

# ***BEREA MUNICIPAL COURT***

*Mark A. Comstock*  
*Judge*

*Raymond J. Wohl*  
*Clerk of Courts*



## ***ANNUAL REPORT***

### ***2010***

*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 52nd Annual Report for the year 2010. 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 have a total population of 121,538 (per 2010 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 ( 2010 Census)**

City of Berea	19,093
City of Brook Park	19,212
City of Middleburg Heights	15,946
City of Olmsted Falls	9,024
City of Strongsville	44,750
Olmsted Township	<u>13,513</u>

**Total Court District Population                      121,538**



# Berea Municipal Court

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

March 1, 2011

**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 Executive, Office of the County Council, 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 2010 Berea Municipal Court Annual Report.

## Highlights

2010 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 17.4% compared to 2009. Our Traffic/Criminal Department results showed a slight decrease in new filings compared to 2009.

Our economy continues to have a negative impact on our ability to collect fines and costs. In 2010 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 legal ramifications. We were successful in collecting over \$235,000 at these hearings, with over 3,000 payments being made.

Despite the reductions in new filings we are proud of the fact that the Berea Municipal Court revenues again exceeded expenses for 2010. Included in this was a nearly 8% reduction in overall expenses compared to the two year period back to 2008.

In 2010, the Clerk of Courts and his staff participated in the Fugitive Safe Surrender Program sponsored by the United States Marshall and the Cuyahoga County Sheriff's Department. During this four day program, conducted at Mount Zion Church, fugitives were given the opportunity to report and have outstanding warrants removed provided arrangements were made to appear in the Court holding their charges. The Berea Municipal Court had 41 fugitives appear.

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

During 2010 the Berea Municipal Court received \$100,850 for 663 waiver payments through the use of the Court website. The availability of this resource continues to provide convenience to violators by saving the trip to Court to make a payment in person.


As in the past, the Court on the Road initiative was continued at Strongsville High School with the Junior and Senior class government 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 would like to extend a sincere 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 2010. 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 so 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 BERA 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 Anne Eisenhower  
Chief Ranger Gregory Loftus

**The Ohio State Patrol**

**Post Commanders**

**Division Headquarters**

Captain Roger Hannay

**Post 52**

Lt. Joshua Swindell

**Post 90**

Lt. Glen Peterson

**Post 91**

Lt. Joseph Mannion

**BEREA MUNICIPAL COURT  
STAFF SERVING DURING 2010**

**MARK A. COMSTOCK**

**Presiding Judge**

Anthony Bialowas  
Paul Kortan

Bailiff  
Bailiff

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

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

**Probation Department**

Denise McCarthy  
Stacia Bellini

Chief Community Control Officer  
Judge/Probation Administrative Assistant

Jenelle Baker  
Julie Diulus  
Loretta Mikoloski  
Jenny Truxall

Administrative Community Control Officer  
Part-time Secretary  
Part-time Community Control Officer  
Part-time Community Control Officer

**RAYMOND J. WOHL**

**Clerk of Courts**

Alan Budney  
Rhonda Burch  
Nancy Modory  
Sally Peterson

Chief Deputy Clerk  
Financial Officer  
Assignment Department Deputy Clerk  
Administrative Assistant - Deputy Clerk

**Civil Department**

Danielle Colonna  
Mark Fritz, Jr  
Sharon Hartman  
Karen Higgins  
Christina Salvatore  
Joseph Volosyn

Deputy Clerk  
Deputy Clerk  
Deputy Clerk  
Deputy Clerk  
Deputy Clerk  
Deputy Clerk

Harry Endrulas  
Susan Norton

Part-time Deputy Clerk  
Part-time Deputy Clerk

**Traffic/Criminal Department**

Denise Bernath  
Elizabeth Dittler  
DeAnna McKinley  
Nicole Sidari

Traffic/Criminal Department Supervisor  
Deputy Clerk  
Deputy Clerk  
Deputy Clerk

Colleen Coyne

Part-time Deputy Clerk

**Summer Interns**

Albert Ciccone  
Ashley Gammella

# SECTION ONE

# FINANCIAL

**CASH RECEIPTS ALL SOURCES - 2010**

TRAFFIC/CRIMINAL ACCOUNT	\$2,474,457	
CIVIL AND SMALL CLAIMS ACCOUNT	1,774,781	
TRUSTEESHIP ACCOUNT	3,082	
BOND ACCOUNT	268,984	
RENT ESCROW ACCOUNT	4,800	
<b>TOTAL RECEIPTS FOR 2010</b>		<b>\$4,526,104</b>

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

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

Traffic/Criminal	\$954,689	
Civil/Small Claims	347,952	
Marriage	2,950	
Poundage (Trustee & Rent Escrow)	235	
Legal Aid Fees	786	
Convenience Fees	25,861	
Dismissals	(1,484)	
<b>Sub-Total</b>		<b>\$1,330,989</b>

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

Fines	\$64,590	
Probation	302,344	
State Highway Patrol	12,032	
Unclaimed Funds	0	
Indigent Drunk Driving School	23,983	
Indigent DUI Fines	13,289	
Alcohol Education Programs	1,325	
Expungements	690	
Construction Fund	262,348	
Computer Research Funds	39,222	
Computer Maintenance Fees	115,663	
Special Projects Fund	129,037	
Driver Interlock & Alcohol Monitoring SB17	0	
Miscellaneous	4,435	
<b>Sub-Total</b>		<b>\$968,958</b>

**ALL MONIES DISBURSED TO THE CITY OF BEREA** **\$2,299,947**



## OTHER TRAFFIC AND CRIMINAL DISBURSEMENTS

### CUYAHOGA COUNTY

Regular State Cases	\$40,477
Uniform Traffic Cases	94,102
10% State Highway Patrol Cases	14,870
50% Liquor Control Cases	1,238
HSG OMVI	25,513
Olmsted Township Cases	20,021
Cuyahoga Regional Information System	22,392
Crime Stoppers	1,174
Indigent Application Fee	4,711
Expungement Filing Fees	0
Dismissals	(80,686)

### TOTAL CUYAHOGA COUNTY

**\$143,812**

### STATE OF OHIO

45% State Highway Patrol Cases	\$74,320
50% Liquor Control Cases	1,383
Child Safety Restraint Fund	337
Department of National Resources	10
Board of Pharmacy	3,254
General Revenue	0
Victims of Crime	51,472
Ohio State Patrol DUI Education	25
Indigent Defense Support Fund	186,314
Indigent Driver Alcohol Treatment	8,147
State Highway Safety Fund SB17	408
Mandatory Court Costs HB562	0
Drug Law Enforcement Funds	15,427
Seat Belt Fines	7,395
Expungement Filing Fees	1,110
Civil Legal Aid	77,521
Law Library	710

### TOTAL STATE OF OHIO

**\$427,833**

### METROPARKS

Fines	\$8,975
Law Enforcement Education	0
Drug Split	0
Dismissals	(678)

### TOTAL METROPARKS

**\$8,297**

### CITY OF MIDDLEBURG HEIGHTS

Fines	\$51,329
Law Enforcement Education	3,069
Drug Split	0
Expungements	40
Dismissals	(10,996)

### TOTAL MIDDLEBURG HEIGHTS

**\$43,442**

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

**CITY OF STRONGSVILLE**

Fines	\$64,281
Law Enforcement Education	5,666
Drug Split	0
Expungements	0
Dismissals	(3,414)

