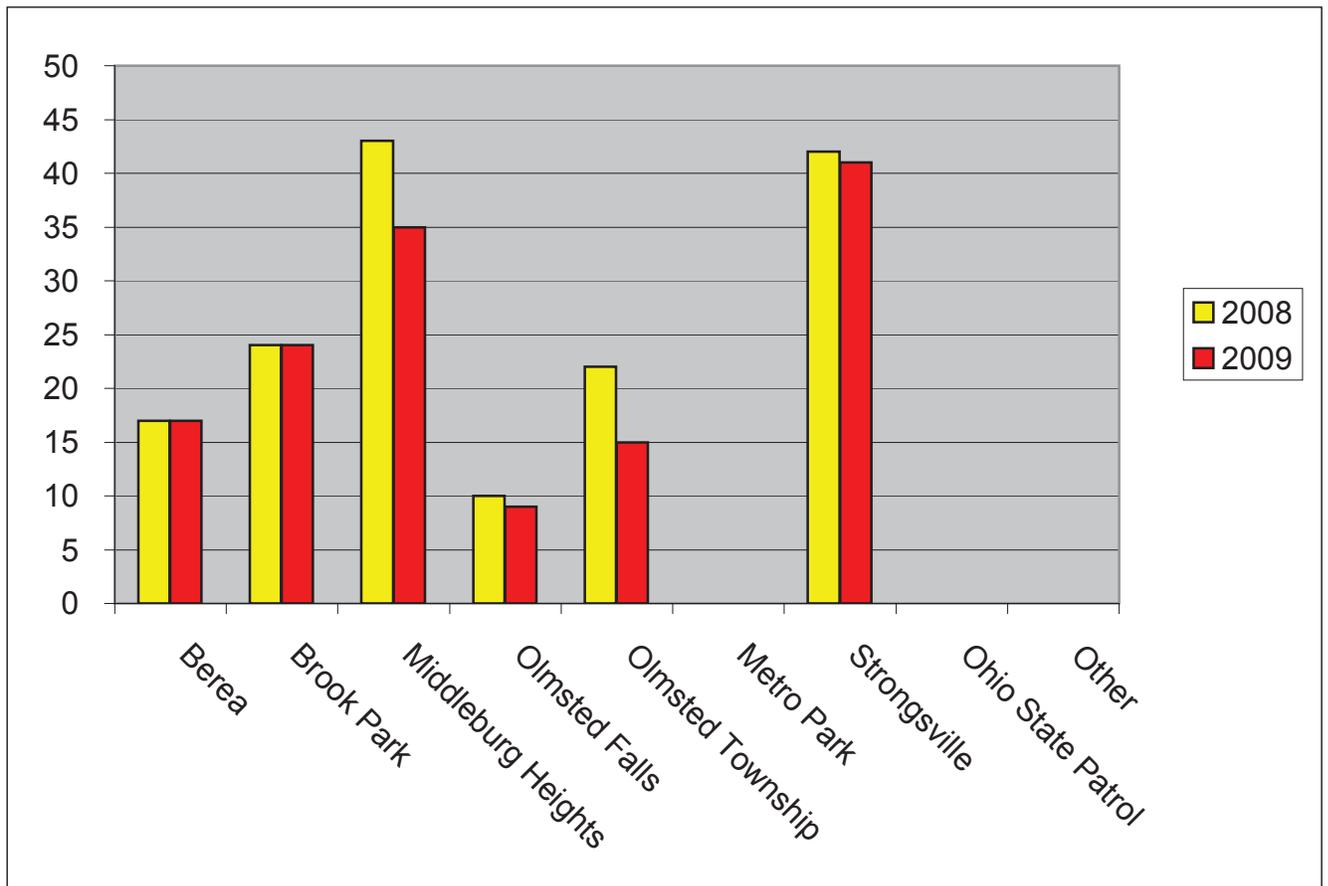
**TOTAL TRAFFIC CASES 0**

**TOTAL CRIMINAL CASES 12**

**TOTAL OHIO DEPARTMENT OF LIQUOR CONTROL - CASES HEARD AND COMPLETED IN 2009 12**

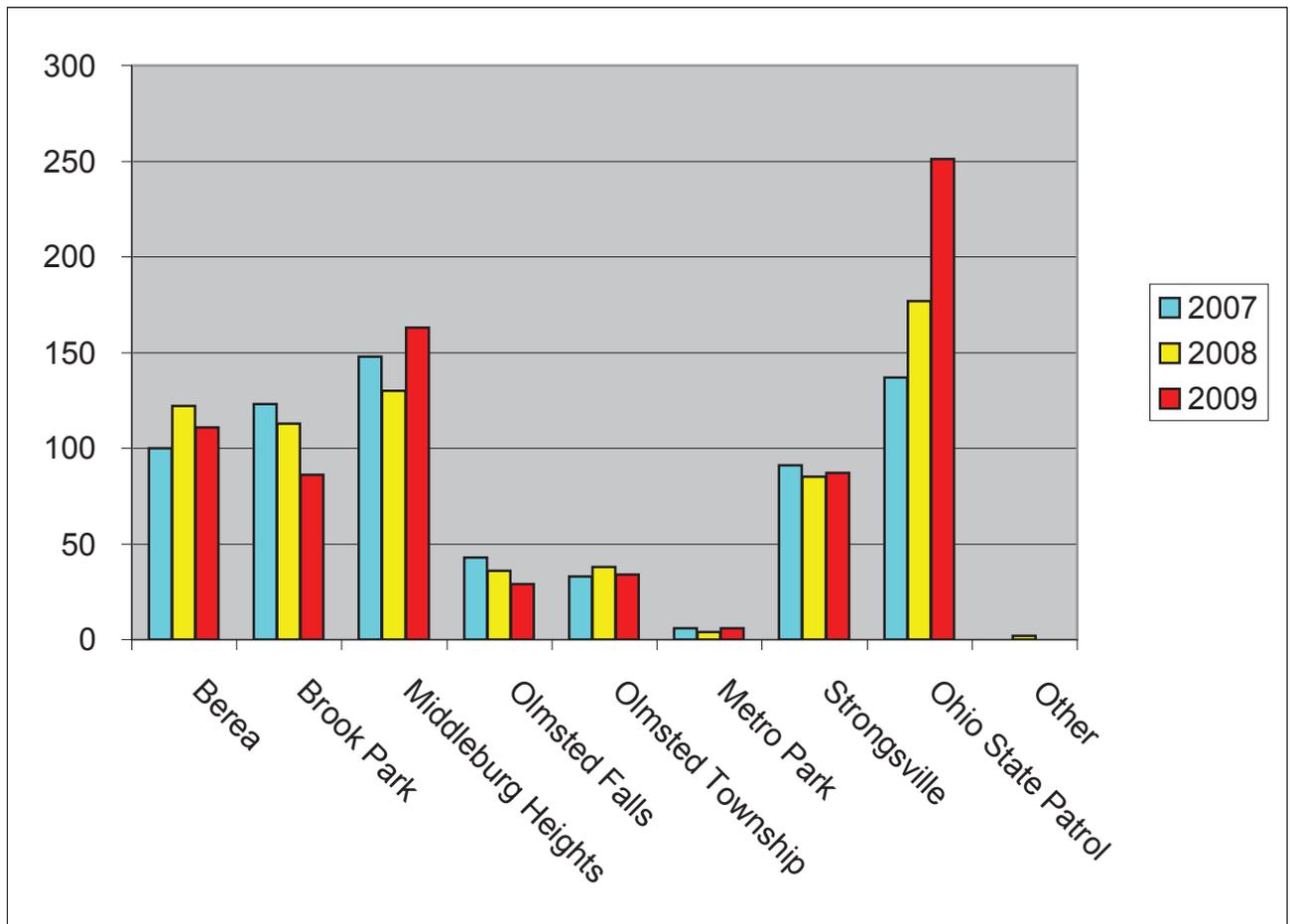
**DOMESTIC VIOLENCE CASES COMPLETED  
2008 vs. 2009 BY MUNICIPALITY**

MUNICIPALITY	Felonies		Misdemeanors		TOTALS	
	2008	2009	2008	2009	2008	2009
Berea	6	1	11	16	17	17
Brook Park	4	3	20	21	24	24
Middleburg Heights	2	2	41	33	43	35
Olmsted Falls	3	1	7	8	10	9
Olmsted Township	4	1	18	14	22	15
Metro Park	0	0	0	0	0	0
Strongsville	7	6	35	35	42	41
Ohio State Patrol	0	0	0	0	0	0
Other	0	0	0	0	0	0
<b>TOTAL</b>	<b>26</b>	<b>14</b>	<b>132</b>	<b>127</b>	<b>158</b>	<b>141</b>



**DUI / BAC CASES COMPLETED  
COMPARISON OF 2007, 2008 and 2009 BY MUNICIPALITY**

MUNICIPALITY	2007	2008	2009
Berea	100	122	111
Brook Park	123	113	86
Middleburg Heights	148	130	163
Olmsted Falls	43	36	29
Olmsted Township	33	38	34
Metro Park	6	4	6
Strongsville	91	85	87
Ohio State Patrol	137	177	251
Other	0	2	0
<b>TOTAL</b>	<b>681</b>	<b>707</b>	<b>767</b>



