

# ***BEREA MUNICIPAL COURT***

***Mark A. Comstock***  
***Judge***

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



## ***ANNUAL REPORT*** ***2005***

*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 47<sup>th</sup> Annual Report for the year 2005. 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 with 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>
<b>Total Court District Population</b>	<b>118,125</b>



# Berea Municipal Court

11 Berea Commons • Berea, Ohio 44017

Civil: (440) 826-5860 • Fax: (440) 891-3387

Traffic/Criminal: (440) 826-5862 • Fax: (440) 234-2768

[www.bereamunicourt.org](http://www.bereamunicourt.org)

March 18, 2006

**Mark A. Comstock**  
*Judge*

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

*Magistrates*

Ryan A. Glaze  
S. Robert E. Lazzaro  
Marisa Mayer  
Hilary Wilson  
Bruce Zaccagnini

*Law Clerk*  
Gino Zomparelli

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, 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 2005 Berea Municipal Court Annual Report. Again, because of prudent business practices we are pleased to announce that the Berea Municipal Court operated under budget and finished the year with revenue exceeding expenses.

## **Highlights**

2005 was a year in which we continued to improve efficiencies for all Court operations. Included were the approval of a project to begin imaging Court documents and files to make them available for public viewing via the Court website, increased usage of our website for waiver payments, and implementation of additional probation services.

Our Court received over \$46,000.00 in waiver payments through use of our website. The availability of this resource provides convenience to violators saving a trip to Court to make payment in person. In addition, our website had over 60,000 visits in 2005 with over 198,000 pages being accessed in those visits.

We expanded the exposure to our Court on the Road initiative with the creation of a 'documentary' filmed at Strongsville High School in the spring of 2005. A live court session was filmed and was replayed on our local school television stations with the goal of continuing the education process and the effects of making wrong choices involving the law. Also during the year, the Probation Department initiated a Short Term Alcohol Program (STAP) to give probationers a more in depth education on the effects of alcohol abuse.

We continue working on plans and funding for a new court facility. When this project is complete it will eliminate the cramped working conditions and increase public safety for all users of The Berea Municipal Court.

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

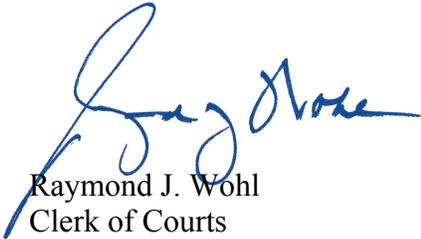
Serving  
Berea  
Brook Park  
Middleburg Heights  
Olmsted Falls  
Olmsted Township  
Strongsville  
Ohio State Patrol  
Cleveland MetroParks

the wonderful job they completed in 2005. 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.

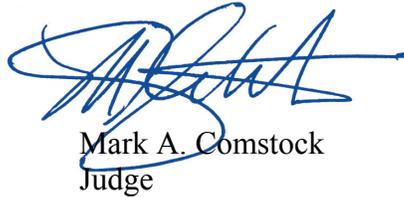
In closing, thank you to Mayor Joseph W. Biddlecombe, his directors, staff and Berea City Council, Police Chief Harry Bernhardt and his officers for their support. We appreciate your kindness, the confidence you have in us and your cooperation with us in the efficient administration of the Berea Municipal Court.

In conclusion, you can rest assured that we will continue to monitor and evaluate the operations and expenses of this court and can assure you that the Berea Municipal Court will be administered 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 Joseph Biddlecombe  
Prosecutor Gregory Sponseller  
Police Chief Harry Bernhardt

**City of Brook Park**

Mayor Mark Elliott  
Prosecutor Neal Jamison  
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 Jeff Rice

**City of Strongsville**

Mayor Thomas Perciak  
Prosecutor George Lonjak  
Police Chief Charles Goss

**Olmsted Township**

Trustees – Martin Strelau Karen Straka Charles Funk  
Prosecutor Gregory Sponseller  
Police Chief Charles McNeeley

**MetroParks**

Prosecutor Joseph Feighan  
Chief Ranger Gregory Loftus

**The Ohio State Patrol**

**Post Commanders**

**Division Headquarters**

Captain Roger Hannay

**Post 52**

Lt. Gregg Westover

**Post 90**

Lt. Chester Engle

**Post 91**

Lt. William Butts

**BEREA MUNICIPAL COURT  
STAFF 2005**

**MARK A. COMSTOCK**

**Presiding Judge**

Ryan Glaze	Magistrate
Christopher Greene	Magistrate
S. Robert E. Lazzaro	Magistrate
Marisa Mayer	Magistrate
Bruce Zaccagnini	Magistrate
Kenneth Preston	Acting Judge
Robert Ferreri	Law Clerk
Gino Zomparelli	Law Clerk

Paul Kortan	Bailiff
Anthony Bialowas	Bailiff
John Mills	Special Bailiff (Volunteer)
Paul Bicking	Deputy Bailiff (Volunteer)
Fredrick Duprow	Deputy Bailiff (Volunteer)
John Grech, Sr.	Deputy Bailiff (Volunteer)
Ed Madias	Deputy Bailiff (Volunteer)

**Probation Department**

Jenelle Cotterman	Probation Deputy Clerk
Julie Diulus	Administrative Seceretary- Probation Department
Jennifer Kennedy	Chief Deputy Probation Officer
Josette M.C. Lebron	Chief Probation Officer
Denise McCarthy	Probation Officer

**RAYMOND J. WOHL**

**Clerk of Courts**

Alan Budney	Chief Deputy Clerk
Rhonda Burch	Financial Officer - Deputy Clerk
Colleen Coyne	Traffic/Criminal Department Supervisor

**Civil Department**

Julie Brunt	Part-time Deputy Clerk
Danielle Colonna	Deputy Clerk
Elise May	Deput Clerk
Sally Peterson	Administrative Assistant - Deputy Clerk
Marybeth Valentine	Deputy Clerk
Joseph Volosyn	Deputy Clerk

**Traffic/Criminal Department**

Denise Bernath	Deputy Clerk
Elizabeth Dittler	Deputy Clerk
Stacia Kraft	Assignment Department Deputy Clerk
DeAnna McKinley	Deputy Clerk
Suzann Majka	Part-time Deputy Clerk
Nancy Modory	Part-time Assignment Department Deputy Clerk
Nicole Sidari	Deputy Clerk
Michael Terrigno	Deputy Clerk

Brett Brockman	Summer Intern
Nicole Camiola	Summer Intern
Sheri Grech	Part-time Intern
Kristin Malecki	Part-time Intern
Jaclyn Myers	Summer Intern
Chris Reinhart	Summer Intern
Matthew Steers	Summer Intern
Jack Tibbits	Summer Intern

## CASH RECEIPTS ALL SOURCES-2005

TRAFFIC/CRIMINAL ACCOUNT	\$2,220,724	
CIVIL AND SMALL CLAIMS ACCOUNT	1,114,877	
TRUSTEESHIP ACCOUNT	3,660	
BOND ACCOUNT	306,648	
RENT ESCROW ACCOUNT	0	
<b>TOTAL RECEIPTS FOR 2005</b>		<b>\$3,645,909</b>

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

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

Traffic/Criminal	\$934,170	
Civil/Small Claims	297,059	
Marriage	3,600	
Poundage (Trustee & Rent Escrow)	28	
Legal Aid Fees	424	
Convenience Fees	22,139	
Dismissals	(3,090)	
<b>Sub-Total</b>		<b>\$1,254,330</b>

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

Fines	\$77,576	
Probation	317,745	
State Highway Patrol	12,117	
Unclaimed Funds	1,345	
Indigent Drunk Driving School	1,120	
Indigent DUI Fines	10,767	
Alcohol Education Programs	1,235	
Expungements	150	
Construction Fund	164,637	
Computer Research Funds	41,795	
Computer Maintenance Fees	86,153	
Miscellaneous	3,451	
<b>Sub-Total</b>		<b>\$718,091</b>