**TOTAL STRONGSVILLE** **\$66,533**

**CITY OF BROOK PARK**

Fines	\$40,762
Law Enforcement Education	1,589
Drug Split	0
Expungements	100
Dismissals	(2,333)

**TOTAL BROOK PARK** **\$40,118**

**CITY OF OLMSTED FALLS**

Fines	\$8,426
Law Enforcement Education	429
Drug Split	0
Expungements	0
Dismissals	(371)

**TOTAL OLMSTED FALLS** **\$8,484**

**OLMSTED TOWNSHIP**

Fines	\$184
Law Enforcement Education	404
Drug Split	0
Expungements	0
Dismissals	0

**TOTAL OLMSTED TOWNSHIP** **\$588**

**REFUNDS** **\$13,035**

**GARNISHMENT AND BANK ATTACHMENT PAYOUTS** **\$1,449,191**

**CAPITOL RECOVERY FEES \*\*** **\$14,308**

**RETURNED CHECKS** **\$12,054**

**JURY/WITNESS FUND REIMBURSEMENT** **\$9,250**

**TOTAL DISBURSEMENTS FOR 2010** **\$4,536,892**

\*\*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 2008, 2009, and 2010**

<b>Expenditure</b>	<b>2008 Actual Expense</b>	<b>2009 Actual Expense</b>	<b>2010 Actual Expense</b>
<b>Salaries</b>			
Regular	\$780,734	\$744,151	\$724,572
Overtime	0	0	0
Part-time	80,800	87,848	101,873
<b>Total</b>	<b>\$861,534</b>	<b>\$831,999</b>	<b>\$826,445</b>
<b>Benefits</b>			
Workers Compensation	\$33,090	\$30,938	\$29,100
Medicare	12,403	12,049	12,142
PERS	151,197	117,500	118,662
Hospitalization	217,256	196,952	223,550
Hospitalization Reimbursement	(12,672)	(12,489)	(16,923)
Life Insurance	1,672	1,712	1,564
<b>Total</b>	<b>\$402,946</b>	<b>\$346,662</b>	<b>\$368,095</b>
<b>General</b>			
Stationary & Supplies	\$26,802	\$16,085	\$18,313
Membership & Subscriptions	1,505	1,944	1,505
Travel Expense	8,382	5,490	6,966
Contracts	99,946	71,718	83,431
Postage	40,000	51,000	42,500
Special Counsel	27,475	8,119	4,285
Publications	244	191	0
Motor Vehicle R.M.	12	6	650
Gas & Oil	3,769	2,474	2,670
Jury & Witness Fees	1,275	875	875
Law Library	0	0	0
Unemployment Compensation	6,792	5,377	849
State Exam Fee	3,276	3,179	3,261
Other	0	640	540
Subcontractor Expense	693	0	0
<b>TOTAL</b>	<b>\$220,171</b>	<b>\$167,099</b>	<b>\$165,845</b>
<b>COURT TOTAL</b>	<b>\$1,484,651</b>	<b>\$1,345,760</b>	<b>\$1,360,385</b>

SECTION TWO  
CIVIL / SMALL CLAIMS

## CIVIL DIVISION CASE COUNT REPORT

<b>Cases Pending - January 1, 2010</b>		<b>1,124</b>
<b>New Cases Filed - 2010</b>		
Civil	2,108	
Small Claim	758	
Eviction	596	
<b>Sub-Total</b>		<b>3,462</b>
<b>TOTAL</b>		<b>4,586</b>

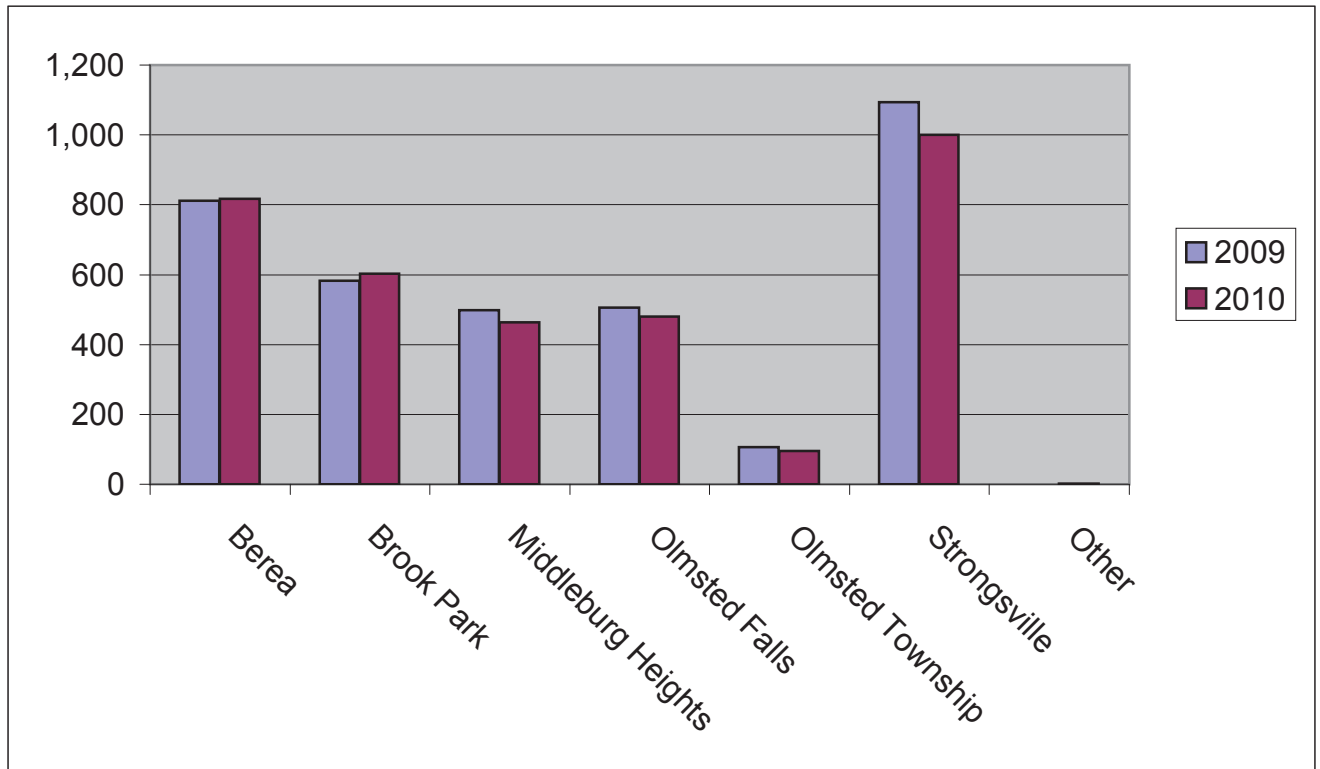
## DISPOSITIONS OF CIVIL CASES BEFORE THE COURT DURING 2010

Default & Judgments	2,339	
Dismissals	866	
Stayed by Reason of Bankruptcy	80	
Transferred to Other Courts	2	
<b>Total Dispositions</b>		<b>3,287</b>