SECTION FOUR  
JURY COMMISSION

**2009 Jury Report**

**Jury Commissioners**

**Mr. Dale Finley - Chairman**

**Mr. James Cole**

**Mr. Jack Kafer**

**Mr. Charles Hawk**

**JUROR RECAP**

Panels Summoned for 1 day service		21
Jurors Served	210	
Jurors Excused	190	
Jurors Released	440	
Jurors Summoned		840

**JURY TRIALS CANCELLED**

14

**JURY TRIAL RECAP**

Traffic/Criminal Cases Heard		7
Finding of Guilty	2	
Finding of Not Guilty	3	
Plea Prior to Trial	2	
Civil Cases Heard		0
TOTAL CASES DECIDED BY JURY		7

SECTION FIVE  
COMMUNITY  
CONTROL

## 2009 COMMUNITY CONTROL SANCTIONS REPORT

The Community Control Department continues to maintain a staff of three full time employees and two part-time employees. The department continues to utilize non-paid part time interns. Five students interned throughout the year. The interns are obtained from local colleges such as Baldwin-Wallace, ITT, and Bryant and Stratton and the students are often majoring in Psychology and/or Criminal Justice.

During 2009, 1,713 cases were referred to the Community Control Department. The cases included, but were not limited to drug and/or alcohol offenses, driving under suspension offenses, theft and other property related offenses, domestic violence and other violent offenses, underage drug and/or alcohol offenses. As an alternative to jail, 167 defendants were given the opportunity to complete 10 hours of community service work for every one day of jail and 207 defendants took advantage of Electronically Monitored House arrest in lieu of jail time.

The Driving Under Suspension (DUS) diversion program continues to assist defendants in getting their driver's license reinstated. There were 136 referrals, of which 73 successfully reinstated their license. The remaining cases are either pending or failed out of the program. The First Offender diversion program continues to give defendants the opportunity to amend their behavior and avoid having a criminal conviction on their record. There were 91 total referrals to the program, with 31 cases pending, 50 completions and 10 failed out of the program. As part of the First Offender program, defendants have the option of participating in the Food Intervention Program. This program has the defendants purchase items on a pre-determined shopping list and then donate the goods to the local food banks. This enables the defendants to give back to the community. They also have the opportunity to donate their time through Community Service Work at local non-profit agencies.

At the direction of the Judge, the Community Control Department continues to utilize many social service agencies and support groups within the community and is continually adding more resources for the defendant. In August of this year the Berea Municipal Court began using the Finish First Program, developed and facilitated by Attorney William Dawson. The Finish First Program's main goal is to educate and inform the community about the legal system thus working to stop destructive behavior and poor decision making. 53 defendants were referred to this program. The Berea Municipal Court continues to be one of the locations for the Mother's Against Drunk Driving (MADD) Driver Awareness Sessions. These sessions include five tiers that cover various topics such as alcohol education and victim and family impact. The cost of the program is \$25.00 to each defendant for each tier and the proceeds go directly to MADD to assist victims of alcohol related driving offenses. 461 defendants were referred to the MADD Driving Awareness Sessions.

## **2009 COMMUNITY CONTROL SANCTIONS REPORT**

Pending Pre-Sentence Investigations	356
Sentenced to Basic / Active Community Control	1153
Placed on a Non-reporting Community Control	454
Sentenced to Monitored Community Control	131
Sentenced to Intensive Community Control	4
Remaining on Basic / Active Community Control as of 12/31/2009	667
Terminated from Community Control in 2009	168
Fined / Jailed Only after PSI - no Community Control in 2009	56

### **REFERRALS TO COMMUNITY RESOURCES**

72 hour Driver Intervention Program	425
Alcoholics Anonymous Meetings	220
MADD program (Mothers against Drunk Driving)	461
Domestic Violence or Anger Management Program	148
Parenting Education Program	15
Shoplifting Intervention Program	40
Finish First Program	53
Intensive Outpatient Treatment Program	95
Alcohol Education Programs	22

### **ALTERNATIVES TO JAIL**

Electronically Monitored House Arrest	207
Community Service Work	167
Continuous Alcohol Monitoring	26
Global Positioning System (GPS) while on Community Control	2
Global Positioning System at the Pre-Trial level	10

### **DIVERSION PROGRAMS**

DUS Diversion Program: 136 referred, 73 completed, 36 failed and 27 pending  
First Offender Program: 91 referred, 50 completed, 10 failed and 31 pending