**ALL MONIES DISBURSED TO THE CITY OF BEREA** **\$1,972,421**

## OTHER TRAFFIC AND CRIMINAL DISBURSEMENTS

### CUYAHOGA COUNTY

Regular State Cases	\$49,052
Uniform Traffic Cases	121,821
10% State Highway Patrol Cases	9,420
50% Liquor Control Cases	1,348
HSG OMVI	21,134
Olmsted Township Cases	27,424
Cuyahoga Regional Information System	1,620
Crime Stoppers	3
Indigent Application Fee	75
Expungement Filing Fees	150
Dismissals	(79,255)

### TOTAL CUYAHOGA COUNTY

**\$152,792**

### STATE OF OHIO

45% State Highway Patrol Cases	\$49,957
50% Liquor Control Cases	1,323
Child Safety Restraint Fund	98
Department of National Resources	175
Board of Pharmacy	4,808
General Revenue	89,103
Victims of Crime	53,519
Ohio State Patrol DUI Education	50
Seat Belt Fines	6,923
Expungement Filing Fees	0
Civil Legal Aid	41,929
Law Library	475

### TOTAL STATE OF OHIO

**\$248,360**

### METROPARKS

Fines	\$7,196
Drug Split	75
Dismissals	0

### TOTAL METROPARKS

**\$7,271**

### CITY OF MIDDLEBURG HEIGHTS

Fines	\$65,583
Law Enforcement Education	2,225
Drug Split	0
Expungements	0
Dismissals	(27,930)

### TOTAL MIDDLEBURG HEIGHTS

**\$39,878**

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

**CITY OF STRONGSVILLE**

Fines	\$49,241
Law Enforcement Education	2,987
Drug Split	0
Expungements	0
Dismissals	(4,466)

**TOTAL STRONGSVILLE** **\$47,762**

**CITY OF BROOK PARK**

Fines	\$48,771
Law Enforcement Education	2,325
Drug Split	0
Expungements	0
Dismissals	(5,010)

**TOTAL BROOK PARK** **\$46,086**

**CITY OF OLMSTED FALLS**

Fines	\$21,753
Law Enforcement Education	875
Drug Split	0
Expungements	0
Dismissals	(965)

**TOTAL OLMSTED FALLS** **\$21,663**

**OLMSTED TOWNSHIP**

Fines	\$352
Law Enforcement Education	525
Drug Split	0
Expungements	0
Dismissals	(145)

**TOTAL OLMSTED TOWNSHIP** **\$732**

**REFUNDS** **\$253,489**

**GARNISHMENT AND BANK ATTACHMENT PAYOUTS** **\$657,144**

**CAPITOL RECOVERY FEES \*\*** **\$24,595**

**RETURNED CHECKS** **\$32,515**

**JURY/WITNESS FUND REIMBURSEMENT** **\$4,525**

**TOTAL DISBURSEMENTS FOR 2005** **\$3,509,233**

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

**COURT EXPENDITURES 2003, 2004, AND 2005**

<b>Expenditure</b>	<b>2003 Actual Expense</b>	<b>2004 Actual Expense</b>	<b>2005 Actual Expense</b>
<b>Salaries</b>			
Regular	\$861,558	\$897,110	\$862,306
Overtime	0	0	0
Part-time	108,789	82,879	84,860
<b>Total</b>	<b>\$970,347</b>	<b>\$979,989</b>	<b>\$947,166</b>
<b>Benefits</b>			
Workers Compensation	\$10,985	\$43,238	\$42,941
Medicare	12,844	12,983	13,995
PERS	128,457	131,660	139,872
Hospitalization	187,006	261,882	276,296
Hospitalization Reimbursement	(11,427)	(9,368)	(11,803)
Life Insurance	1,912	2,080	2,240
<b>Total</b>	<b>\$329,777</b>	<b>\$442,475</b>	<b>\$463,541</b>
<b>General</b>			
Stationary & Supplies	\$42,438	\$36,646	\$32,717
Membership & Subscriptions	1,969	2,716	1,295
Travel Expense	14,105	9,187	8,464
Contracts	55,386	35,506	38,251
Postage	50,034	27,448	35,000
Data Processing	0	0	0
Publications	483	335	864
Motor Vehicle R.M.	0	1,170	0
Gas & Oil	987	1,315	1,241
Jury & Witness Fees	745	896	2,296
Law Library	741	1,207	525
Unemployment Compensation	5,989	0	14,936
Immobilization Expense	0	0	0
State Exam Fee	1,890	2,033	1,728
Other	0	852	225
Subcontractor Expense	0	0	4,005
<b>TOTAL</b>	<b>\$174,767</b>	<b>\$119,311</b>	<b>\$141,547</b>
<b>COURT TOTAL</b>	<b>\$1,474,891</b>	<b>\$1,541,775</b>	<b>\$1,552,254</b>

## CIVIL DIVISION CASE COUNT REPORT

**Cases Pending - January 1, 2005** 1,307

**New Cases Filed - 2005**

Civil	1,625	
Small Claim	821	
Eviction	566	
Other	0	
<b>Sub-Total</b>		<b>3,012</b>
<b>TOTAL</b>		<b>4,319</b>

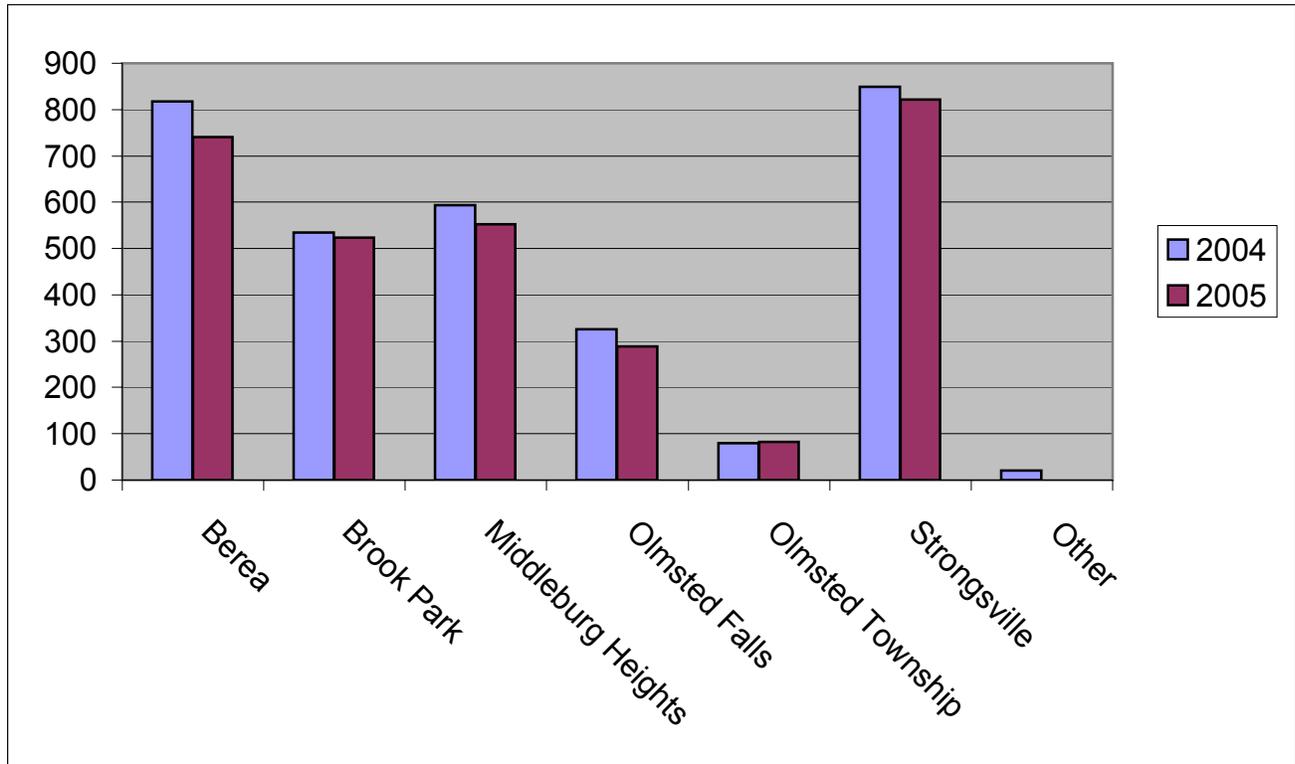
## DISPOSITIONS OF CIVIL CASES BEFORE THE COURT DURING 2005

Default Judgments	1,915	
Dismissals	1,227	
Stayed by Reason of Bankruptcy	2	
Transferred to Other Courts	29	
<b>Total Dispositions</b>		<b>3,173</b>