**CASES PENDING - DECEMBER 31, 2010** **1,299**

**Civil, Small Claims and Eviction Cases Filed  
2009 vs. 2010 By Municipality**

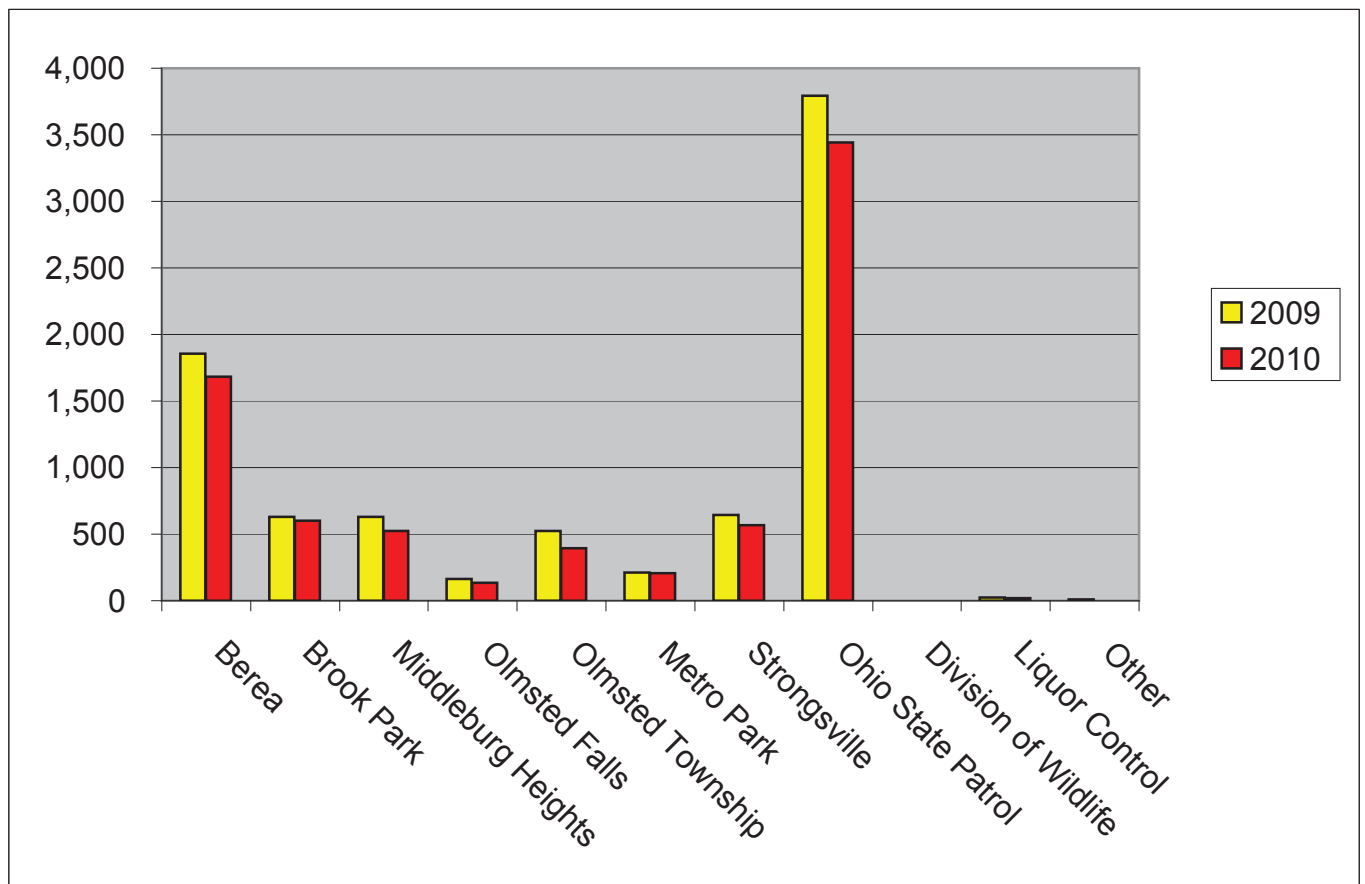
MUNICIPALITY	CIVIL		SMALL CLAIMS		EVICTION		TOTAL	
	2009	2010	2009	2010	2009	2010	2009	2010
<b>Berea</b>	438	395	233	278	141	144	812	817
<b>Brook Park</b>	462	445	16	37	104	121	582	603
<b>Middleburg Heights</b>	243	262	159	120	96	81	498	463
<b>Olmsted Falls</b>	344	361	119	71	43	48	506	480
<b>Olmsted Township</b>	37	34	7	9	63	53	107	96
<b>Strongsville</b>	690	609	249	243	154	149	1,093	1,001
<b>Other</b>	0	2	0	0	0	0	0	2
<b>TOTAL</b>	<b>2,214</b>	<b>2,108</b>	<b>783</b>	<b>758</b>	<b>601</b>	<b>596</b>	<b>3,598</b>	<b>3,462</b>