**CASES PENDING - DECEMBER 31, 2005** 1,146

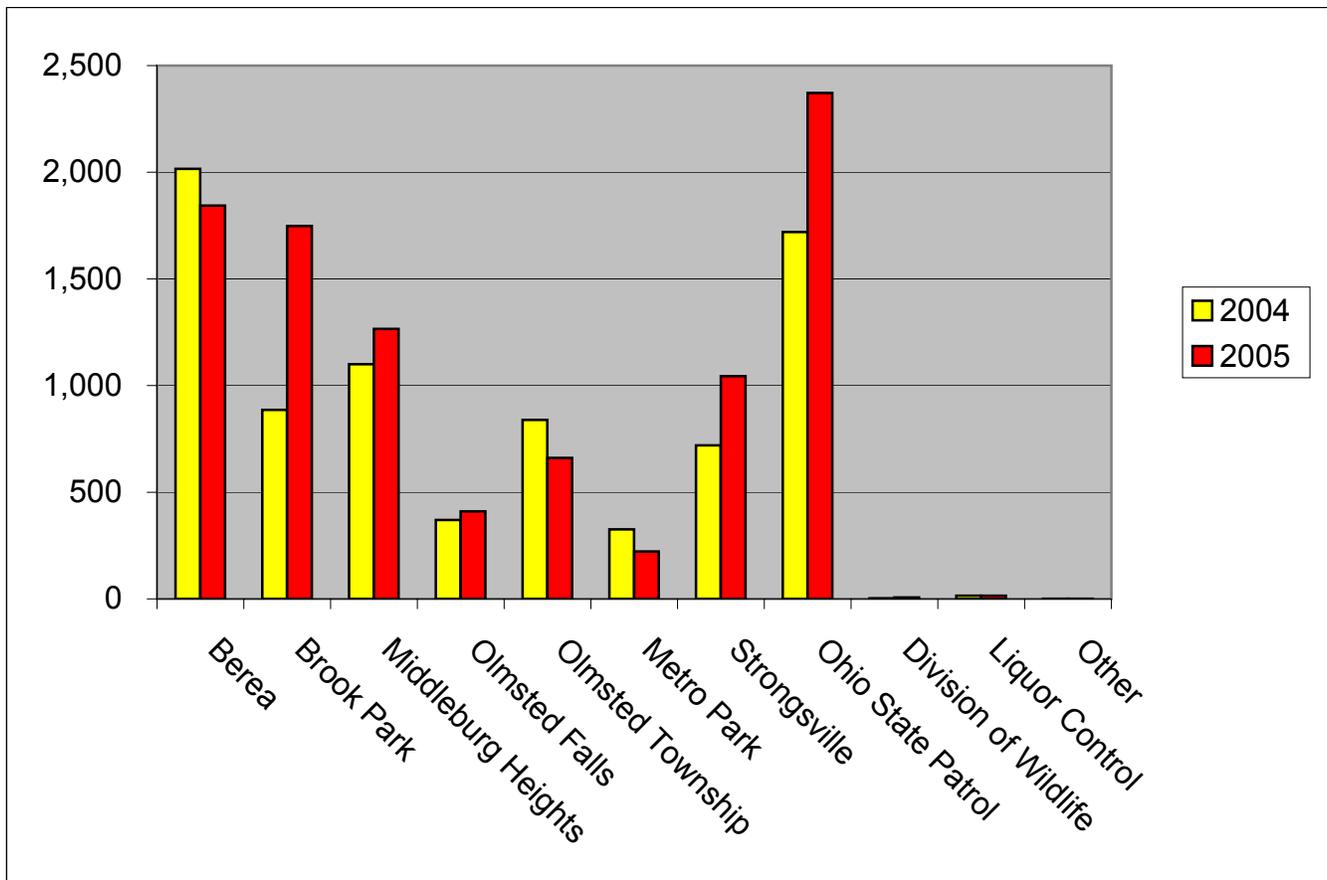
**Civil, Small Claims and Eviction Cases Filed  
2004 vs. 2005 By Municipality**

MUNICIPALITY	CIVIL		SMALL CLAIMS		EVICTION		TOTAL	
	2004	2005	2004	2005	2004	2005	2004	2005
Berea	337	426	368	197	113	118	818	741
Brook Park	344	346	83	63	107	115	534	524
Middleburg Heights	271	230	189	206	133	117	593	553
Olmsted Falls	166	170	107	80	52	39	325	289
Olmsted Township	34	42	22	15	24	26	80	83
Strongsville	425	411	274	260	150	151	849	822
Other	21	0	0	0	0	0	21	0
<b>TOTAL</b>	<b>1,598</b>	<b>1,625</b>	<b>1,043</b>	<b>821</b>	<b>579</b>	<b>566</b>	<b>3,220</b>	<b>3,012</b>