SECTION THREE  
TRAFFIC / CRIMINAL

**TRAFFIC AND CRIMINAL CASES FILED  
2009 vs. 2010 CASES BY MUNICIPALITY**

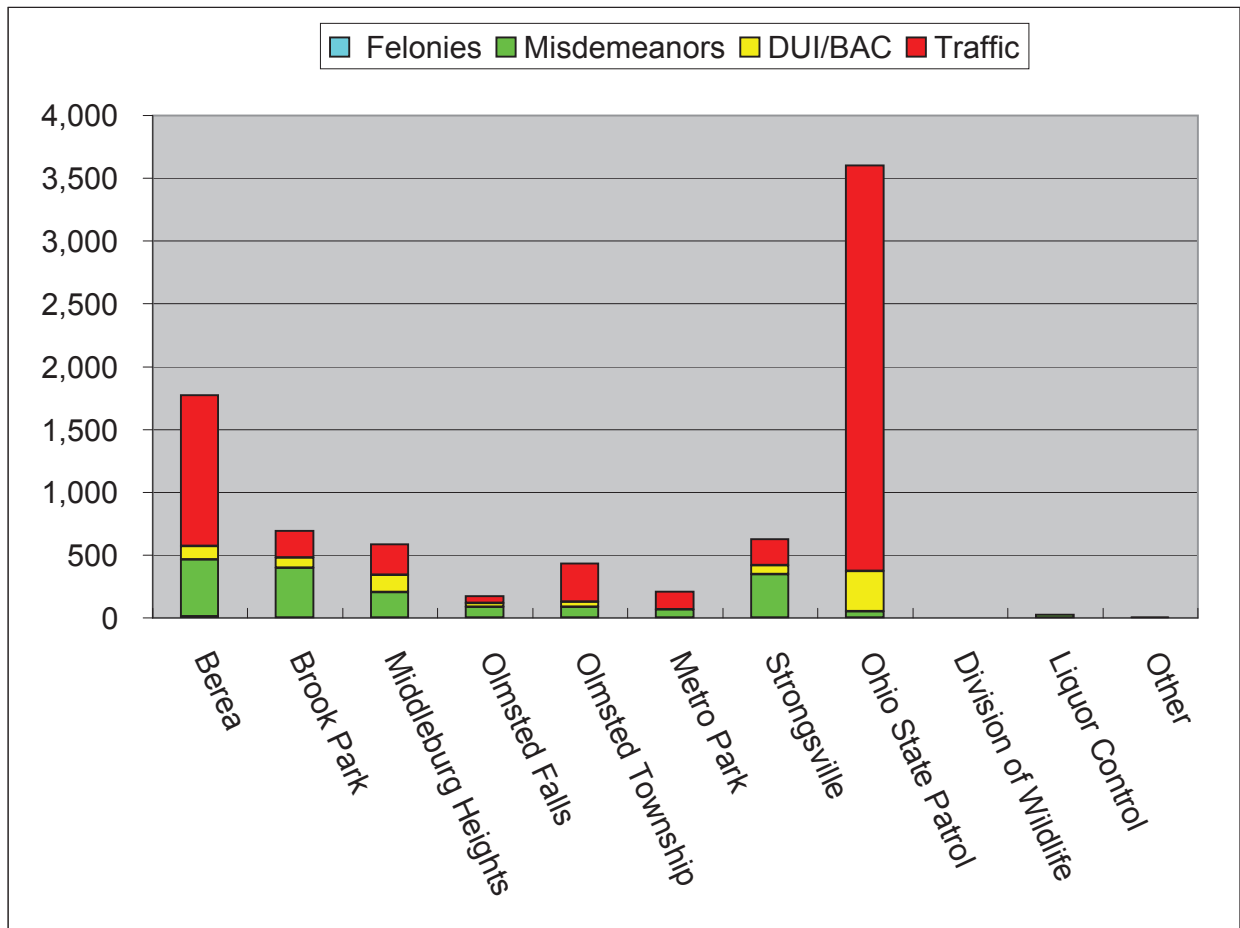
MUNICIPALITY	Criminal				Traffic				TOTALS	
	Felonies		Misdemeanors		DUI / BAC		Uniform Tickets		2009	2010
	2009	2010	2009	2010	2009	2010	2009	2010		
Berea	30	9	435	400	100	96	1,291	1,177	1,856	1,682
Brook Park	28	0	320	360	69	74	214	165	631	599
Middleburg Heights	31	0	208	159	144	133	245	233	628	525
Olmsted Falls	7	0	66	75	24	17	67	42	164	134
Olmsted Township	11	0	95	66	47	22	373	306	526	394
Metro Park	2	0	65	69	7	2	136	137	210	208
Strongsville	75	0	313	317	69	67	187	182	644	566
Ohio State Patrol	6	0	48	65	267	264	3,470	3,114	3,791	3,443
Division of Wildlife	0	0	1	2	0	0	0	0	1	2
Liquor Control	0	0	23	17	1	0	0	0	24	17
Other	0	0	9	0	0	0	0	2	9	2
<b>TOTAL</b>	<b>190</b>	<b>9</b>	<b>1,583</b>	<b>1,530</b>	<b>728</b>	<b>675</b>	<b>5,983</b>	<b>5,358</b>	<b>8,484</b>	<b>7,572</b>





## TRAFFIC AND CRIMINAL CASES COMPLETED IN 2010

MUNICIPALITY	Criminal		DUI/BAC	Traffic	Totals by Agency
	Felonies	Misdemeanors			
Berea	8	455	110	1,202	1,775
Brook Park	0	399	78	216	693
Middleburg Heights	1	205	133	247	586
Olmsted Falls	1	88	27	58	174
Olmsted Township	1	87	37	309	434
Metro Park	0	66	2	140	208
Strongsville	2	346	71	207	626
Ohio State Patrol	0	53	319	3,230	3,602
Division of Wildlife	0	2	0	0	2
Liquor Control	0	25	0	0	25
Other	0	0	1	5	6
<b>TOTAL</b>	<b>13</b>	<b>1,726</b>	<b>778</b>	<b>5,614</b>	<b>8,131</b>



**TRAFFIC AND CRIMINAL REPORT - CITY OF BEREA - 2010 COMPLETED CASES**

**CRIMINAL**

**Felonies**

Burglary	1	Theft	6
Taking Identity Of Another	1		

**TOTAL FELONY CASES 8**

**Misdemeanors**

Aggravated Menacing	8	Noise Disturbances Prohib	1
Alcohol Underage	5	Noise Disturbance	5
Allow Place For Underage Consumption	2	Nonsupport Of Dependents	1
Animal At Large	12	Nuisance Conditions	1
Assault	6	Obstructing Official Business	10
Attempted Theft	2	Open Container	10
Audible Noise In M/V	11	Open Container In Motor Vehicle/Consumption	2
Building Reconstruction Not Permitted	1	Open Container In Mv	1
Carrying Concealed Weapons	1	Open Container In Public Place	1
Contributing Delinquency/Child	4	Open Container In Vehicle	4
Criminal Damage And Endangerment	1	Open Container-Public Place	1
Criminal Damaging/Endangering	7	Passing Bad Checks	1
Criminal Mischief	2	Possess Drug Abuse Instruments	2
Criminal Simulation	1	Possession Drug Paraphernalia	13
Criminal Trespass	9	Possession Open Container/Mv	2
Dis. Conduct	1	Prohibit Against Resist Or Interfer W Officer	1
Dis. Conduct (Persisting)	34	Public Indecency	1
Dis. Conduct (Persisting)	1	Purchase Of Alcohol-Underage	1
Dis. Conduct With Persisting	6	Purchase/Consume/Possess Underage	6
Disorderly Conduct	52	Receiving Stolen Property	4
Disorderly Conduct - Fighting	1	Refuse Disposal	1
Disorderly Conduct - Intox Persist	1	Resisting Arrest	7
Disorderly Conduct Fighting	1	Sale/Use Liquor Underage	9
Disorderly Conduct W Persisting	1	Soliciting Without Permit	1
Disorderly Conduct- Intox	1	Telecommunications Harassment	1
Disorderly Conduct- Intoxicated	2	Telephone Harassment	12
Dog(S) At Large	1	Theft	47
Domestic Violence	9	Theft-Deprive Owner Of Prop/Svcs	1
Domestic Violence Menacing	1	Threatening Domestic Violence	1
Domestic Violence-Threat	1	Trespass Negligently	1
Drug Abuse	9	Underage Alcohol Sales	2
Drug Abuse/Controlled Sub	10	Underage Consumption-Possession Of Alcohol	6
Drug Paraphernalia Offense	20	Underage Possession	1
Endangering Children	1	Underage Possession Or Consumption Of Alcohol	26
Exterior Surfaces	7	Unlawful Restraint	1
Fail To Comply	3	Unlawful Sexual Conduct W/Minor	1
Falsification	5	Using Weapons/Intoxicated	1
Flee And Elude	1	Violating Protection Order	3
Furnish Beer To Underage Person	2	Voyeurism	1
Grass And Weeds Nuisance	4	Wrongful Influence Of A Minor	7
Inducing Panic	2	Zoning	2
Littering	2	Zoning Violation	3
Menacing	1		

**TOTAL MISDEMEANOR CASES 455**

**TOTAL CRIMINAL CASES 463**

**TRAFFIC**

DUI/BAC	110	Uniform Traffic Tickets	1,202
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**TOTAL TRAFFIC CASES 1,312**

**TOTAL CITY OF BEREA - CASES HEARD AND COMPLETED IN 2010 1,775**

**TRAFFIC AND CRIMINAL REPORT - CITY OF BROOK PARK - 2010 COMPLETED CASES**

**CRIMINAL**

**Felonies**

Burglary 0

**TOTAL FELONY CASES**

**0**

**Misdemeanors**

Adult Entertainment/Nudity 3  
 Adult-No Touch Law 5  
 Aggravated Menacing 1  
 Appearance Of Ext-Landscaping 2  
 Assault 9  
 Attempted Assault 1  
 Attempted Possess Drug Abuse Instruments 1  
 Attempted Contrib To Unruliness Or Delinq.Of 1  
 Attempted Contributing Delinquency child 1  
 Attempted Domestic Violence 2  
 Attempted Drug Abuse 1  
 Attempted False Info To Police Off 1  
 Attempted Telephone Harassment 1  
 Attempted Theft 1  
 Attempted Violating Protection Order 1  
 Barking Dog 1  
 Breaking And Entering 1  
 Complicity 2  
 Consumption In Motor Vehicle 4  
 Contribute/Unruliness Of Delinquent 1  
 Contributing Delinquency/Child 6  
 Criminal Damaging/Endangering 10  
 Criminal Mischief 2  
 Criminal Trespass 4  
 Cruelty To Animals 1  
 Dis. Conduct 1  
 Dis. Conduct (Persisting) 3  
 Dis. Conduct Wpersisting 1  
 Dis. Conduct (Persisting) 1  
 Disorderly Conduct 29  
 Disorderly Conduct- Intoxicated 14  
 Disturbing The Peace 1  
 Domestic Violence 15  
 Domestic Violence-Threat 2  
 Drug Abuse 25  
 Drug Paraphernalia 1  
 Drug Paraphernalia Offense 17  
 Endangering Children 3  
 Fail To Comply 3  
 Fail To Maintain Interior 1

False Info To Police Off 1  
 Falsification 9  
 Imp Handle Firearm In M/V 1  
 Inducing Panic 1  
 Licensed Contractor Req. 1  
 Locomotive Obstructing Roadway 106  
 Maintenance Of Exterior 3  
 Making False Alarms 1  
 Menacing 3  
 Misuse Of Credit Cards 1  
 Mv Audio-Disturbing Peace 1  
 Obstructing Official Business 2  
 Obstructing Railroad Crossing 1  
 Open Container 6  
 Open Container In Motor Vehicle 1  
 Open Container In Mv 1  
 Passing Bad Checks 1  
 Placing Harmful Or Hazardous Objects In Food 1  
 Playground Hours 2  
 Possess Drug Abuse Instruments 2  
 Possessing Criminal Tools 3  
 Possession Of Marijuana 1  
 Possession Open Container/Mv 2  
 Prohibited Animals 1  
 Public Indecency 1  
 Receiving Stolen Property 2  
 Resisting Arrest 8  
 Sale Of Mv Without Cert Of Title 1  
 Sexual Imposition 1  
 Telecommunications Harassment 1  
 Telephone Harassment 4  
 Theft 32  
 Theft W/O Consent 9  
 Theft W/O Express/Implied Consent 1  
 Unauth Display/Law Enforce Emblem 1  
 Underage Consumption-Possession Of Alcohol 1  
 Using Weapons/Intoxicated 1  
 Violating Protection Order 1  
 Willfully Fleeing And Eluding 2  
 Wrongful Entrustment 1

**TOTAL MISDEMEANOR CASES**

**399**

**TOTAL CRIMINAL CASES**

**399**

**TRAFFIC**

DUI/BAC 78

Uniform Traffic Tickets 216

**TOTAL TRAFFIC CASES**

**294**

**TOTAL CITY OF BROOK PARK - CASES HEARD AND COMPLETED IN 2010**

**693**

**TRAFFIC AND CRIMINAL CASES - CITY OF MIDDLEBURG HEIGHTS - 2010 COMPLETED CASES**

**CRIMINAL**

**Felonies**

Domestic Violence 1

**TOTAL FELONY CASES 1**

**Misdemeanors**

Aggravated Menacing 6  
 Assault 13  
 Attempted Theft 1  
 Criminal Damaging 1  
 Criminal Damaging/Endangering 2  
 Criminal Mischief 1  
 Criminal Trespass 3  
 Cruelty To Animals 1  
 Defrauding Livery Or Hostelry 1  
 Disorderly Conduct 9  
 Disorderly Conduct/Intox 1  
 Dogs: Owner's Obligation 1  
 Domestic Violence 24  
 Domestic Violence-Threat 2  
 Drug Abuse 5  
 Drug Abuse/Possessing Marijuana 2  
 Drug Paraphernalia Offense 5  
 Duties/Responsibilities 3  
 Endangering Children 2  
 Failure To Comply 1  
 Falsification 4  
 Inducing Panic 1  
 Littering From M/V 1

Menacing 2  
 Obstructing Official Business 8  
 Open Container 9  
 Passing Bad Check 1  
 Passing Bad Checks 3  
 Petty Theft 13  
 Possess Drug Abuse Instruments 4  
 Possession Of Marijuana 1  
 Possession Open Container/Mv 6  
 Receiving Stolen Property 2  
 Resisting Arrest 2  
 Soliciting 1  
 Telephone Harassment 8  
 Theft 21  
 Theft W/O Consent 19  
 Theft-Deprive Owner Of Prop/Svcs 1  
 Underage Consumption 3  
 Underage Consumption-Possession Of Alcohol 2  
 Unlawful Restraint 1  
 Using Weapons/Intoxicated 1  
 Violating Protection Order 4  
 Violation Of Zoning 2  
 Zoning/Building Violation 1

**TOTAL MISDEMEANOR CASES 205**

**TOTAL CRIMINAL CASES 206**

**TRAFFIC**

DUI/BAC 133

Uniform Traffic Tickets 247

**TOTAL TRAFFIC CASES 380**

**TOTAL CITY OF MIDDLEBURG HEIGHTS - CASES HEARD AND COMPLETED IN 2010 586**

**TRAFFIC AND CRIMINAL REPORT - CITY OF OLMSTED FALLS - 2010 COMPLETED CASES**

**CRIMINAL**

**Felonies**

Endangering Children 1

**TOTAL FELONY CASES 1**

**Misdemeanors**

Animal At Large 3  
 Assault 1  
 Attempted Child Endangering 1  
 Carrying Concealed Weapons 1  
 Consumption Alcohol M/V 1  
 Criminal Trespass 2  
 Dis. Conduct With Persisting 1  
 Disorderly Conduct 7  
 Disorderly Conduct - Persisting 5  
 Disorderly Conduct/Intoxication 4  
 Dom. Violence 1  
 Domestic Violence 3  
 Drug Paraphernalia Offense 1  
 Fail To Paint Exterior Surface 1  
 Falsification 2  
 Gasoline Theft 7  
 Locomotive Obstructing Roadway 13  
 Loud Stereo 1  
 Negligent Assault 1  
 Obstructing Official Business 2

Open Container In Mv 0  
 Open Container In M/V 1  
 Possession Of Drug Paraphernalia 3  
 Possession Of Marijuana 1  
 Public Indecency 1  
 Sales To And Or Use Underage Person 1  
 Telephone Harassment 6  
 Theft 4  
 Theft W/O Consent 7  
 Unauthorized Use Of Property 3  
 Violating Protection Order 3