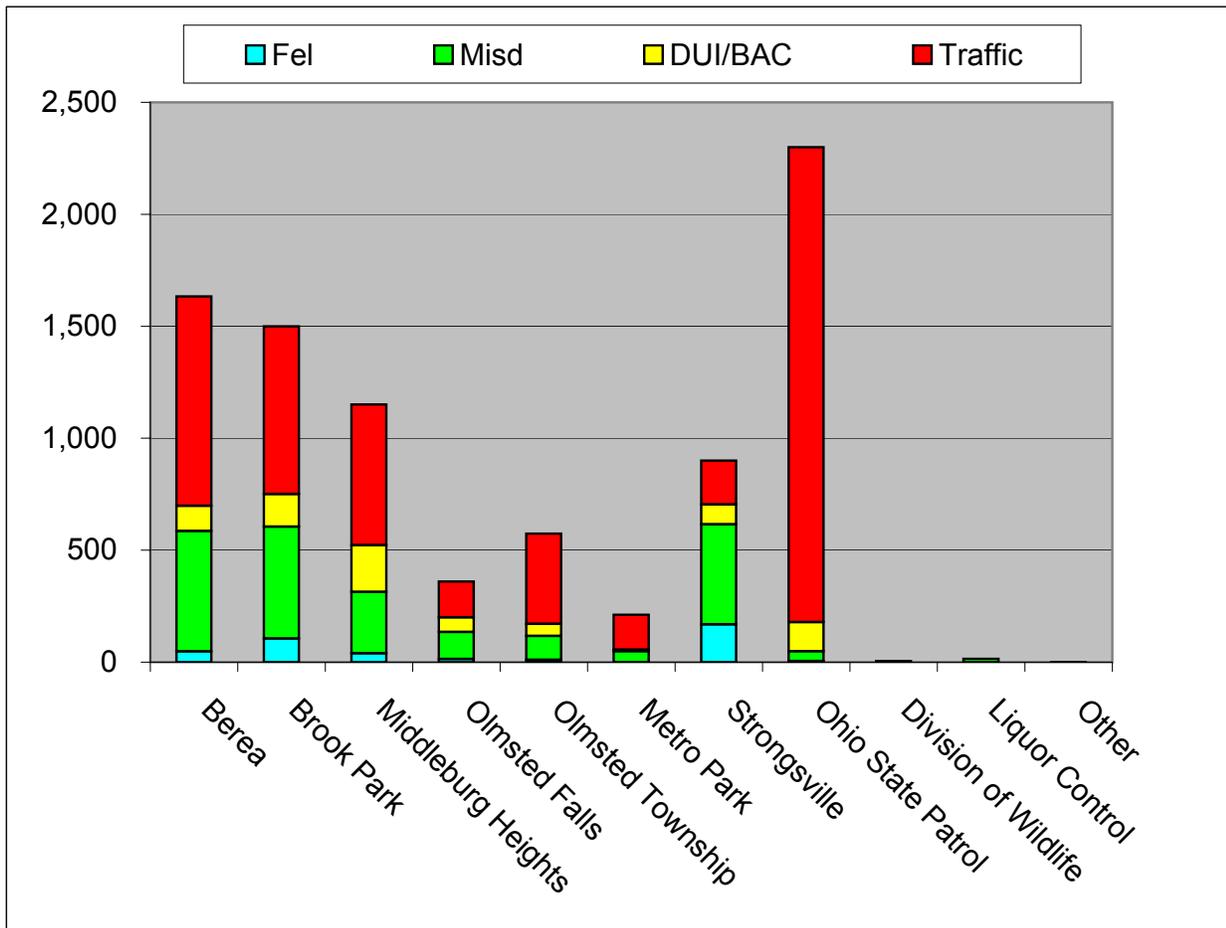
**TRAFFIC AND CRIMINAL CASES FILED  
2004 VS. 2005 CASES BY MUNICIPALITY**

MUNICIPALITY	Criminal				Traffic				TOTALS	
	Felonies		Misdemeanors		DUI / BAC		Uniform Tickets		2004	2005
	2004	2005	2004	2005	2004	2005	2004	2005		
Berea	39	48	626	656	124	147	1,227	993	2,016	1,844
Brook Park	120	106	1	589	139	180	626	873	886	1,748
Middleburg Heights	33	40	294	291	196	250	577	685	1,100	1,266
Olmsted Falls	37	13	117	146	62	81	154	170	370	410
Olmsted Township	13	11	154	130	56	77	616	443	839	661
Metro Park	4	0	86	53	3	7	233	162	326	222
Strongsville	120	185	346	523	94	112	160	224	720	1,044
Ohio State Patrol	12	5	54	48	92	160	1,562	2,159	1,720	2,372
Division of Wildlife	0	0	3	7	0	0	0	0	3	7
Liquor Control	0	0	15	15	0	0	0	0	15	15
Other	0	0	0	1	0	0	1	0	1	1
<b>TOTAL</b>	<b>378</b>	<b>408</b>	<b>1,696</b>	<b>2,459</b>	<b>766</b>	<b>1,014</b>	<b>5,156</b>	<b>5,709</b>	<b>7,996</b>	<b>9,590</b>



## TRAFFIC AND CRIMINAL CASES COMPLETED IN 2005

MUNICIPALITY	Criminal		DUI/BAC	Traffic	Totals by Agency
	Felonies	Misdemeanors			
Berea	48	538	112	935	1,633
Brook Park	106	499	146	749	1,500
Middleburg Heights	40	274	209	628	1,151
Olmsted Falls	14	121	65	160	360
Olmsted Township	11	106	54	403	574
Metro Park	0	49	7	156	212
Strongsville	169	447	89	195	900
Ohio State Patrol	5	44	130	2,121	2,300
Division of Wildlife	0	5	0	0	5
Liquor Control	0	15	0	0	15
Other	0	1	0	0	1
<b>TOTAL</b>	<b>393</b>	<b>2,099</b>	<b>812</b>	<b>5,347</b>	<b>8,651</b>



**TRAFFIC AND CRIMINAL REPORT - CITY OF BEREA-2005 COMPLETED CASES**

**CRIMINAL**

**Felonies**

Complicity To Robbery	1	Felonious Assault	3
Assault	1	Flee And Elude	1
Attempted Agg. Murder	1	Forgery	1
Burglary	4	Importuning	1
Carrying Concealed Weapons	1	Possession Of Crack Cocaine	3
Complicity To Robbery	1	Rape	1
Deception/Obtain Dangerous Drugs	3	Receiving Stolen Property	5
Domestic Violence	2	Theft	3
Drug Abuse	5	Theft W/O Consent	4
Drug Paraphernalia Offense	1	Traficking In Drugs	2
Dui With Prior	1	Unauth Access To Computer	1
Falsification	1	Willfully Fleeing And Eluding	1
		<b>TOTAL FELONY CASES</b>	<b>48</b>

**Misdemeanors**

Abandoned Vehicle	21	Obstructing Off. Business	1
Aggravated Menacing	4	Obstructing Official Business	8
Allow Place For Underage Consumption	2	Open Burning In Rstr Area	1
Allowing Underage Consumption	4	Open Container	6
Animal At Large	10	Open Container In Motor Vehicle/Consumption	3
Assault	17	Open Container In Mv	1
Attempted Child Endangering	1	Open Container W/Operating Vehicle	1
Attempted Petty Theft	1	Oper. Without Permit	1
Attempted- Unauthorized Use Of Property	1	Passing Bad Checks	3
Audible Noise In M/V	14	Permit Required	1
Complicity	2	Petty Theft	2
Contributing Delinquency/Child	3	Possess Drug Abuse Instr.	1
Criminal Damaging/Endange	1	Possess Drug Abuse Instruments	6
Criminal Damaging/Endangering	20	Possessing Criminal Tools	2
Criminal Mischief	1	Possession Drug Paraphern	14
Criminal Trespass	18	Possession Of Dangerous Drugs	1
Dangerous Dog	1	Possession Of Marijuana	1
Disorderly Conduct	91	Possession Open Container/Mv	2
Disorderly Conduct-Intoxicated	2	Prohibited Acts	1
Disorderly Conduct/Intoxication	4	Public Indecency	1
Disorderly/Intox	1	Purchase/Consume/Possess Minor	9
Domestic Violence	13	Receiving Stolen Property	3
Domestic Violence Menacing	2	Resisting Arrest	7
Drug Abuse	11	Sale/Use Liquor Underage	10
Drug Abuse/Controlled Sub	9	Serving Inox Beer/Liq To Minor	1
Drug Paraphernalia Offens	1	Sexual Imposition	1
Drug Paraphernalia Offense	4	Sign-Create Nuisance	1
Drv W/O Owner Consent	2	Soliciting Without Permit	1
Endangering Children	5	Tampering W/Coin Machine	1
Exterior Surfaces	9	Telephone Harassment	6
Fail To Obtain Leasing Permit	1	Theft	46
Falsification	14	Theft W/O Consent	8
Falsification At Stop	1	Theft-Deprive Owner Of Prop/Svcs	1
Fire-Life Safety Violation	1	Tree Pruning	1
Grass And Weeds Nuisance	20	Unauthorized Display Of Emblem	1
Imp. Furnish Firearm To Minor	1	Unauthorized Use	1
Improper Handiing Firearm	1	Underage Consumption	1
Improprt Animal Care-Shelter	1	Underage Possession	1
Interference With Custody	1	Underage Possession Of Alcohol	26
Littering From M/V	2	Using Weapons/Intoxicated	1
Menacing	2	Vicious Dog	1
Misconduct At Emergency	1	Violating Protection Order	3
Noise Disturbance	2	Wrongful Influence Of A Minor	1
Noxious/Offensive Odors	1	Yard Maintenance	3
Nuisance Conditions	1	Zoning	5
Obstructing Justice	1	Zoning Violation	15
		<b>TOTAL MISDEMEANOR CASES</b>	<b>538</b>
		<b>TOTAL CRIMINAL CASES</b>	<b>586</b>

**TRAFFIC**

DUI/BAC	112	Uniform Traffic Tickets	935
		<b>TOTAL TRAFFIC CASES</b>	<b>1,047</b>
<b>TOTAL BEREA CASES HEARD AND COMPLETED IN 2005</b>			<b>1,633</b>