**TOTAL MISDEMEANOR CASES 88**

**TOTAL CRIMINAL CASES 89**

**TRAFFIC**

DUI/BAC 27

Uniform Traffic Tickets 58

**TOTAL TRAFFIC CASES 85**

**TOTAL CITY OF OLMSTED FALLS - CASES HEARD AND COMPLETED IN 2010 174**

**TRAFFIC AND CRIMINAL REPORT - CITY OF STRONGSVILLE - 2010 COMPLETED CASES**

**CRIMINAL**

**Felonies**

Obstructing Official Business 1  
 Trafficking In Drugs 1

**TOTAL FELONY CASES 2**

**Misdemeanors**

Aggravated Menacing 4  
 Animal At Large 1  
 Assault 14  
 Attempted Rsp 1  
 Attempted Theft 1  
 Building Violations 1  
 Carrying Concealed Weapons 3  
 Contributing Delinquency/Child 1  
 Criminal Damaging/Endangering 7  
 Criminal Mischief 1  
 Criminal Trespass 2  
 Dis. Conduct (Persisting) 1  
 Dis. Conduct With Persisting 1  
 Dis. Conduct (Persisting) 17  
 Disorderly Conduct 11  
 Dog(S) At Large 2  
 Domestic Violence 25  
 Domestic Violence-Threat 6  
 Drug Abuse 8  
 Drug Paraphernalia 5  
 Drug Paraphernalia Offense 10  
 Endangering Children 4  
 Falsification 6  
 Inducing Panic 1  
 Interference With Custody 1  
 Intimidation/Victim/Witness 1  
 Labeling 1  
 Liquor Consumption In Motor Vehicle 1  
 Maintenance Violation 1  
 Menacing By Stalking 2  
 Misuse Of Credit Cards 1  
 Obstructing Official Business 5  
 Open Container 1  
 Open Container In Mv 1  
 Open Container/Motor Vehicle 3  
 Passing Bad Checks 3

Petty Theft 12  
 Possess Drug Abuse Instruments 2  
 Possessing Criminal Tools 2  
 Possession Drugs 3  
 Possession Open Container/Mv 2  
 Property Maintenance 1  
 Providing False Info To Police 2  
 Public Indecency 6  
 Receiving Stolen Property 11  
 Resisting Arrest 4  
 Soliciting 1  
 Tampering With Evidence 1  
 Telecommunication Harassment 1  
 Telecommunications Harassment 2  
 Telephone Harassment 5  
 Theft 74  
 Theft By Deception 1  
 Theft W/O Consent 48  
 Theft-Deprive Owner Of Prop/Svcs 1  
 Unauthorized Use 1  
 Unauthorized Use Of Property 2  
 Violating A Duty Of Care 3  
 Violating Protection Order 7

**TOTAL MISDEMEANOR CASES 346**

**TOTAL CRIMINAL CASES 348**

**TRAFFIC**

DUI/BAC 71

Uniform Traffic Tickets 207

**TOTAL TRAFFIC CASES 278**

**TOTAL CITY OF STRONGSVILLE CASES - HEARD AND COMPLETED IN 2010 626**

**TRAFFIC AND CRIMINAL CASES - OLMSTED TOWNSHIP - 2010 COMPLETED CASES**

**CRIMINAL**

**Felonies**

Robbery 1

**TOTAL FELONY CASES 1**

**Misdemeanors**

Assault 1  
 Consumption In Motor Vehicle 1  
 Criminal Damaging/Endangering 2  
 Criminal Trespass 1  
 Criminal Trespass (X3) 1  
 Dis. Conduct With Persisting 14  
 Disorderly Conduct 12  
 Disorderly Conduct- Intox 1  
 Disorderly Conduct- Intoxicated 1  
 Dog(S) At Large 6  
 Domestic Violence 9  
 Drug Abuse 2  
 Drug Paraphernalia Offense 15  
 Falsification 1  
 Imp Handle Firearm In M/V 1  
 Inducing Panic 1

Menacing 1  
 Menacing By Stalking 1  
 Obstructing Official Business 2  
 Open Container In Mv 1  
 Possession Of Dangerous Drugs 3  
 Possession Of Marijuana 1  
 Possession Open Container/Mv 3  
 Theft 1  
 Unauthorized Use Of Property 1  
 Underage Consumption-Possession Of Alcohol 2  
 Violating Protection Order 2

**TOTAL MISDEMEANOR CASES 87**

**TOTAL CRIMINAL CASES 88**

**TRAFFIC**

DUI/BAC 37

Uniform Traffic Tickets 309

**TOTAL TRAFFIC CASES 346**

**TOTAL OLMSTED TOWNSHIP CASES - HEARD AND COMPLETED IN 2010 434**

**TRAFFIC AND CRIMINAL REPORT - OHIO STATE PATROL - 2010 COMPLETED CASES**

**CRIMINAL**

**Felonies**

Carrying Concealed Weapons 0

**TOTAL FELONY CASES 0**

**Misdemeanors**

Consumption In Motor Vehicle 1  
 Disorderly Conduct 2  
 Drug Abuse 20  
 Drug Paraphernalia 1  
 Drug Paraphernalia Offense 12  
 Endangering Children 2  
 Falsification 1  
 Littering 2

Open Container 3  
 Possess Drug Abuse Instruments 2  
 Possession Of Marijuana 3  
 Underage Consumption-Possession Of Alcohol 3  
 Willfully Fleeing And Eluding 1

**TOTAL MISDEMEANOR CASES 53**

**TOTAL CRIMINAL CASES 53**

**TRAFFIC**

DUI/BAC 319

Uniform Traffic Tickets 3,230

**TOTAL TRAFFIC CASES 3,549**

**TOTAL OHIO STATE PATROL - CASES HEARD AND COMPLETED IN 2010 3,602**



**TRAFFIC AND CRIMINAL REPORT - METROPARKS - 2010 COMPLETED CASES**

**CRIMINAL**

**Felonies**

Possessing Criminal Tools 0

**TOTAL FELONIES 0**

**Misdemeanors**

After Hours 10  
 Alcohol Use By Underage Person 2  
 Criminal Trespass 1  
 Disorderly Conduct-Intox 1  
 Dogs At Large 3  
 Drug Abuse 10  
 Drug Paraphernalia 5  
 Drug Paraphernalia Offense 4  
 Endangering Children 1  
 Fishing In Closed Area 2

Fishing Lic. Required 3  
 Harmful Intoxicants 1  
 Littering 1  
 Misuse Of Credit Cards 3  
 Obst. Official Business 1  
 Obstructing Official Business 1  
 Possession Of Alcohol 7  
 Public Indecency 10

**TOTAL MISDEMEANOR CASES 66**

**TOTAL CRIMINAL CASES 66**

**TRAFFIC**

DUI/BAC 2

Uniform Traffic Tickets 140

**TOTAL TRAFFIC CASES 142**

**TOTAL METRO PARKS - CASES HEARD AND COMPLETED IN 2010 208**

0

**TRAFFIC AND CRIMINAL REPORT- OHIO DIVISION OF WILDLIFE - 2010 COMPLETED CASES**

**CRIMINAL**

**Felonies**

**TOTAL FELONIES 0**

**MISDEMEANORS**

Fishing Without License 1  
 Wild Animal Violation 1

**TOTAL MISDEMEANOR CASES 2**

**TOTAL CRIMINAL CASES 2**

**TRAFFIC**

DUI/BAC 0

Uniform Traffic Tickets 0

**TOTAL TRAFFIC CASES 0**

**TOTAL OHIO DIVISION OF WILDLIFE - CASES HEARD AND COMPLETED IN 2010 2**

**TRAFFIC AND CRIMINAL REPORT-OHIO DEPARTMENT OF LIQUOR CONTROL - 2010 COMPLETED CASES**

**CRIMINAL**

**Felonies**

**TOTAL FELONIES 0**

**Misdemeanors**

Attempted Underage Consumption/Possessor 1  
 Drug Abuse 1  
 Drug Paraphernalia Offense 1  
 Furnish Beer To Underage Person 6