**TRAFFIC AND CRIMINAL REPORT -CITY OF BROOK PARK-2005 COMPLETED CASES**

**CRIMINAL**

**Felonies**

Aggravated Burglary	1	Felonious Assault	2
Aggravated Possession Of Drugs	1	Forgery	2
Aggravated Robbery	1	Grand Theft Motor Vehicle	1
Aggravated Vehicular Assault	1	Illegal Possession Of Chemicals For Manufacturing	2
Attempted Breaking And Entering	1	Passing Bad Checks	1
Attempted Murder	1	Possession Of Crack Cocaine	11
Burglary	3	Possessing Criminal Tools	1
Carrying Concealed Weapons	2	Possession Of Cocaine	9
Complicity To Rsp	1	Receiving Stolen Property	17
Cultivation Of Marijuana	1	Resisting Arrest	1
Deception/Obtain Dangerous Drugs	1	Robbery	4
Disrupting Public Services	1	Tampering With Drugs	2
Domestic Violence	4	Theft	1
Drug Abuse	6	Theft By Deception	1
Dui/Alcohol And/Or Drugs	1	Theft W/O Consent	7
Escape	1	Theft-Deprive Owner Of Prop/Svcs	2
Fail To Comply	4	Trafficking In Drugs	9
Failure To Comply	1	Weapons Under Disability	1
		<b>TOTAL FELONY CASES FOR 2005</b>	<b>106</b>

**Misdemeanors**

Adult Entertainment/Nudity	2	Inducing Panic	1
Adult-No Touch Law	4	Interference With Custody	1
Aggravated Menacing	3	Invalid -Poss Drug Abuse Instrument	1
Animal At Large	1	Locomotive Obstructing Roadway	51
Approval To Offer Tattooing Or Piercing	1	Menacing By Stalking	1
Assault	20	Misconduct At Emergency	1
Attempted Assault	1	Mv Audio-Disturbing Peace	2
Attempted Criminal Damaging/Endangering	1	Obstructing Official Busi	2
Attempted Falsification	2	Obstructing Official Business	12
Attempted Theft	1	Open Container	11
Barking Dog	1	Owner Lend Vehicle/Another Use	1
Carrying Concealed Weapons	4	Passing Bad Checks	2
Complicity	2	Permitting Drug Abuse	1
Consent To Perform Procedure On Minor	3	Petty Theft	3
Consumption In Motor Vehicle	6	Pool Equip. Violation	1
Contributing Delinquency/Child	15	Poss/Dischrge Fireworks	1
Criminal Damage	2	Possess Drug Abuse Instruments	6
Criminal Damaging/Endange	1	Possess Marijuana	1
Criminal Damaging/Endangering	10	Possessing Criminal Tools	1
Criminal Mischief	2	Possession Of Marijuana	2
Criminal Trespass	6	Possession Open Container/Mv	8
Discharge Firearm/City Limits	1	Receiving Stolen Property	4
Disorderly Conduct	60	Resisting Arrest	9
Disorderly Conduct-Intoxicated	9	Sales/To Use/By Underdage Persons	1
Disturbing The Peace	1	Soliciting	1
Domestic Violence	24	Telecommunications Harrassment	1
Drug Abuse	24	Telephone Harrassment	10
Drug Paraphernalia	1	Theft	29
Drug Paraphernalia Offens	1	Theft W/O Consent	17
Drug Paraphernalia Offense	48	Theft W/O Express/Implied Consent	1
Endangering Children	5	Theft-Deprive Owner Of Prop/Svcs	1
Fail To Comply	3	Threatening/Harassing Phone Calls	1
Fail To Pay Withholding Tax	1	Trespassing Loiter Upon Railroad	1
Failure To Pay Workers Comp Prem	1	Trespassingloiter Upon Railroad	1
False Information Drivers License	1	Unauthorized Use Prop.	2
False Information To Officer	8	Underage Consumption	2
Falsification	18	Underage Possession Of Alcohol	2
Gambling	2	Violating Protection Order	2
Illegal Dumping/Transporting	1	Willfully Fleeing And Eluding	6
Imp Handle Firearm In M/V	1		
		<b>TOTAL MISDEMEANOR CASES</b>	<b>499</b>
		<b>TOTAL CRIMINAL CASES</b>	<b>605</b>

**TRAFFIC**

DUI/BAC	146	Uniform Traffic Tickets	749
		<b>TOTAL TRAFFIC CASES</b>	<b>895</b>
<b>TOTAL BROOK PARK CASES HEARD AND COMPLETED IN 2005</b>			<b>1,500</b>

**TRAFFIC AND CRIMINAL CASES- CITY OF MIDDLEBURG HEIGHTS- 2005 COMPLETED CASES**

**CRIMINAL**

**Felonies**

Assault	1	Forgery	1
Burglary	3	Menacing By Stalking	1
Carrying Concealed Weapons	2	Passing Bad Checks	1
Deception/Obtain Dangerous Drugs	1	Possession Of Cocaine	2
Domestic Violence	5	Receiving Stolen Property	2
Drug Abuse F3	1	Robbery	10
Dui/Alcohol And/Or Drugs	5	Theft	2
Dui/Alcohol And/Or Drugs .232	1	Unauthorized Use Of Motor Vehicle	1
Felonious Assault	1		
		<b>TOTAL FELONY CASES</b>	<b>40</b>

**Misdemeanors**

Aggravated Menacing	6	Negligent Homicide	1
Alcohol Underage	1	Nuisance Conditions Prohibited	1
Assault	7	O.L. Falsification	4
Attempted Complicity	1	Obstructing Official Business	4
Attempted Disorderly Conduct-Intoxicated	1	Open Burning Prohibited	2
Attempted Theft	2	Open Container	8
Attempted Theft W/O Consent	1	Passing Bad Checks	5
Building Code Violation	1	Petty Theft	14
Contributing Delinquency/Child	1	Possess Drug Abuse Instruments	1
Criminal Damaging	2	Possess Marijuana	1
Criminal Damaging/Endangering	2	Possessing Criminal Tools	2
Criminal Simulation	2	Possession Of Marijuana	4
Criminal Trespass	4	Possession Open Container/Mv	6
Disorderly Conduct	16	Public Indecency	1
Disorderly Conduct-Intoxicated	4	Resisting Arrest	4
Dogs: Owner's Obligation	1	Taking Identity Of Another	1
Domestic Violence	44	Telecommunications Harrassment	1
Drug Abuse	8	Telephone Harassing	6
Drug Abuse/Possessing Marijuana	3	Telephone Harassment	1
Drug Paraphernalia	2	Temporary Protection Order	1
Drug Paraphernalia Offense	4	Theft	15
Duties/Responsibilities	11	Theft By Deception	3
Endangering Children	5	Theft W/O Consent	17
Fail To Comply	1	Underage Consumption	1
Fail To Remove Unapprov Sign	1	Unlicensed Contractor	1
False Information	2	Using Weapons/Intoxicated	1
False Information To Officer	3	Violating Protection Order	3
Falsification	6	Violation Of Zoning	1
Flee And Elude	1	Willfully Fleeing And Eluding	1
Interference With Custody	1	Wrongful Entrustment	1
Intimidation/Victim/Witness	1	Zoning Violation	2
Littering From M/V	1	Zoning/Bldg Viol	1
Location Of Facilities	6	Zoning/Building Violation	3
Menacing	4		
		<b>TOTAL MISDEMEANOR CASES</b>	<b>274</b>
		<b>TOTAL CRIMINAL CASES</b>	<b>314</b>

**TRAFFIC**

DUI/BAC	209	Uniform Traffic Tickets	628
		<b>TOTAL TRAFFIC CASES</b>	<b>837</b>

<b>TOTAL MIDDLEBURG HEIGHTS CASES HEARD AND COMPLETED IN 2005</b>			<b>1,151</b>
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**TRAFFIC AND CRIMINAL REPORT - CITY OF OLMSTED FALLS- 2005 COMPLETED CASES**

**CRIMINAL**

**Felonies**

Aggravated Vehicular Assault	1	Possession Of Crack Cocaine	2
Attempted Breaking And Entering	1	Receiving Stolen Property	2
Burglary	1	Taking Identity Of Another	1
Domestic Violence	3	Unauth. Use Of Mv	1
Menacing By Stalking	2		