Gambling 10  
 Sunday Sale Of Liquor 1  
 Underage Consumption-Possession Of Alcohol 4  
 Vendor To Collect Tax 1

**TOTAL MISDEMEANOR CASES 25**

**TRAFFIC**

DUI/BAC 0

Uniform Traffic Tickets 0

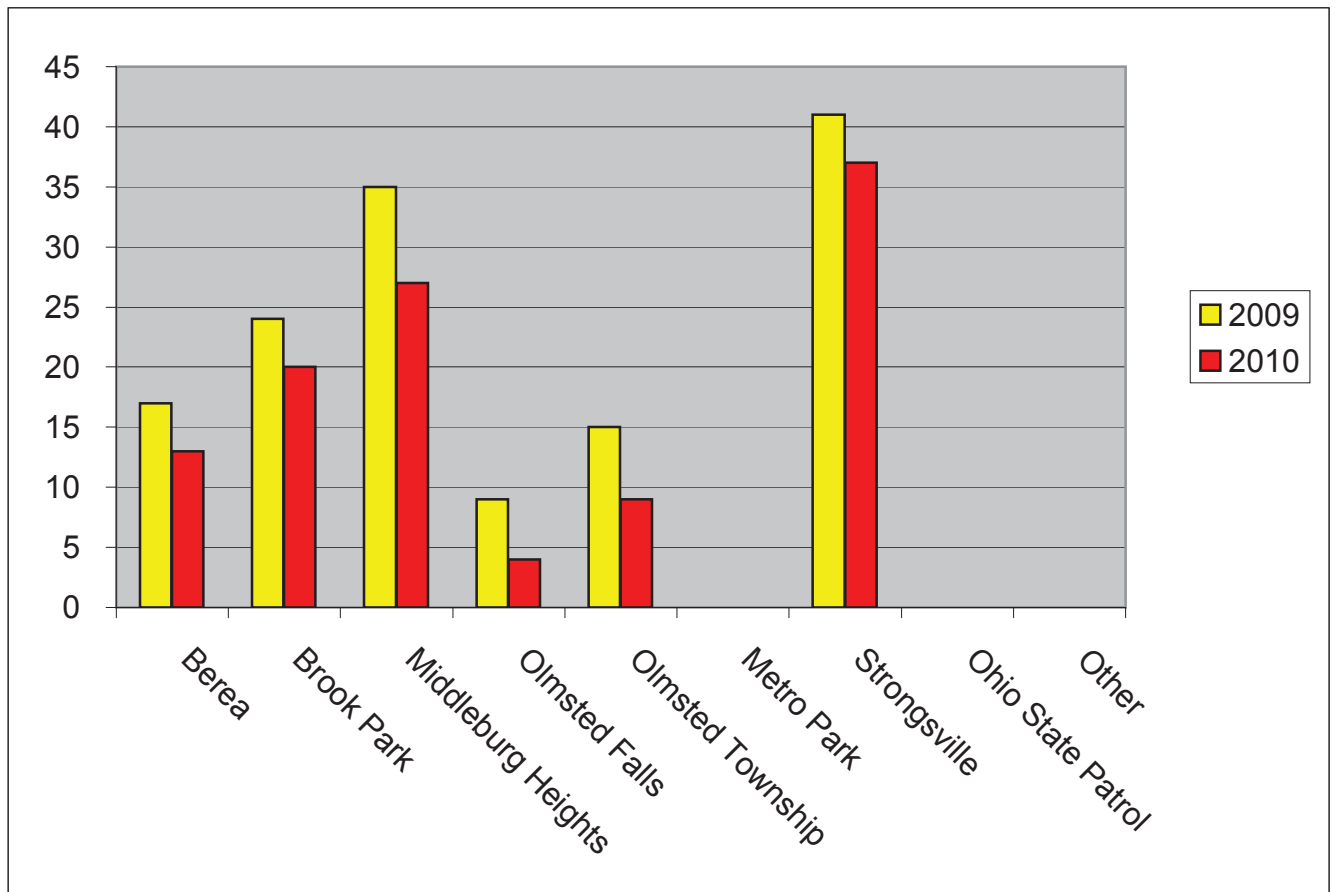
**TOTAL TRAFFIC CASES 0**

**TOTAL CRIMINAL CASES 25**

**TOTAL OHIO DEPARTMENT OF LIQUOR CONTROL - CASES HEARD AND COMPLETED IN 2010 25**

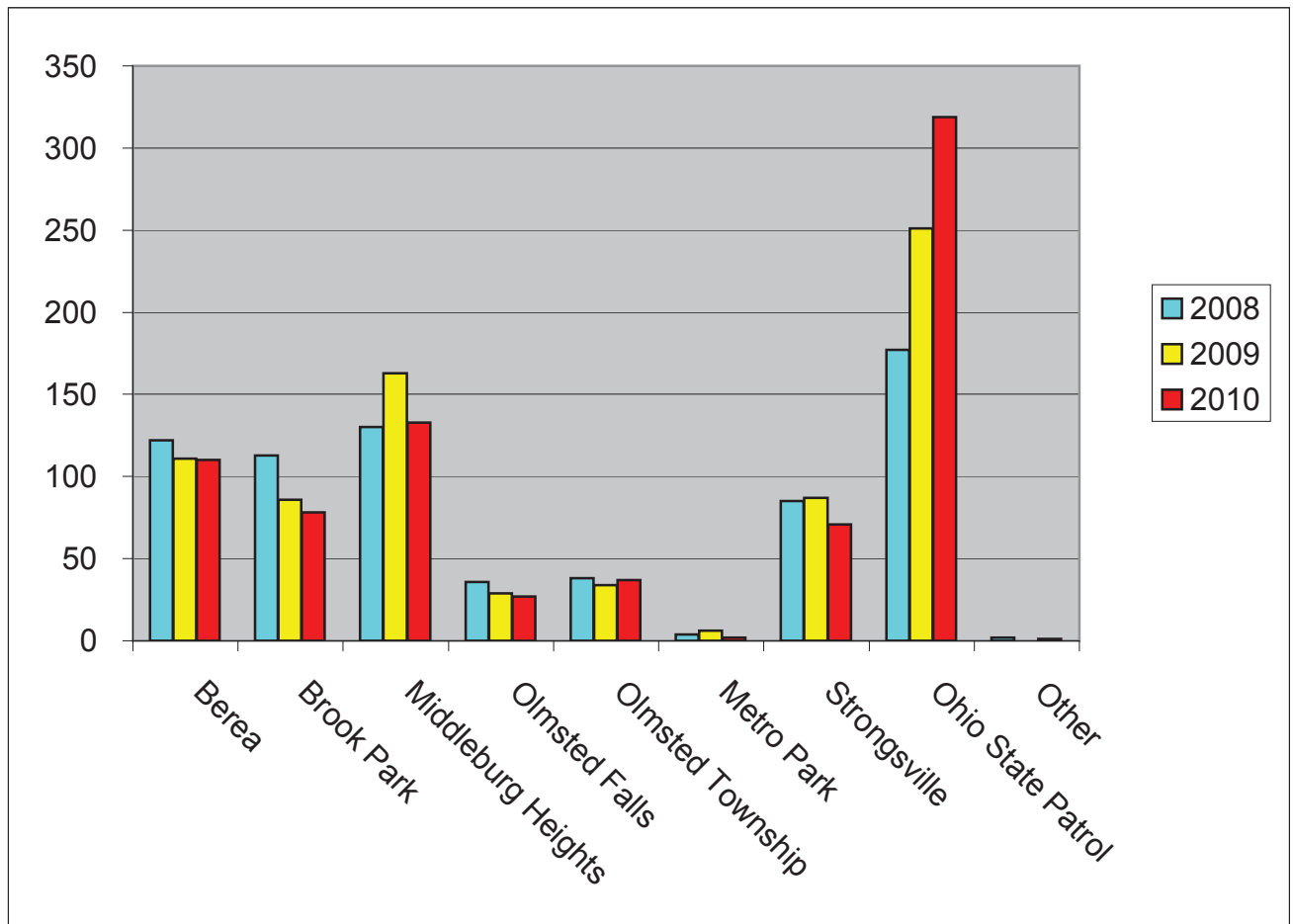
**DOMESTIC VIOLENCE CASES COMPLETED  
2009 vs. 2010 BY MUNICIPALITY**

MUNICIPALITY	Felonies		Misdemeanors		TOTALS	
	2009	2010	2009	2010	2009	2010
Berea	1	0	16	13	17	13
Brook Park	3	0	21	20	24	20
Middleburg Heights	2	1	33	26	35	27
Olmsted Falls	1	0	8	4	9	4
Olmsted Township	1	0	14	9	15	9
Metro Park	0	0	0	0	0	0
Strongsville	6	0	35	37	41	37
Ohio State Patrol	0	0	0	0	0	0
Other	0	0	0	0	0	0
<b>TOTAL</b>	<b>14</b>	<b>1</b>	<b>127</b>	<b>109</b>	<b>141</b>	<b>110</b>



**DUI / BAC CASES COMPLETED  
COMPARISON OF 2008, 2009 and 2010 BY MUNICIPALITY**

MUNICIPALITY	2008	2009	2010
Berea	122	111	110
Brook Park	113	86	78
Middleburg Heights	130	163	133
Olmsted Falls	36	29	27
Olmsted Township	38	34	37
Metro Park	4	6	2
Strongsville	85	87	71
Ohio State Patrol	177	251	319
Other	2	0	1
<b>TOTAL</b>	<b>707</b>	<b>767</b>	<b>778</b>



SECTION FOUR  
JURY COMMISSION

**2010 Jury Report**

**Jury Commissioners**

**Dale Finley - Chairman**

**Mary Brown**

**James Cole  
Charles Hawk**

**Jack Kafer**

**JUROR RECAP**

Panels Summoned for 1 day service		22
Jurors Served	178	
Jurors Excused	178	
Jurors Released	304	
Jurors Summoned		660

**JURY TRIALS CANCELLED**

14

**JURY TRIAL RECAP**

Traffic/Criminal Cases Heard		7
Finding of Guilty	1	
Finding of Not Guilty	2	
Plea Prior to Trial	4	
Civil Cases Heard		1
TOTAL CASES DECIDED BY JURY		8

SECTION FIVE  
COMMUNITY  
CONTROL

## 2010 COMMUNITY CONTROL SANCTIONS REPORT

The Community Control Department continues to maintain a staff of four full time employees and one part-time employee. The department continues to utilize non-paid part time interns. Four 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.

In 2010, 2005 cases were referred to the Community Control Department. The Community Control officers supervised, as directed by the Court, 777 cases for drug and/or alcohol offenses and 393 were supervised for driving under suspension offenses. 198 defendants were supervised for theft and other property related offenses and 237 were for domestic violence and other violent offenses. There were 92 other defendants that were supervised for other various offenses, such as, but not limited to, Dogs at Large, Contributing to the Delinquency of a Minor, and Public Indecency. These numbers do not include the offenders that are given the option of the Driving under Suspension Diversion Program and the First Offender Diversion Program. Often the defendants are charged with multiple crimes and are placed on probation for multiple offenses. As an alternative to jail, 137 defendants were given the opportunity to complete 10 hours of community service work for every one day of jail. Also as an alternative to jail, 278 defendants took advantage of Electronically Monitored House Arrest, which allows offenders to go to work and probation appointments. By taking advantage of this resource, many offenders are able to keep gainful employment.

Both of the Diversion Programs saw an increase in referrals in 2010. The Driving under Suspension (DUS) Diversion Program continues to assist defendants who have been cited with Driving under Suspension offenses in getting their driver's license reinstated. There were 204 referrals. 85 of which successfully reinstated their license. 60 cases in the Diversion program were not able to obtain a valid license and therefore were placed on Community Control. 59 cases are currently in the process of completing the program. The First Offender diversion program gives defendants who may be charged with offenses such as underage consumption, petty theft and drug abuse the opportunity to amend their behavior and avoid having a criminal conviction on their record. In 2010 there were 104 total referrals to the program, with 35 cases pending and 61 completions. 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 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 utilizes many social service agencies and support groups within the community and is always adding more resources for the defendant. The Finish First Program has been a great resource for many first time criminal offenders. Attorney William Dawson developed and now facilitates the program that educates and informs the community about the legal system thus working to stop destructive behaviors and increase decision making skills. 87 defendants were referred to this program.

For the last five years the Berea Municipal Court has been one of the locations for the Mothers 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 (paid by defendants) for each tier and the proceeds go directly to MADD to assist victims of alcohol related driving offenses. 459 defendants were referred to the MADD Driver Awareness Sessions.

## **2010 COMMUNITY CONTROL SANCTIONS REPORT**

Pending Pre-Sentence Investigations	239
Sentenced to Basic / Active Community Control	1006
Placed on a Non-reporting Community Control	270
Sentenced to Monitored Community Control	170
Sentenced to Intensive Community Control	2
Remaining on Basic / Active Community Control as of 12/31/2010	718
Terminated from Community Control in 2010	18
Fined / Jailed Only after PSI - no Community Control in 2010	39
Received No Probation of Vacated Plea after PSI referral	15
Deceased after placed on Probation	2

### **REFERRALS TO COMMUNITY RESOURCES**

72 hour Driver Intervention Program	428
Alcoholics Anonymous Meetings	199
MADD program (Mothers against Drunk Driving)	459
Domestic Violence or Anger Management Program	116
Parenting Education Program	24
Shoplifting Intervention Program	67
Finish First Program	87
Intensive Outpatient Treatment Program	158
Alcohol Education Programs	70

### **ALTERNATIVES TO JAIL**

Electronically Monitored House Arrest	278
Community Service Work	137
Continuous Alcohol Monitoring	27
Global Positioning System (GPS) while on Community Control	3

### **DIVERSION PROGRAMS**

DUS Diversion Program: 204 referred, 85 completed, 60 failed and 59 pending  
First Offender Program: 104 referred, 61 completed, 8 failed and 35 pending