**TOTAL FELONY CASES 14**

**Misdemeanors**

Aggravated Menacing	2	Locomotive Obstructing Roadway	1
Assault	7	Menacing	1
Attempted	1	Menacing By Stalking	1
Barking Dog	2	Obstructing Official Business	2
Carrying Concealed Weapons	1	Open Container	2
Consumption Alcohol M/V	1	Open Container In M/V	1
Contributing Delinquency/Child	2	Park Hours/Curfew	1
Criminal Damaging/Endange	1	Passing Bad Checks	6
Criminal Damaging/Endangering	2	Permitting Drug Abuse	2
Criminal Trespass	4	Possess Drug Abuse Instruments	2
Disorderly Conduct	3	Possess Marijuana	1
Disorderly Conduct - Persisting	1	Possession Of Drug Parphanalial	2
Disorderly Conduct/Intoxication	11	Possession Of Marijuana	6
Dom. Violence	1	Telecommunications Harrassment	1
Domestic Violence	11	Telephone Harassment	4
Drug Abuse	2	Theft	9
Drug Paraphernalia Offense	3	Theft W/O Consent	3
Endangering Children	2	Trespass	1
Fail To Cease Expansion	6	Unauthorized Use Of Property	1
Fail To Vacate Premises	2	Underage Possession Of Alcohol	3
False Information To Officer	1	Violating Protection Order	1
Falsification	1	Wrongful Entrustment	1
Improper Transport Firearm	1	Zoning Violation	1

**TOTAL MISDEMEANOR CASES 121**

**TOTAL CRIMINAL CASES 135**

**TRAFFIC**

DUI/BAC	65	Uniform Traffic Tickets	160
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**TOTAL TRAFFIC CASES 225**

**TOTAL OLMSTED FALLS CASES HEARD AND COMPLETED IN 2005 360**

**TRAFFIC AND CRIMINAL REPORT - CITY OF STRONGSVILLE- 2005 COMPLETED CASES**

**CRIMINAL**

**Felonies**

Abduction	3	Menacing	1
Aggravated Assault	1	Menacing By Stalking	3
Aggravated Possession Of Drugs	3	Obstructing Official Business	3
Aggravated Vehicular Assault	2	Possession Of Crack Cocaine	2
Assault	4	Possessing Criminal Tools	1
Burglary	1	Possession Of Cocaine	5
Carrying Concealed Weapons	2	Possession Of Controlled Substance	1
Complicity	1	Possession Of Drugs	1
Corrupting Anoter W/Drugs	1	Receiving Stolen Property	21
Disrupting Public Services	3	Resisting Arrest	1
Domestic Violence	7	Robbery	3
Drug Abuse	9	Tampering With Evidence	7
Drug Trafficking	1	Theft	24
Dui/Alcohol And/Or Drugs	4	Theft By Deception	3
Fail To Comply	1	Theft W/O Consent	20
Felonious Assault	4	Theft-Deprive Owner Of Prop/Svcs	1
Forgery	3	Traficking In Drugs	8
Furnish Cont Substance To Juvenile	1	Unauth Access To Computer	1
Harassment By Inmate	1	Unauthorized Use Of Mv	1
Illegal Drug Document	2	Vandalism	1
Illegal Possession Of Chemicals For Manufacturir	2	Violating Protection Order	1
Imp Handle Firearm In M/V	1	Willfully Fleeing And Eluding	2
Kidnapping	1		

**TOTAL FELONY CASES 169**

**Misdemeanors**

Aggravated Menacing	6	Menacing By Stalking	2
Arrival/Departure Of Occu	6	Misuse Of Credit Cards	1
Assault	12	Obstructing Off. Business	1
Attempted	5	Obstructing Official Business	9
Attempted Deception To Obtain Dang Drugs	1	Open Container In Public	1
Attempted Drug Possession	1	Open Container In Public Place	1
Attempted Drug Possession	2	Open Container/Motor Vehicle	9
Attempted Poss Of Drugs	1	Passing Bad Checks	3
Attempted Poss. Drugs	1	Petty Theft	5
Attempted Theft	2	Possess Drug Abuse Instruments	4
Carrying Concealed Weapons	3	Possessing Criminal Tools	4
Child Endangering	1	Possession Marijuana	4
Contributing Delinquency/Child	1	Possession Of Drugs	1
Criminal Child Inticement	1	Possession Of Marijuana	4
Criminal Damaging/Endangering	3	Providing False Info To Police	3
Criminal Simulation	1	Public Indecency	4
Criminal Trespass	4	Receiving Stolen Property	5
Dis.Conduct (Persisting)	27	Registration Records	1
Disorderly Conduct	27	Resisting Arrest	5
Disorderly Conduct With Persisting	1	Sales To/Use By Underage Person	2
Disorderly Conduct-Intoxicated	1	Soliciting W/O A Permit	1
Domestic Violence	23	Telecommunications Harrassment	3
Domestic Violence Menacing	1	Telephone Harrassment	11
Drug Abuse	8	Temporary Protection Order	1
Drug Offense	1	Theft	58
Drug Paraphernalia	6	Theft By Deception	5
Drug Paraphernalia Offense	23	Theft W/O Consent	71
Drv W/O Owner Consent	1	Theft-Deprive Owner Of Prop/Svcs	3
Endangering Children	9	Unauth Access To Computer	2
Fail To Comply	3	Unauthorized Use	4
Falsification	9	Unauthorized Use Of Property	1
Flee And Elude	1	Underage Consumption	3
Gasoline Theft	1	Underage Possession Of Beer	1
Harmful Intoxicants	1	Vending Lic. Req	1
Imp Handle Firearm In M/V	2	Violating Protection Order	6
Impersonating A Peace Officer Or Private Policen	1	Voyeurism	1
Interference With Custody	4	Willfully Fleeing And Eluding	1
Menacing	3	Zonit Zoning Violation	1

**TOTAL MISDEMEANOR CASES 447**

**TOTAL CRIMINAL CASES 616**

**TRAFFIC**

DUI/BAC	89	Uniform Traffic Tickets	195
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**TOTAL TRAFFIC CASES 284**

**TOTAL STRONGSVILLE CASES HEARD AND COMPLETED IN 2005 900**

**TRAFFIC AND CRIMINAL CASES - OLMSTED TOWNSHIP- 2005 COMPLETED CASES**

**CRIMINAL**

**Felonies**

Aggravated Possession Of Drugs	1	Dui/Alcohol And/Or Drugs	1
Assault	1	Possession Of Cocaine	1
Disrupting Public Services	2	Receiving Stolen Property	2
Domestic Violence	1	Tampering With Evidence	1
Dui With Prior	1		

**TOTAL FELONY CASES 11**

**Misdemeanors**

Aggravated Menacing	1	Fail To Maintain Or Obtain Permits	1
Aggravated Trespass	1	Falsification	3
Allowing Underage Consumption	2	Open Container	2
Assault	2	Open Container In Mv	1
Criminal Damaging/Endangering	1	Passing Bad Checks	4
Criminal Mischief	1	Permitting Drug Abuse	1
Criminal Trespass	2	Petty Theft	1
Cultivation Of Marijuana	1	Possession Of Marijuana	4
Disorderly Conduct	21	Possession Open Container/Mv	4
Disorderly Conduct-Intoxicated	2	Resisting Arrest	2
Dog(S) At Large	1	Sale Without Zoning Certificate	1
Domestic Violence	7	Telecommunications Harrassment	1
Drug Abuse	1	Theft	3
Drug Paraphernalia Offens	1	Underage Possession Of Alcohol	9
Drug Paraphernalia Offense	16	Violating Protection Order	1
Endangering Children	3	Willfully Fleeing And Eluding	1
Fail To Comply	4		

**TOTAL MISDEMEANOR CASES 106**

**TOTAL CRIMINAL CASES 117**

**TRAFFIC**

DUI/BAC	54	Uniform Traffic Tickets	403
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**TOTAL TRAFFIC CASES 457**

**TOTAL OLMSTED TOWNSHIP CASES HEARD AND COMPLETED IN 2005 574**

**TRAFFIC AND CRIMINAL REPORT- OHIO STATE PATROL-2005 COMPLETED CASES**

**CRIMINAL**

**Felonies**

Drug Abuse	1	Receiving Stolen Property	1
Dui (3 Or More In 6 Yrs Or 5 Or More In 20 Yrs)	1	Uttering	1
Dui/Alcohol And/Or Drugs	1		

**TOTAL FELONY CASES** **5**

**Misdemeanors**

Alcohol Underage	1	Open Container	4
Assault	1	Passing Bad Checks	1
Attempted Possession Drug Abuse	1	Place Or Dispose Garbage	1
Dis.Conduct (Persisting)	2	Possess Drug Abuse Instruments	1
Disorderly Conduct	3	Possession Of Drugs	1
Drug Abuse	4	Possession Of Marijuana	7
Drug Paraphernalia Offense	3	Possession Open Container/Mv	2
Drv W/O Owner Consent	1	Purchase Of Alcohol-Underage	1
Endangering Children	1	Underage Possession Of Alcohol	5
False Information To Officer	1	Violating Protection Order	1
Littering	2		

**TOTAL MISDEMEANOR CASES** **44**

**TOTAL CRIMINAL CASES** **49**

**TRAFFIC**

DUI/BAC	130	Uniform Traffic Tickets	2,121
		<b>TOTAL TRAFFIC CASES</b>	<b>2,251</b>

**TOTAL OHIO STATE PATROL CASES HEARD AND COMPLETED IN 2005** **2,300**

**TRAFFIC AND CRIMINAL REPORT - METROPARKS-2005 COMPLETED CASES**

**CRIMINAL**

**Felonies**

**TOTAL FELONIES**

**0**

**Misdemeanors**

After Hours	11
Assault	1
Attempted Drug Paraph.	1
Disorderly Conduct	5
Dogs At Large	3
Drug Abuse	8
Drug Paraphernalia Offense	3
Fail To Comply	1

False Information To Officer	1
Fishing Without License	1
Possession Of Alcohol	8
Possession Open Container/Mv	1
Prohibited Veh Use In Park	1
Public Indecency	3
Underage Possession Of Alcohol	1

**TOTAL MISDEMEANOR CASES**

**49**

**TOTAL CRIMINAL CASES**

**49**

**TRAFFIC**

DUI/BAC	7
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Uniform Traffic Tickets	156
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**TOTAL TRAFFIC CASES**

**163**

**TOTAL METRO PARKS CASES HEARD AND COMPLETED OF IN 2005**

**212**

**TRAFFIC AND CRIMINAL REPORT- OHIO DIVISION OF WILDLIFE-2005 COMPLETED CASES**

**CRIMINAL**

**Felonies**

**TOTAL FELONIES**

**0**

**MISDEMEANORS**

Fishing Without a License	3
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Wild Animal Violation	2
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**TOTAL MISDEMEANOR CASES**

**5**

**TOTAL CRIMINAL CASES**

**5**

**TOTAL DIVISION OF WILDLIFE CASES HEARD AND COMPLETED IN 2005**

**5**

**TRAFFIC AND CRIMINAL REPORT-DEPARTMENT OF LIQUOR CONTROL-2005 CASES COMPLETED**

**CRIMINAL**

**Felonies**

**TOTAL FELONIES**

**0**

**Misdemeanors**

Disorderly Conduct	1
Disorderly Conduct-Intoxicated	1
Distrib. Of Tobacco Products	4
Furnish Beer To Underage Person	1
Open Container	1

Prohibited Acts False Id	1
Sale To Underage Persons	3
Underage Possess. Alcohol	1
Underage Possession Of Alcohol	2

**TOTAL MISDEMEANOR CASES**

**15**

**TOTAL CRIMINAL CASES**

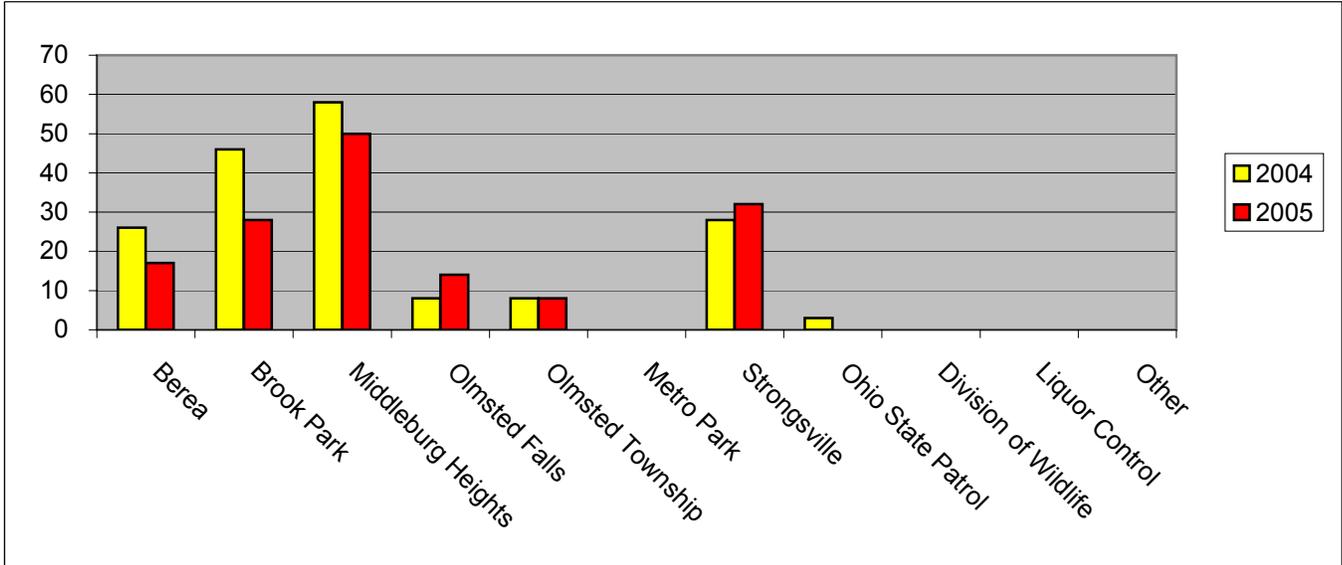
**15**

**TOTAL OHIO DEPARTMENT OF LIQUOR CONTROL CASES HEARD AND DISPOSED OF IN 2005**

**15**

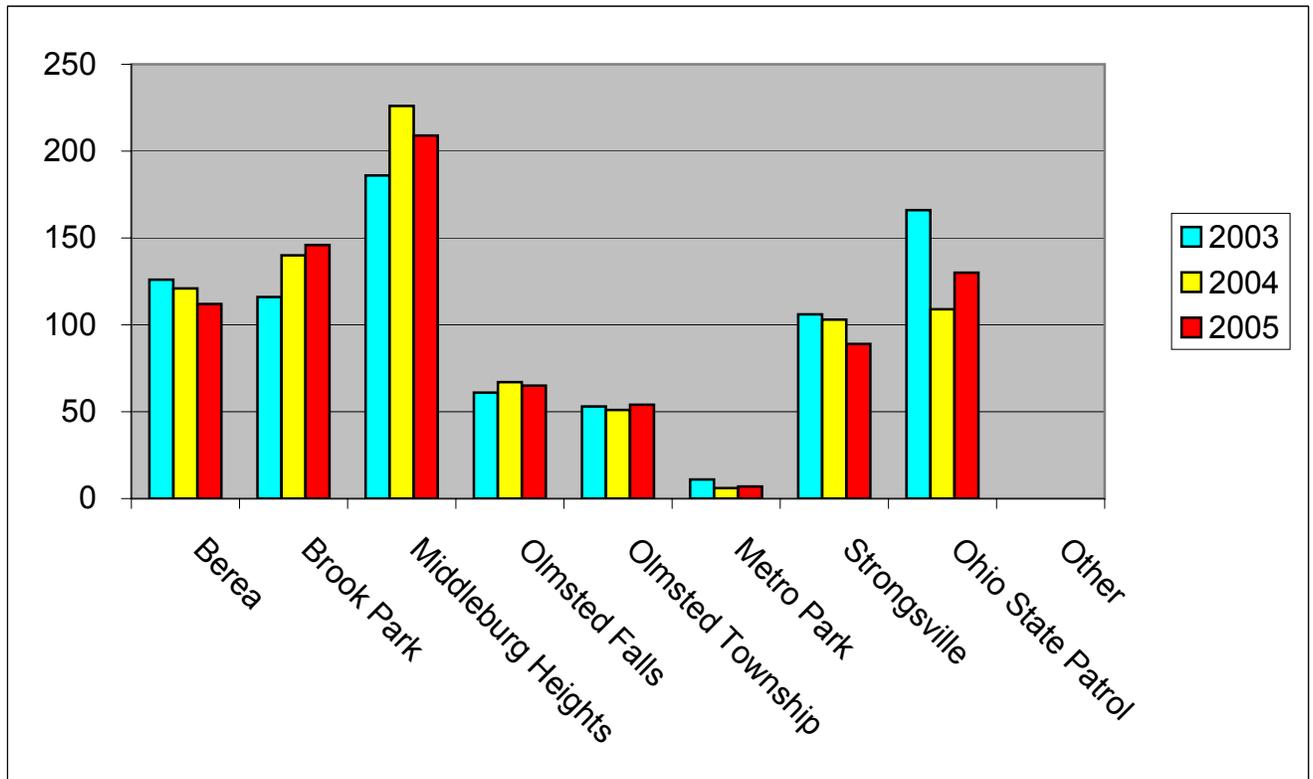
**DOMESTIC VIOLENCE CASES COMPLETED  
2004 vs. 2005 BY MUNICIPALITY**

MUNICIPALITY	Felonies		Misdemeanors		TOTALS	
	2004	2005	2004	2005	2004	2005
Berea	0	2	26	15	26	17
Brook Park	6	4	40	24	46	28
Middleburg Heights	1	5	57	45	58	50
Olmsted Falls	0	3	8	11	8	14
Olmsted Township	0	1	8	7	8	8
Metro Park	0	0	0	0	0	0
Strongsville	3	7	25	25	28	32
Ohio State Patrol	2	0	1	0	3	0
Division of Wildlife	0	0	0	0	0	0
Liquor Control	0	0	0	0	0	0
Other	0	0	0	0	0	0
<b>TOTAL</b>	<b>12</b>	<b>22</b>	<b>165</b>	<b>127</b>	<b>177</b>	<b>149</b>



**DUI / BAC CASES COMPLETED  
COMPARISON OF 2003, 2004 AND 2005 BY MUNICIPALITY**

MUNICIPALITY	2003	2004	2005
Berea	126	121	112
Brook Park	116	140	146
Middleburg Heights	186	226	209
Olmsted Falls	61	67	65
Olmsted Township	53	51	54
Metro Park	11	6	7
Strongsville	106	103	89
Ohio State Patrol	166	109	130
Other	0	0	0
<b>TOTAL</b>	<b>825</b>	<b>823</b>	<b>812</b>



**2005 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 Summoned	840
Jurors Served	610
Jurors Excused	230

**JURY TRIALS CANCELLED** 12

**JURY TRIAL RECAP**

Traffic/Criminal Cases Heard	5
Finding of Guilty	3
Finding of Not Guilty	1
Case Dismissed	1
Cases Settled Prior to Trial	3
TOTAL TRAFFIC/CRIMINAL JURY CASES	8
CIVIL JURY CASES HEARD	1

## 2005 PROBATION DEPARTMENT REPORT

The Probation Department has a staff of 5 serving at the pleasure of the Judge. The Probation Officers supervised, as directed by the court, approximately 1,950 defendants/probationers during 2005. In addition, the Probation Department monitored at least, 1,348 probationers attending various Alcoholics Anonymous meetings.

At the direction of the Chief Probation Officer, the Short Term Alcohol Program (STAP) was introduced to the Probation Department. The defendants participate in a group setting once a week for four weeks. The syllabus for this program consists of four sessions;

- 1) Introduction
- 2) Body and the Brain
- 3) Family and Relationships
- 4) Personality Defects and Coping Mechanism.

The DUS Diversion Program continued to succeed this year, by helping approximately 121 defendants reinstate their driver's license. The First Offenders Program has also continued succeeding this year by giving approximately 84 defendants the opportunity to amend their behavior and avoid having a conviction record and prevent recidivism.

The Chief Probation Officer speaks at the 72 hour Drunk Driving Program once a month and during the aftercare program of the outpatient alcohol program. She also conducts a discussion group for probationers charged with public indecency, which involved 9 defendants in the year of 2005.

Placed on Probation from the Bench in 2005 . . . . .	342
Referred to Probation in 2005 . . . . .	1,226
On Active Probation as of December 31, 2005 . . . . .	1,217
On Inactive Probation as of December 31, 2005 . . . . .	550
Terminated from Probation in 2005 . . . . .	156
Terminated as Probation Violators . . . . .	136
Jailed without Probation . . . . .	12
Under Investigation as of December 31, 2005 . . . . .	224
Warrants Issued for Probation Violation . . . . .	98
Referred to 72 Hours Drunk Driving Program . . . . .	297
Completed 72 Hours Drunk Driving Program . . . . .	262
Referred to 8 Hours Driver Intervention Program . . . . .	38
Completed 8 Hours Driver Intervention Program . . . . .	21
Community Service Work . . . . .	49
Referred to Violence Assessment Program . . . . .	12
Completed Violence Assessment Program . . . . .	10
Defendants choosing EMHA (Electronically Monitored House Arrest) . . .	143
GPS (Global Positioning System) . . . . .	24
MADD Program (Mothers Against Drunk Driving) . . . . .	16
STAP Program (Short Term Alcohol Program) . . . . .	155
Alcohol Assessment . . . . .	70

## 2005 Probation Department Report

In 2005, the Court Probation Officers were involved in referral and supervision of 130 that were placed in alcohol/drug rehabilitation programs (outpatient treatment and 15 to 180 day inpatient treatment centers and half-way and three quarter houses).

Alcohol/Drug Rehabilitation Centers	Probationers Placed
ADDS	2
Community Assessment & Treatment Services	2
Cleveland Clinic	1
Crossroads	1
Glenbeigh	4
Kaiser	2
LACADA (Lorain Cty Alcohol & Drug Abuse Serv.)	3
McIntyre Clinic	6
Metro General Alcohol Center	1
Oakview	5
Psychiatric Services	14
Recovery Resources	8
Serenity Hall/St. John Westshore	4
Terrence Kellerman Counseling	9
Unbar	4
VA Hospital	3
Dr. Sabataitis	3
Oriana	1

Halfway Houses for Recovering Alcoholics	Probationers Placed
Ed Keating Center	10

Psychological/Psychiatric Counseling from Various Agencies or Single Practitioners			Completed
DOVE (Domestic Violence Education & Intervention)	Female	0	0
	Male	27	21
AMAC ( Anger Management & Aggression Control)		73	61
SIP ( Shoplifting Intervention)		56	43
PEGS (Parenting, Education & Group Support)		10	3
Anger Assessment		32	27

DUS/DIVERSION PROGRAM	Completed	Terminated	Active
	121	62	85

FIRST OFFENDERS PROGRAM	Dismissed	Terminated	Active
	84	16	3

During the year 2005, the Berea Municipal Court Probation Department has become involved with the Cuyahoga County Municipal Court Liaison program. This program, facilitated by Recovery Resources, assists defendants with mental health issues by linking them to various programs, treatment centers and mental health agencies. The primary purpose is to keep those who are mentally ill out of jail ( if appropriate ) and prevent recidivism. Since we became involved in June, 2005, eleven ( 11 ) defendants have been referred.